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File #: 203073

December 20, 2024

**VIA ELECTRONIC FILING**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Petition of Aqua Pennsylvania, Inc. For Approval of its Lead Service Line  
Replacement Program  
Docket No. P-2023-3044459**

Dear Secretary Chiavetta:

Attached for filing please find the Joint Petition for Settlement and Statements in Support on behalf of Aqua Pennsylvania, Inc., the Office of Consumer Advocate, the Office of Small Business Advocate, and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (collectively, "Joint Petitioners") in the above-referenced proceeding.

Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Michael W. Hassell

MWH/kl  
Attachment

cc: The Honorable Alphonso Arnold III (*via email, w/ attachment*)  
The Honorable Gail M. Chiodo (*via email, w/ attachment*)  
Certificate of Service

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

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Date: December 20, 2024



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Michael W. Hassell

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Aqua Pennsylvania, Inc. :  
For Approval of its Lead Service Line : Docket No. P-2023-3044459  
Replacement Program :

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**JOINT PETITION FOR SETTLEMENT**

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**TO THE HONORABLE ADMINISTRATIVE LAW JUDGES GAIL M. CHIDO AND  
ALPHONSO ARNOLD III:**

**I. INTRODUCTION**

Aqua Pennsylvania, Inc. (“Aqua,” or the “Company”), the Office of Consumer Advocate (“OCA”), the Office of Small Business Advocate (“OSBA”), and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”) (collectively, “Joint Petitioners”) hereby submit this Joint Petition for Settlement (“Settlement”) and respectfully request that the Honorable Administrative Law Judges Gail M. Chiodo and Alphonso Arnold III (collectively the “ALJs”) recommend approval of, and the Pennsylvania Public Utility Commission (“Commission”) approve, the Settlement consistent with the terms and conditions set forth in this Joint Petition for Settlement. In support of the Settlement, the Joint Petitioners state the following:

**II. BACKGROUND**

1. Aqua provides water public utility service to approximately 445,000 water customers in a certificated service territory that spans 32 counties across the Commonwealth of Pennsylvania. Aqua PA is a “public utility” as that term is defined under the Public Utility Code, 66 Pa. C.S. § 102.

2. On October 23, 2023, Aqua filed its Third Long-Term Infrastructure Improvement Plan (“LTIIP”) Petition with the Commission at Docket No. P-2023-3043755. Aqua’s Lead Service Line Replacement (“LSLR”) plan was included as Attachment A to the LTIIP at Docket No. P-2023-3043755.

3. On November 22, 2023, CAUSE-PA and the OCA each submitted comments, specifically regarding Aqua’s proposed LSLR program, at the LTIIP docket, P-2023-3043755.

4. On November 27, 2023, Aqua filed its Petition for Approval of its Lead Service Line Replacement Program (“LSLR Petition”) at a separate docket from the LTIIP Petition, Docket No. P-2023-3044459, in response to a concern expressed by the Commission’s Bureau of Technical Utility Services (“TUS”) that the LSLR Petition and the LTIIP Petition be separately docketed.<sup>1</sup>

5. On December 15, 2023, the Office of Small Business Advocate (“OSBA”) filed a Notice of Intervention, Public Statement, and Verification at Docket No. P-2023-3044459.

6. On December 18, 2023, CAUSE-PA filed a Petition to Intervene and Answer to the LSLR Petition at Docket No. P-2023-3044459.

7. On January 18, 2024, the Office of Consumer Advocate (“OCA”) filed a Notice of Intervention and Public Statement at Docket No. P-2023-3044459.

8. On January 22, 2024, a Call-In Telephone Prehearing Conference Notice was issued by the Commission, scheduling a telephonic prehearing conference for Thursday, February 8, 2024, before Administrative Law Judge Charece Z. Collins (“ALJ Collins”).

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<sup>1</sup> By Order entered June 13, 2024, at Docket No. P-2023-3043755, the Commission approved Aqua’s unopposed LTIIP Petition, exclusive of the LTIIP Petition.

9. Also on January 22, 2024, the ALJ issued a Prehearing Conference Order, which directed the parties to file Prehearing Memoranda by noon on February 5, 2024.

10. On January 25, 2024, Aqua submitted responses to the Bureau of Technical Utility Services's Set I Data Requests, as well as a revised LSLR Plan.

