



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
400 NORTH STREET, HARRISBURG, PA 17120

IN REPLY PLEASE
REFER TO OUR FILE

September 12, 2024

Docket No. A-2024-3050785

Utility Code 230073

TERESA HAROLD ESQUIRE
PENNSYLVANIA AMERICAN WATER COMPANY
852 WESLEY DRIVE
MECHANICSBURG PA 17055
TERESA.HARROLD@AMWATER.COM

RE: Application of Pennsylvania-American Water Company – Wastewater Division for approval to begin to offer, render, furnish or supply wastewater service to the public in an additional portion of Fairview Township, York County, Pennsylvania at Docket No. A-2024-3050785

Dear Attorney Harrold:

On August 16, 2024, Pennsylvania-American Water Company – Wastewater Division (PAWC-WD) filed the above-referenced document (Application) with the Pennsylvania Public Utility Commission (Commission). For the Commission to complete its analysis of the filing, please respond with the information requested in the attached document.

Please forward the information to the Secretary of the Commission at the address listed below **within ten (10) business days** from the date of this letter. All documents requiring notary stamps must have original signatures. The Commission strongly encourages submission through efiling with the Secretary of the Commission by opening an efiling account through the Commission website and accepting eservice at <https://efiling.puc.pa.gov>. The Commission is accepting all public documents through our efiling system at this time.

If your filing contains confidential material, you are required to either file by overnight delivery or submit to the Secretary's Share Point File system to ensure the timely filing of your submission. Filers should contact the Secretary's Bureau in advance to gain access to the Share Point File system. Make sure to reference the Docket Number listed above when filing your response. The overnight address for hard-copy or confidential responses is:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Please note your answers must be verified per 52 Pa. Code § 1.36. Accordingly, you must provide the following statement with your responses:

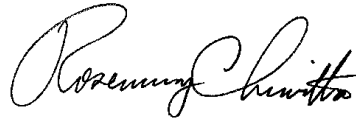
I, [print name of appropriate company representative], hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Signature _____
Title _____
Date _____

Please contact the below staff person if any problems should arise that prevent a full response within ten business days or if any clarification of these data requests is needed. Please mark the materials “CONFIDENTIAL” in bold or highlighted manner if any of the requested information is deemed to be of a confidential nature.

In addition, to expedite completion of the application, please send a copy of your response to Clinton McKinley in the Water/Wastewater Section of the Bureau of Technical Utility Services via e-mail at cmckinley@pa.gov. Thank you in advance for your cooperation

Sincerely,



Rosemary Chiavetta
Secretary

Enclosure: TUS Data Request Set 1

cc: Patrick Cicero, Office of Consumer Advocate (w/enclosure), ra-oca@paoca.org
Christine Hoover, Office of Consumer Advocate (w/enclosure), choover@paoca.org
NazAarah Sabree, Office of Small Business Advocate (w/enclosure), ra-sba@pa.gov
Allison Kaster, Bureau of Investigation & Enforcement (w/enclosure), akaster@pa.gov

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Note: Please restate the data request prior to providing a response. In addition, provide the name and title of the person(s) providing the response and/or information for each data request.

- A-1. In Section III., Paragraph 6., of the Application, PAWC-WD included a table that identified the wastewater facilities (Proposed Facilities) it intends to install within the requested service territory and the associated cost estimate. Additionally, PAWC-WD identified that the requested service territory is required to provide public wastewater service to a new residential development (Sienna Development) being developed by Sienna Fee Simple LLC (Developer) that will consist of two phases with the first (Phase 1) and second (Phase 2) phases being comprised of 356 and 299 residential units, respectively, for a total of 655 residential units. Considering the Proposed Facilities, please provide responses for the following:
- a. Clarify if the Proposed Facilities and associated cost estimate include the materials and projected expenses required to extend wastewater service to both phases of the Sienna Development;
 - b. Clarify whether PAWC-WD intends to install approximately 2,170 linear feet (LF) of six-foot or six-inch diameter force main;
 - c. Explain the discrepancy between the Proposed Facilities including only 133 six-inch diameter service laterals with the projected number of 655 residential units in the Sienna Development;
 - d. Provide a breakdown of the proposed construction schedule for the full build-out of the Sienna Development by phase, the number of residential units by type, and year; and
 - e. Provide a projected timeline individually for the construction of the main extension and Phase 1 of the Proposed Facilities, and Phase 2 of the Proposed Facilities.
- A-2. In Section III., Paragraph 8., of the Application, PAWC-WD indicated the cost estimate for the main extension and wastewater facilities (PAWC-WD Estimate) to be installed by PAWC-WD within the requested service territory would total \$2,542,984. However, the copy of a letter from Kinsley Construction dated July 24, 2024 (Kinsley Estimate), provided as the Application's Exhibit I indicated that the cost estimate of \$2,542,984 is only for Phase 1 of the proposed Sienna Development. Please provide responses to the following:
- a. Clarify the apparent discrepancy between the PAWC-WD and Kinsley Estimates regarding whether the \$2,542,984 represents the total expenditure required for Phase 1 only or for the entire Sienna Development; and

