



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

IN REPLY PLEASE  
REFER TO OUR FILE

December 11, 2024

TERESA K HARROLD ESQUIRE  
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MECHANICSBURG PA 17055  
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Docket No. A-2023-3038717  
Utility Code 230073

RE: Pennsylvania-American Water Company – Wastewater Division Section 1329  
Application for the Acquisition of Elizabeth Borough Municipal Authority’s Wastewater  
System Assets at Docket No. A-2023-3038717

Dear Attorney Harrold:

On September 27, 2024, Pennsylvania-American Water Company – Wastewater Division (PAWC-WD) submitted the above-referenced application (Application) to the Pennsylvania Public Utility Commission (Commission) for filing. The Commission’s Bureau of Technical Utility Services (TUS) subsequently completed a completeness review of the Application using the Application Filing Checklist adopted by the Commission through the Final Supplemental Implementation Order entered July 2, 2024, at Docket No. M-2016-2543193 (July 2024 FSIO).<sup>1</sup> TUS then conveyed a list of the Application’s deficiencies via email to PAWC-WD on November 12, 2024. On November 26, 2024, PAWC-WD submitted supplemental information to the Commission, including Application amendments, in response to TUS’s application completeness review. TUS notes that, as explained below, PAWC-WD’s supplemental information failed to provide the information required by the Application Filing Checklist, Item 12 and Section 1329(d)(1)(v) of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 1329(d)(1)(v), which requires, “[a] tariff containing a rate equal to the existing rates of the selling utility at the time of the acquisition and a rate stabilization plan, if applicable to the acquisition.”

This Secretarial Letter is to inform you that, pursuant to 52 Pa. Code § 1.38 (relating to rejection of filings) and the Commission’s Implementation Order entered October 27, 2016, at Docket No. M-2016-2543193 (October 2016 FIO), the Application is hereby rejected by the Commission without prejudice for refile.<sup>2</sup> The Application is incomplete because PAWC-WD’s *pro forma* tariff supplement included in the Application’s Amended Appendix A-12 contained rates that differ from Elizabeth Borough Municipal Authority’s (EBMA’s) existing rates in following three ways:

1. PAWC-WD proposed new industrial pretreatment program rates for EBMA customers that are not specified as existing EBMA rates in the Application’s Amended Appendix A-18-a.

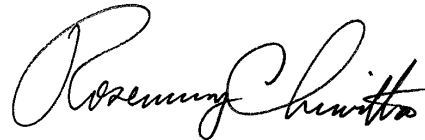
<sup>1</sup> See, July 2024 FSIO, Appendix A.

<sup>2</sup> See, October 2016 FIO, Page 39 (Section 1329 applications must be complete to avoid rejection).

2. PAWC-WD proposed a Special Rate Charge of \$37.75 per equivalent dwelling unit (EDU) per month applicable to Forward Township that is not specified as an existing EMBA rate in the Application's Amended Appendix A-18-a.
3. PAWC-WD proposed a service charge of \$35 per EDU per month and a usage charge per 100 gallons of \$0.80. EBMA's existing rates identified in the Application's Amended Appendix A-18-a and submitted to the Commission in supplemental information as TUS-05\_Attachment specified that there is a minimum monthly charge that includes a certain amount of water usage but does not specify a usage charge per 100 gallons of \$0.80.

Our records in this matter will now be closed. If you have any legal questions regarding this matter, please contact Sharon Webb of the Law Bureau at (717) 787-5755. Technical questions may be referred to Sean Donnelly, P.E. of TUS at (717) 783-2505. If you are dissatisfied with the resolution of this matter, you may, as set forth in 52 Pa. Code § 5.44, file a petition to appeal this staff action with the Commission within 20 days of the date this letter is served.

Sincerely,



Rosemary Chiavetta  
Secretary

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