11. On February 8, 2024, the Prehearing Conference was held as scheduled. At that time, the parties addressed preliminary procedural matters and requested 90 days to discuss settlement prior to establishing a formal litigation schedule of this case. The parties further indicated that they would send monthly status reports for the duration of the settlement period. ALJ Collins granted the parties' request.

12. Also, on February 8, 2024. ALJ Collins issued Prehearing Order #1, which confirmed the preliminary procedural matters established at the Prehearing Conference.

13. The Joint Petitioners undertook discovery and settlement discussions, in an effort to amicably resolve the LSLR Petition.

14. On March 11, 2024, the Joint Petitioners submitted their first status report, in compliance with Prehearing Order # 1.

15. On April 10, 2024, the Joint Petitioners submitted their second status report, in compliance with Prehearing Order # 1.

16. On May 10, 2024, the Joint Petitioners submitted their third status report, in compliance with Prehearing Order # 1. In that status report, the Joint Petitioners requested an additional thirty days for negotiations.

17. On May 10, 2024, ALJ Collins issued Prehearing Order # 2, granting the Joint Petitioners an additional thirty days to discuss settlement, and directing the filing of a further status report no later than June 10, 2024.

18. On June 10, 2024, the Joint Petitioners submitted their fourth status report, in compliance with Prehearing Order # 2. In that status report, the Joint Petitioners requested an additional thirty days for negotiations.

19. On July 1, 2024, ALJ Collins issued Prehearing Order # 3, granting the Joint Petitioners an additional thirty days to discuss settlement, and directing the filing of a further status report no later than July 10, 2024.

20. On July 10, 2024, the Joint Petitioners submitted their fifth status report, in compliance with Prehearing Order # 3. In that status report, the Joint Petitioners requested an additional thirty days for negotiations.

21. On July 11, 2024, ALJ Collins issued Prehearing Order # 4, granting the Joint Petitioners an additional thirty days to discuss settlement, and directing the filing of a further status report no later than August 12, 2024.

22. On August 12, 2024, the Joint Petitioners submitted their sixth status report, in compliance with Prehearing Order # 4. In that status report, the Joint Petitioners requested an additional thirty days for negotiations.

23. On August 16, 2024, ALJ Collins issued Prehearing Order # 5, granting the Joint Petitioners an additional thirty days to discuss settlement, and directing the filing of a further status report no later than September 11, 2024.

24. On August 19, 2024, the Commission issued a Judge Change Notice, reassigning this matter from ALJ Collins to ALJs Chiodo and Arnold.

25. On September 11, 2024, the Joint Petitioners submitted their seventh status report, in compliance with Prehearing Order # 5. In that status report, the Joint Petitioners requested an additional thirty days for negotiations.

26. On September 13, 2024, the ALJs issued Prehearing Order # 6, granting the Joint Petitioners an additional thirty days to discuss settlement, and directing the filing of a further status report no later than October 11, 2024.

27. On October 11, 2024, the Joint Petitioners submitted their eighth status report, in compliance with Prehearing Order # 6. In that status report, the Joint Petitioners requested an additional thirty days for negotiations.

28. On October 16, 2024, the ALJs issued Prehearing Order # 7, granting the Joint Petitioners an additional thirty days to discuss settlement, and directing the filing of a further status report no later than November 11, 2024.

29. On November 11, 2024, the Joint Petitioners submitted their ninth status report, in compliance with Prehearing Order # 7. In that status report, the Joint Petitioners requested an additional thirty days for negotiations.

30. On November 13, 2024, the ALJs issued Prehearing Order # 8, granting the Joint Petitioners an additional thirty days to discuss settlement, and directing the filing of a further status report no later than December 11, 2024.

31. On November 26, 2024, Counsel for Aqua, on behalf of the Joint Petitioners, advised the ALJs that a settlement in principle of all issues had been reached. The Settlement terms are set forth in the following Section III.

### **III. TERMS AND CONDITIONS OF SETTLEMENT**

32. Aqua's LSLR Plan is approved, subject to the following modifications. A copy of Aqua's updated LSLR Plan is attached to this Settlement as **Exhibit A**.

33. Aqua’s pro forma tariff supplement containing the proposed changes necessary to implement the LSLR Program in compliance with this Settlement is attached to this Settlement as **Exhibit B**.

34. In accordance with the U.S. Environmental Protection Agency’s (“EPA”) Lead and Copper Rule Improvements, Aqua will complete replacement of all lead service lines identified through its Service Line Inventory by December 31, 2037, or such other date as modified by the EPA or Pennsylvania Department of Environmental Protection.

