

**PENNSYLVANIA PUBLIC UTILITY COMMISSION  
HARRISBURG, PENNSYLVANIA 17120**

**Petition of Columbia Water Company  
for Approval of a Lead Line  
Replacement Program**

**Public Meeting held October 10, 2024  
3041845-ALJ  
Docket No. P-2023-3041845**

**MOTION OF CHAIRMAN STEPHEN M. DeFRANK**

On July 21, 2023, Columbia Water Company (Columbia or Company) filed a Petition for Approval of a Lead Service Line Replacement Program, Related Tariff Changes, Modification of Long-Term Infrastructure Improvement Plan, and Waiver of Termination Regulations. On July 31, 2024, Columbia, the Office of Small Business Advocate, and the Office of Consumer Advocate filed a Joint Petition for Approval of Settlement (Settlement).<sup>1</sup> Columbia's Lead Service Line Replacement Program (LSLRP) filing was made pursuant to the Commission's Regulations at 52 Pa. Code §§ 65.51, *et seq.*

Columbia has agreed to complete replacements of all Company-owned and customer-owned lead service lines within ten years. This timeline is consistent with the Federal Environmental Protection Agency's recently finalized Lead and Copper Rule Improvements Rulemaking.<sup>2</sup> This component along with all other pertinent settlement terms are enumerated in presiding Administrative Law Judge Mary D. Long's Recommended Decision approving the Settlement. I too support approval of the Settlement as it is in the public interest.

However, I believe that consistent with Commission previous practice for LSLRP proceedings, the Recommended Decision should be modified to clearly articulate the compliance steps necessary to close this proceeding. Specifically, in our September 12th, 2024 Order approving Veolia Water's Pennsylvania, Inc.'s (Veolia Water) LSLRP, the Commission directed, via Ordering paragraphs 12, 13, and 14, the three compliance requirements exhibited verbatim below.<sup>3</sup>

*12. That within thirty days of the entry date of the Commission's Final Order in this matter, Veolia Water Pennsylvania, Inc. shall file an amended Lead Service Line Replacement Plan, modified Long-Term Infrastructure Improvement Plan, and tariff supplement at Docket No. P-2023-3042107, that incorporates any modifications thereto consistent with these proceedings and findings herein with the Secretary's Bureau, and serve a copy upon the Bureau of Technical Utility Services and all active parties in this proceeding.*

*13. That the Bureau of Technical Utility Services shall complete its review of the amended Lead Service Line Replacement Plan, modified Long-Term Infrastructure Improvement Plan, and tariff supplement subject to the schedule in place at the time the proceeding was assigned to the Office of Administrative Law Judge for hearings in this matter and submit an order for Commission consideration.*

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<sup>2</sup> 40 CFR Parts 141 and 142 - [www.epa.gov/system/files/documents/2024-10/prepublicationfrn\\_national-primary-drinking-water-regulations-for-lead-and-copper\\_improvements.pdf](http://www.epa.gov/system/files/documents/2024-10/prepublicationfrn_national-primary-drinking-water-regulations-for-lead-and-copper_improvements.pdf)

<sup>3</sup> See Docket No. P-2023-3042107

14. That, the proceeding at Docket No. P-2023-3042107 shall remain open pending completion of the Bureau of Technical Utility Services' review as ordered in Ordering Paragraph No. 13 above.

Upon review, ordering paragraphs with similar directives for Columbia do not appear in the Recommended Decision approving this Settlement. I submit that such ordering paragraphs should be included to foster regulatory consistency and to ensure the prudent review of all relevant documentation before closing this proceeding. As such, I believe a Commission Order approving the Settlement should include ordering paragraphs similar and consistent to those referenced above from the Veolia Water LSLRP.

**THEREFORE, I MOVE THAT:**

1. The Recommended Decision of Administrative Law Judge Mary D. Long be modified consistent with this Motion.
2. The Office of Special Assistants draft a Tentative Opinion and Order consistent with this Motion.
3. The Bureau of Investigation and Enforcement, Columbia Water Company, the Office of Small Business Advocate, and the Office of Consumer Advocate, as parties to this proceeding, shall have ten (10) business days after the entry date of the Tentative Order to file comments.
4. Should any adverse comments be filed, the proceeding shall be assigned to the Office of Special Assistants for the drafting of a Final Opinion and Order.
5. Should no adverse comments be filed, the Tentative Order shall become final.

**October 10, 2024**  
Date

  
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Stephen M. DeFrank  
Chairman