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- A-6. The requested service territory depicted on the Application’s Exhibit B-1 and described by bearing angles and distances on the Application’s Exhibit B-2 appears to exclude the southeastern corner of Parcel ID 2 (York County Parcel ID Number 27-000-RE0029.B0-C0002). Please explain why PAWC-WD is not requesting to provide wastewater service to this area.
- A-7. In the Application’s Section III., Paragraph 6., PAWC-WD indicated that all portions of the requested service territory are owned and being developed by the Developer as depicted on a copy of a map (Service Territory Map) entitled “Proposed Service Territory Extension – Sienna Development” dated July 23, 2024, included as the Application’s Exhibit B-1. However, the Service Territory Map included parcels that do not appear to be owned by the Developer. Through publicly available information accessed on the York County Tax Parcel Viewer, the Commission identified Parcel No. 27-000-RE-0029.B0-C00A1 (Sienna Parcel) comprised of 24.77 acres of land as the parcel owned by the Developer.¹ Further, the Application’s Exhibit D included a copy of map (2022 Plot Map) entitled “Plot Map for Sienna” dated August 4, 2021, revised March 8, 2022. The 2022 Plot Map appears to have added Parcel Nos. 27-000-RE-0029.E0-00000 and 27-000-RE-0029.00-00000 (North Parcels) comprised of 12.11 and 13.53 acres of land with a notation that the North Parcels were owned by Fairview York Investments LLC (FYI LLC). The Commission notes that the North Parcels have subsequently been sold by FYI LLC to private individuals. All other parcels (Limekiln Rd Parcels) of land depicted on the Service Territory Map bounded by bearing angle and distance points 1 through 17, or the area south of Limekiln Road, as described in the Application’s Exhibit B-2 appear to be owned by private residents or entities. Collectively, the North and Limekiln Rd. Parcels comprise potential customers outside of the Sienna Development (Outside Development Customers). Please provide responses to the following:
- a. Provide written evidence of any requests for wastewater service from the potential Outside Development Customers;
 - b. Quantify the number of proposed customers, by customer class, included as Outside Development Customers;
 - c. Identify the entity or individuals that will be responsible to fund construction of the facilities required to connect and serve the Outside Development Customers;
 - d. Identify how the Outside Development Customers currently receive water service;
 - e. Identify how the Outside Development Customers currently receive wastewater service; and

¹ See <https://yorkcountypa.maps.arcgis.com/apps/webappviewer/index.html?id=5774257ab4fb4aee9cf318e7313049ee>

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- f. Provide a map that depicts a contiguous land area encapsulating the Sienna Parcel west of Spanglers Mill Road identified by York County Parcel No. 27-000-RE-0029.B0-C00A1 that abuts to PAWC-WD’s existing certificated territory. Additionally, provide a description of the Sienna Parcel by bearing angles and distances along with the land area quantified in acres.
- A-8. The 2022 Plot Map depicted the construction of a community center in Phase 1 of the Sienna Development that appears to be a commercial customer. Please provide responses to the following:
 - a. Provide a breakdown of the number of proposed customers by customer class and phase in the Sienna Development; and
 - b. Provide a revised Exhibit M that identifies the estimated annual revenue and expenses, reflective of the proposed customer classes in the Sienna Development.
- A-9. The Application’s Exhibit H included a copy of PAWC-WD’s draft Sewer Main Extension Agreement (Extension Agreement). Section 6 of the Extension Agreement indicated that the Developer would pay capacity reservation fees and connection fees. Additionally, the Commission notes that the Extension Agreement appears to be silent or does not include any provision for a customer refund amount for each additional customer connecting to the Proposed Facilities. Considering the Extension Agreement, please provide responses to the following:
 - a. Quantify any estimated capacity reservation fees and connection fees to be paid by the Developer; and
 - b. Indicate whether PAWC-WD will be refunding the Developer a set amount per residential customer for a set period of time from the date of Extension Agreement’s execution up to a maximum potential refund. If so, provide the refund amount per customer, the set period of time for refunds, and the maximum potential refund.