35. Aqua will share with the OCA, CAUSE-PA, and the OSBA the communications, outreach, and education materials referenced in paragraph 65 of the Company’s Plan and developed by the Company in compliance with 52 Pa. Code §65.56(c) promptly after such materials are finalized or updated by the Company and used by the Company in connection with the Plan.

36. Aqua will make written communications to consumers – Exhibits A through Q of the Plan – available in English with a notation in Spanish as to how to request the documents in Spanish and an additional notation as to how to request the documents in the other top two non-English languages spoken in the service territory. In addition, Aqua will create a notification letter to the consumer for Exhibit K – Pitcher Filter – with notations to request instructions for use of pitcher filter in Spanish and the other top two non-English languages spoken in the service territory. The top two non-English languages spoken, other than Spanish, will be determined by reviewing each county that Aqua serves and determining the top two most spoken languages throughout the Company’s entire footprint.

37. Following the completion of the Company’s Lead Service Line (“LSL”) projects in a project area set forth in the Plan, in the event the Company finds lead in a company or customer

owned service line in said completed project area, the Company will provide a report detailing the location, number of affected pipes, and the replacement date to the Commission, CAUSE-PA. and the statutory advocates in the Company's Annual Asset Optimization Plan ("AAOP").

38. Aqua's Service Line Inventory will provide zip code information which can be used to identify service lines that have been inventoried and those identified as LSL or Galvanized Requiring Replacement ("GRR").

39. Aqua's AAOP will report, by zip code, the number of customer-owned lead service lines ("COLSL") replaced in the preceding year.

40. Aqua will utilize tools available (e.g., the Pennsylvania Department of Environmental Protection's PennEnviroScreen tool or Justice40 Initiative) to identify environmental justice areas and high levels of children's lead risk for targeting of inventory and replacement.

41. In accordance with 52 Pa. Code § 65.58(c)(3), the Company shall include a section in its tariff providing Step-In Rights to address replacement of a COLSL to avoid termination of service when a property owner who is not the Resident is nonresponsive to an entity's offer to replace a COLSL. The tariff language shall be as follows:

A. Step In Rights Defined. In reference to 52 Pa. Code § 65.58(c)(3), Step-In Rights means the right of the Company to avoid termination of service to a property where the resident of the Property is not the property owner, and the property owner is nonresponsive to the Company's offer to replace a COLSL.

The Company can utilize Step-In Rights in the following circumstances where a Customer or occupier of a premise is not the property owner.

1. The Company has attempted to contact the property owner with an offer to replace the COLSL in accordance with the Company's LSLR Plan;

2. The Customer or the occupier of the Property is not the property owner;  
and

3. The Company has attempted to get authorization to replace the COLSL, the property owner cannot be identified, or the property owner has been notified and has not responded to the Company's offer to replace the COLSL.

**B. Circumstances Where the Company Must Use Step-In Rights.**

1. The Company shall use Step-In Rights to avoid the termination of water service and replace a COLSL when the Customer or occupant of the Property provides a medical certification signed by a licensed physician, nurse practitioner or physician's assistant to the Company by fax, email or mail (providing the contact information).

2. The Company shall use Step-In Rights to avoid the termination of water service and replace a COLSL when the Customer provides a Protection From Abuse (PFA) order, or other court order issued by a court of competent jurisdiction in this Commonwealth which provides clear evidence of domestic violence.

3. The Company shall use Step-In Rights to avoid the termination of water service to the Customer or the occupant of the Property except when, in the Company's reasonable judgement, replacement would place its workers or utility facilities at a safety risk and in such instance, the Company may use Step-In Rights at its discretion.

C. After the replacement is complete, the Company will restore roadways and public sidewalks, backfill any trenches excavated as part of the replacement process and will fill and seal any wall or floor penetrations caused by the service line replacement in the structure at the Property (Company Restoration Work). No other restoration will be conducted for the Customer side replacement. The Company will not replace any landscaping, interior finishes, paving, seeding, or walkways (Private Side Restoration Work), and all restoration costs for such Private Side Restoration Work shall be borne by the property owner.

D. When the Company exercises Step-In Rights, the Company's liability shall be limited to the amount in Section 51 of its Water Tariff for any action brought against the Company, its officers, directors, employees and agents for damages arising from any and all liability, including liability to third parties and the property owner, for personal injury, including death, property damage, or other actions, damages, fines, penalties, claims, demands, judgments, losses, costs, expenses, suit and actions (including reasonable attorney's fees), for personal injury, including death, property damage or other injury, to the extent caused by or arising out of the work performed by the Company or its agents in replacing the customer-owned

LSL and/or the Company Restoration Work that the Company is responsible for under subsection C above.

42. For any service termination performed at the discretion of the Company in compliance with the above tariff language, the Company shall provide a list of terminations of service detailing the affected location, the reason for the termination, and the service termination date to the Commission, CAUSE-PA, and the statutory advocates in the Company's AAOP.

#### **IV. THE SETTLEMENT IS IN THE PUBLIC INTEREST**

43. This Settlement was achieved by the Joint Petitioners after an extensive investigation of Aqua's filing, including informal and formal discovery and extensive negotiations.

44. Acceptance of the Settlement will avoid the necessity of further administrative and possibly appellate proceedings regarding the settled issues.

45. The Joint Petitioners are submitting their respective Statements in Support setting forth the basis upon which each believes the Settlement to be fair, just and reasonable and, therefore, in the public interest concurrently with this Settlement. The Joint Petitioners' Statements in Support will be designated as Appendices "A" through "D."

#### **V. PROCEDURAL CONDITIONS OF SETTLEMENT**

46. The Settlement is conditioned upon the Commission's approval of the terms and conditions contained herein without modification. If the Commission modifies the Settlement, any Settlement Party may elect to withdraw from the Settlement and may proceed with litigation and, in such event, the Settlement shall be void and of no effect. Such election to withdraw must be made in writing, filed with the Secretary of the Commission and served upon all Parties within five (5) business days after the entry of an Order modifying the Settlement.

47. If the Commission does not approve the Settlement and the proceedings continue, the Settlement Parties reserve their respective procedural rights. The Joint Petition for Settlement is made without any admission against, or prejudice to, any position which any Settlement Party may adopt in the event of any subsequent litigation of these proceedings, or in any other proceeding.

48. The Settlement Parties acknowledge and agree that this Settlement, if approved, shall have the same force and effect as if the Settlement Parties had fully litigated these proceedings.

49. This Settlement and its terms and conditions may not be cited as precedent in any future proceeding, except to the extent required to implement this Settlement.

50. Any issues not specifically addressed in these settlement terms are not deemed as accepted or rejected as part of this settlement. The Settlement shall not be construed as approval of any Joint Petitioner's position on any issue, except to the extent required to effectuate the terms and agreements of the Settlement.

51. Each term and condition set forth in this Settlement, whether or not set out in a numbered paragraph, shown in a table or other graphic presentation, bolded, italicized, or otherwise emphasized, or set forth in the body, a footnote, a parenthetical, an appendix, an exhibit, or otherwise, is material consideration to the entry into this Settlement by the signatory parties.

52. Unless otherwise expressly indicated, all terms and conditions contained herein shall take effect upon issuance of a final order in this proceeding, without the need or requirement for additional Commission review or approval.

53. The Settlement Parties acknowledge that the Settlement reflects a compromise of competing positions and does not necessarily reflect any party's position with respect to any issues raised in this proceeding.

54. If the ALJs adopt the Settlement without modification, the Joint Petitioners waive their individual rights to file exceptions with regard to the Settlement.

**VI. CONCLUSION**

WHEREFORE, the Settlement Parties, by their respective counsel, respectfully request:

1. That the Honorable Administrative Law Judges Gail M. Chiodo and Alphonso Arnold III and the Commission approve this Settlement including all terms and conditions thereof, without modification.

2. That the Commission enter an Order authorizing Aqua Pennsylvania, Inc. to file tariffs in compliance with the Commission's Order.

Respectfully submitted,



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# **Exhibit A**

# Aqua Pennsylvania, Inc.

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## Lead Service Line Replacement Plan

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## **DEFINITIONS**

Aqua or Company – Aqua Pennsylvania, Inc.

COLSL – Customer-owned lead service line

DEP – Pennsylvania Department of Environmental Protection

EPA – United States Environmental Protection Agency

GPA – Aqua’s Greater Pennsylvania Division

GRR – Galvanized service line requiring replacement

LCRR – Lead and Copper Rule Revisions amending the EPA’s Lead and Copper Rule. All community and non-transient non-community public water systems are required to comply with the LCRR starting October 16, 2024.