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- A-10. In Section III., Paragraph 10., of the Application, PAWC-WD indicated that it's Lower Allen Wastewater Treatment Plant (WWTP) has sufficient collection, conveyance, and treatment system capacity to serve the proposed 694 EDUs when both phases of the Sienna Development are complete. The Commission notes that PAWC-WD filed an Assignment and Assumption Agreement (Assignment Agreement) between PAWC-WD and Lower Allen Township, Lower Allen Township Authority (LATA), and Fairview Township dated October 12, 2015.² Specifically, Section 7.(e) of the Assignment Agreement appears to limit the connection points to the LATA sewer system unless otherwise agreed in writing by LATA and PAWC-WD. Please provide responses to the following:
- a. Clarify if PAWC-WD owns the Lower Allen WWTP; and
 - b. If PAWC-WD does not own the Lower Allen WWTP, provide evidence that all necessary agreements or contracts are in place for PAWC-WD to convey the estimated flow from the requested service territory to the Lower Allen WWTP for treatment.
- A-11. Please provide an estimate of the annual number of customers, by customer class, that would be connected to the Proposed Facilities within the next 5 years, and an estimate of the associated average daily wastewater flow, by year, to be generated within the requested service territory.
- A-12. Provide a copy of the most recent Chapter 94 Wasteload Management Report filed with the DEP for the Lower Allen Township WWTP.
- A-13. In Section III., Paragraph 10., of the Application, PAWC-WD provided hydraulic details for the Lower Allen Township WWTP. Please provide response to the following:
- a. Quantify the anticipated organic load projected to be generated within the requested service territory at the completion of Phase 1 and separately at the completion of Phase 2.
 - b. Provide evidence that the Lower Allen Township WWTP has adequate organic load capacity to accept the projected wastewater flow from the requested service territory at the completion of Phase 1 and separately at the completion of Phase 2.

² See Docket No. U-2015-2508365

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- A-14. In Section III., Paragraph 11., of the Application, PAWC-WD indicated that the requested service territory is already within Pennsylvania-American Water Company's (PAWC's) certificated water service territory. Please provide evidence that the requested service territory is within PAWC's certificated water service territory.
- A-15. The 2022 Plot Map depicted a force main connection with PAWC-WD's existing collection system within Pin Oak Drive. Considering this connection, please provide responses to the following:
- a. Identify PAWC-WD's existing facilities, including the material type, size, and capacity, to be used to convey flow from the requested service territory to the Lower Allen WWTP;
 - b. Provide evidence that PAWC-WD's existing facilities have adequate capacity to provide wastewater service to the requested service territory; and
 - c. Identify any required upgrades to PAWC-WD's existing facilities to be used to provide wastewater service to the requested service territory and the estimated cost of these upgrades.
- A-16. The 2022 Plot Map also depicted a proposed private low pressure sanitary force main to serve the property owned by Bruno G. Bertin. Considering this proposed privately owned force main, please provide responses to the following:
- a. Provide evidence of a request for service from the property owner to be served from this proposed force main;
 - b. Identify the entity or individual that will finance the construction of this force main;
 - c. Quantify the estimated number of Equivalent Dwelling Units (EDUs) to be served by this private force main and clarify whether the 694 EDUs and estimated average flow demand of 117,750 gallons per day includes flow from the property to be served by the private force main and the Outside Development Customers; and
 - d. Provide copies of any additional agreements between PAWC-WD and the property owner to receive wastewater service from the privately owned force main.