Lead action level - EPA's action level for lead in water delivered to users of public drinking water systems is 10 µg/L.

LSLR – Lead service line replacement

LSLR Project Commencement – Installation of the first lead service line replacement within a lead service line replacement project area.

LTIIIP – Long-Term Infrastructure Improvement Plan

PENNVEST – Pennsylvania Infrastructure Investment Authority

PUC or Commission – Pennsylvania Public Utility Commission

SEPA – Aqua’s Southeastern Division

µg/L – Micrograms per liter.

## **I. INTRODUCTION**

Aqua has developed the following Lead Service Line Replacement (“LSLR”) Plan in accordance with Chapter 65 of the Pennsylvania Public Utility Commission’s (“PUC” or the “Commission”) regulations, 52 Pa. Code §§ 65.51 et seq., and the Commission’s Final Implementation Order entered on March 14, 2022 at Docket No. L-2020-3019521. Included with the Company’s LSLR Plan is a pro-forma tariff supplement containing the proposed changes necessary to implement the LSLR Program, and information required by the Commission under 52 Pa. Code § 53.52(a). Aqua submits this LSLR Plan as part of its Long-Term Infrastructure Improvement Plan (“LTIIP”).

Aqua owns and operates water systems serving approximately 450,000 customers in 32 counties throughout Pennsylvania. Aqua’s service territories are designated as either Southeast Pennsylvania (“SEPA”), which includes a contiguous distribution system within portions of Bucks, Chester, Delaware, and Montgomery counties and separate smaller systems in portions of Berks, Bucks, Chester, and Montgomery counties, or Greater Pennsylvania (“GPA”), which includes Aqua’s service territories outside of SEPA.

The Company received prior Commission approval of its LSLR petition on July 15, 2021 at Docket No. P-2020-3021766. Under the Company’s existing plan, COLSL replacements are capped at 200 per year and at a budgeted amount of \$800,000.

## **II. LSLR PLAN REQUIREMENTS**

Aqua’s LSLR Plan contains the following elements and supporting documents as required by the Commission.

### **A. Service Line Inventory**

The Service Line Inventory is being developed consistent with the intent and guidance of the Lead and Copper Rule Revisions (“LCRR”) including use of all available sources of information to establish service line material designations for each side of ownership (i.e., Company and customer) which thus informs an overall service line material designation.

In developing the Service Line Inventory, the Company has used a combination of evidence-based data, including field observations, tap cards, and as-built drawings. Field observations which have occurred through meter replacement, and any time a field service representative is able to access the service line through excavation or at the meter location and is able to observe the service line material. The field observation also includes proactive review of service line material prior to main replacement work commencing in high-risk areas. The Company will send a letter to customers with unknown service line material requesting customers to identify their service line material.

When evidence-based data, as described above, is not available, the Company has applied the following methodology to assign material designations within the Service Line Inventory:

**Aqua Pennsylvania, Inc.**  
**Lead Service Line Replacement Plan**

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1. Aqua’s tariff from 1956 to current practice requires installation of Type K Copper on both the Company and customer side of the service line for 49 municipalities within the Main system. Homes built during 1956 or later for these water systems were therefore assigned a “non-lead” designation.
2. Pennsylvania banned the use of lead in all plumbing in early January 1991, and therefore homes that were built during or after 1991 are similarly assigned a “non-lead” designation within the Service Line Inventory. To identify any area outliers, Aqua will implement a field verification process in compliance with LCRI which as proposed currently requires a mathematical model to ensure the veracity of the assumption to confidence level in the final regulations. The proposed regulations are summarized at 40 CFR 141.84(b)(5). Aqua will visually observe the service line materials on both the utility and customer sides by using a combination of methods including potholing and basement inspections.
3. For galvanized service lines which are or were downstream from LSLs and/or the Company cannot prove that they were never downstream from an LSL or lead gooseneck they are assigned a Galvanized Requiring Replacement (“GRR”) and will be considered candidates for replacement, unless the home and service line was built during or after 1991.

Aqua’s Service Line Inventory is continuing to be developed at this time, including the incorporation of all remaining tap cards, assumptions as described above, and other evidence-based data, with 92% of Company service line material identified and 83% of customer service line material identified, detailed further below.

The Company will update its Service Line Inventory as progress is made on completing the inventory and as new water systems are acquired. Section II.B.9 provides further discussion on integration of acquired systems into the Company’s LSLR Plan.

**Table 1** below shows total material type identification across Aqua’s service territory.

**Table 1 – Current Service Line Inventory Summary**

<b>Material Type</b>	<b>Company</b>	<b>Customer</b>
Lead	64	166
GRR	634	9,666
Non-lead	431,131	379,193
Lead status unknown	38,195	81,009
<b>Total</b>	<b>470,024</b>	<b>470,024</b>

The current Service Line Inventory with location identifiers is being developed and will be available on Aqua’s website as further described in Section II.C.2.

**B. Planning and Replacements**

**1. Aqua’s Projected Annual Investment and Sources of Financing**

The Company proposes a cap up to 1,500 replacements annually. Anticipated sources of financing for the replacements will include short term debt of the Company converted at a later time into long term debt and equity. The Company is also exploring low-cost/no cost financing through the Pennsylvania Infrastructure Investment Authority (“PENNVEST”) and other sources as they become available. As the Company identifies systems requiring significant LSL replacement, the Company will explore funding opportunities to reduce costs to ratepayers.

**2. Aqua’s Projected LSLRs Per Calendar Year and Description of Projection Development**

The Company is projecting the following replacements during the term of this LTIP as set forth in **Table 2**:

**Table 2 – Projected COLSL Replacements During LTIP Period**

2023	2024	2025	2026	2027
500	1,200	1,500	1,500	1,500

Aqua currently has 38,195 company-owned service lines which are identified as lead status unknown. The Company’s inventory identifies 81,009 customer side service lines that are lead status unknown. In addition to finding and replacing lead service lines, the addition of galvanized service lines that are or ever have been downstream from a lead service line or lead gooseneck are GRR and are eligible for replacement under Act 120 and therefore have increased the potential number of replacements needed throughout Aqua’s systems. Aqua believes 2% or 1,620 of the unknown customer side service lines are potentially lead or GRR that will need to be replaced. Currently, the Company’s inventory using the assumptions described above indicate that 11,452 customer LSLs will need to be replaced (Customer Lead PLUS Customer GRR PLUS 2% of Customer Lead status unknown). These numbers are subject to change as the Company continues to develop its inventory and can change based on evolving regulatory requirements. The projections for 2023-2027 are consistent with Aqua’s annual cap proposed in this LTIP and LSLR Plan.

**3. Prioritization Criteria**

The Company considered the following prioritization criteria when developing the LSLR Plan:

- Individual Properties
  - Emergency Repairs revealing LSLs.
  - Homes with elevated lead concentrations in tap samples.
  - Schools and licensed day care facilities
  - Homeowners that request replacements.
  - Homeowners in systems that do not have widespread LSLs.

- Systems
  - Systems with higher projected lead or GRR replacements.
  - Systems where PENNVEST or other funding is available.
  - Systems with aging water mains that require replacement.

#### **4. Processes and Procedures to Address Emergency Repairs and Replacements Which Reveal LSLs**

When the Company uncovers an LSL while completing emergency repairs to its system, if both the customer side and Company side of the service line are lead, the Company will contact the customer/owner and provide them with the information and materials in Section II.B.6. and prioritize the replacement of the entire service line both Company and customer side. Where emergency work requires replacement of the Company service line and the Company material is non-lead, Aqua will replace the Company service line up to the curb stop, but will not make the connection, and this excavation will reveal the customer-side material. If the customer side of the service line is lead, the Company will neither make the connection nor restore service, and the Company will provide the resident with the information and materials in Section II.B.6. and immediately coordinate and prioritize replacement of the COLSL. The Company will also provide the materials and information in Section II.B.6 to residents of a premises who are neither customers nor owners, but occupy the premises.

Where emergency work requires a spot repair to a Company side service line, the work does not require the replacement of the Company service line, and the Company side service line is not lead or GRR, then Aqua will complete the repair and restore service to the premises. Under this circumstance a connection was never severed and there was no partial replacement, therefore it does not require termination of service.

When the Company uncovers an LSL while completing emergency repairs to its system, and the LSL is Company-owned, the Company will replace its service line up to the curb stop but will not make the connection, and this excavation will reveal the customer-side material. Upon verification that the customer's service line is not lead, the Company will complete the Company-side replacement and restore service to the property. The Company will provide the customer with information regarding lead, pitcher filters, and flushing instructions as described below. If the customer's service line material is lead or GRR, the Company will neither make the connection nor restore service, and the Company will provide the resident with the information and materials in Section II.B.6. and immediately coordinate and prioritize replacement of the COLSL.

#### **5. Processes and Procedures to Obtain Acceptance of a LSLR Prior to Project Commencement When the Customer Is and Is Not the Property Owner**

For areas deemed high-risk, the Company or its third-party representatives will send pre-investigative letters to customers in preparation for the commencement of a main replacement project and will request authorization to gain access to a structure using pre-investigation letters (**Exhibit A1, A2, and A3**), requesting access to review the material type of the customer's service

**Aqua Pennsylvania, Inc.**  
**Lead Service Line Replacement Plan**

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line. Aqua personnel or Aqua's third-party vendor will visit each customer premise within the scope of the project with an unknown service line material to identify material type of the customer service line. Aqua also sends out a letter to new customers when they move-in and establish an account with Aqua (**Exhibit A4**). Aqua plans on engaging customers/residents throughout its footprint with surveys (**Exhibit B**) sent by mail requesting customer participation in identifying service line materials. The Company will also be developing additional survey materials to engage customers/residents to assist the Company in completing the Service Line Inventory. If the Company uncovers a Company side LSL or a COLSL during maintenance or construction activities, the Company will provide a form (**Exhibit C**) to the resident if the resident is at the premise or will post the form if the resident is not at the premise and attempt to contact the resident through via phone to follow up with further information.

If there is no response to the pre-investigation letter or form, Aqua personnel or its third-party vendor will visit the premises to obtain acceptance in-person. If there is no response to door knocks, a door hanger (**Exhibit D**) will be left at the premises providing an Aqua contact number and requesting access to the resident/property owner's property to identify the service line material. If there is no response to the in-person outreach, a list is generated and Aqua will call the resident. If the Company does not receive a response, it will initiate the 10-day shut-off procedures (**Exhibit E**) to get access and review the service line material. If there is still no contact, Aqua will commence with the shut-off of service and require access to review the service line material as a condition to restore service.

After making contact with the resident and identifying the presence of a COLSL, Aqua personnel will ask whether the resident is the owner or renter of the building. If the customer is the owner, and they agree to participate in the replacement, then the Company will provide the information and materials in Section II.B.6 below. If the customer is the owner and refuses to participate in the replacement the Company will follow the provisions of Section II.B.10, below. If the resident is not the property owner, the Company will obtain the owner's contact information from the resident and call the owner to explain the program to the owner and provide the owner with a copy of the Customer Lead/Galvanized Service Line Replacement Agreement ("Replacement Agreement") (**Exhibit F**). If the Company does not receive a response to telephone calls to the owner, the Company will send a letter to the property owner (**Exhibit G**) explaining the program and request that the property owner contact the Company. If the property owner does not respond, the Company will explore all options to encourage property owners to participate, such as contacting the municipality and the local code enforcement in which the property is located, and, in certain circumstances, at the Company's discretion, using Step In Rights as described in Section II.B.10. If the Company has not received acceptance after multiple efforts to contact the property owner and obtain the Replacement Agreement, the Company will initiate the 10-day shut-off process.

By obtaining agreement of the property owner prior to commencing the main replacement project, the Company can more quickly and efficiently complete the main replacement and associated restoration. The Company will not be faced with having to delay a planned project or put an ongoing project on hold (including incomplete restoration) if the service line material cannot be identified or an LSL is discovered during a project. The Company would not have to stop mid-project to identify the service line material and get the owner's consent while potentially keeping

two mains in service or having an open cut in a roadway. As such, there is less disruption to traffic, customers' daily lives, and reduced safety concerns of open construction.

## **6. Processes and Procedures Based on Acceptance of a LSLR**

If the resident or property owner expresses that they want to participate in Aqua's LSLR Program after their service line has been identified as lead, Aqua will provide the following information to the customer:

- Customer Lead/Galvanized Service Line Replacement Agreement and postage-prepaid and pre-addressed envelope to the Company (**Exhibit F**).
- Lead Fact Sheet providing educational information about lead in drinking water (**Exhibit H**).
- Information Sheet explaining Aqua's Lead Service Line Replacement Program (**Exhibit I**).
- Post-COLSL replacement flushing instructions (**Exhibit J**).
- Pitcher filter with six months of replacement cartridges (**Exhibit K**).

When the above information is provided to the resident/property owner, the Company will explain to the resident/property owner that a plumber will contact them and schedule the replacement of the COLSL. If the resident/property owner does not return the Replacement Agreement, the Company will contact the resident/property owner until it receives a signed copy of the Replacement Agreement, which will be retained by the Company. During a main replacement project, the Company will proceed with the procedures set forth in II.B.10. if the signed Replacement Agreement is not returned.

The Replacement Agreement allows a third-party licensed professional to enter the property and complete the LSLR. The agreement authorizes the Company and the contractor performing the work to access the resident/property owner's property, confirms the ownership of the service line following installation, and provides a warranty on the work completed. Further, the agreement requires that the contractor install the replacement service line and restore the property as reasonably as practicable to the condition that existed prior to the LSLR.

Following replacement, Aqua personnel will visit the customer's property within 5 business days after the COLSL replacement to reinstall or exchange the meter.

Atypical conditions for a LSLR may include (a) the property owner has passed away and an executor is seeking replacement, (b) a person selling property during main replacement project, or (c) a service line serving multiple properties. As these situations arise, the Company will require documentation and, in the Company's judgment, get the proper authorization to complete the replacement.

In closing out the project, the Company will then provide a letter (**Exhibit L**) to the customer 3-6 months post-replacement confirming the provisions in the Replacement Agreement for project close-out. The letter confirms the newly installed customer service line has been transferred back to the property owner and reminds the resident/property owner of the warranty for the completed work. The Company will also offer to provide sampling materials for post replacement 5<sup>th</sup> liter sampling. If the resident agrees, the Company will provide instructions for post-replacement 5<sup>th</sup> liter sampling (**Exhibit M**). Following 5<sup>th</sup> liter sampling, Aqua will call and mail 5<sup>th</sup> liter sampling results within 10 business days for results less than 10 ug/L and within 3 calendar days for results greater than 10 ug/L (**Exhibit N**).

## **7. Lead/Material Recycling and Disposal Efforts**

When a customer LSLR occurs, Aqua's vendors make an attempt to pull the entire length of the line which reduces excavation and restoration costs. However, often the line cannot be pulled through and is abandoned in place. Aqua's third party vendors who complete the replacements will dispose of any lead material removed at recycling centers. No proceeds are provided to Aqua of the recycled material removed by the vendors.

For Company side LSL replacements, Aqua attempts to pull the entire length of the line which reduces excavation and restoration costs. However, often the line cannot be pulled through and is abandoned in place. Any lead material removed during a Company side LSL replacement will be brought back to the division office and put in our recycling containers to be taken to the recycling center. The scrap metal that is recycled is booked into a removal and salvage account and amortized over 5 years.

## **8. Industry Accepted Practices**

The Company will adhere to the provisions of its tariff regarding replacement of company-side service lines. In addition, the Company will require Company personnel and its contractors to comply with any applicable plumbing codes related to customer-side service line replacement. The Company will follow Commission regulations regarding LSLRs including prevention of partial service line replacements and termination of service provisions, if needed to prevent partial LSL replacements.

## **9. Integration of Acquired Systems in the LSLR Plan**

Where the Company acquires a water system prior to the deadline for water systems to complete their Service Line Inventories, the Company will take over the water system's efforts, if any, to identify and incorporate the service line materials of the system into Aqua's overall Service Line Inventory. This will include the efforts described in Section II.A., above.

For water systems acquired after the deadline for complete Service Line Inventories, the Company will incorporate the system's completed inventory into the Company's Service Line Inventory. It must be noted that some systems may not have completed a Service Line Inventory to the standards that the DEP and Commission regulations require either due to lack of resources

or other reasons. In these instances, during the acquisition process, the Company, to the extent feasible will work with the selling entity to begin the steps necessary to develop a Service Line Inventory and will continue those efforts after closing on the system. However, an incomplete Service Line Inventory by the selling entity should not hold up a closing on the system. The Company can more easily fold the acquired system into the Company's LSLR Program and complete the inventory post-closing where the Company can access the customers' meters and view service line material.

In these situations, the Company will explain its plans to complete the Service Line Inventory for the to-be-acquired system, and how those efforts will continue post-closing, and provide updates to the Commission on the progress of the Service Line Inventory for the subject system in its LSLR Program Reports.

#### **10. Procedure Regarding Refusal of Offer to Replace a LSL**

During a LSLR project connected to a main replacement or where the Company service line needs to be replaced, if the resident/property owner refuses to replace, and the Company has either made contact with the resident/property owner and they refuse, or where the resident/property owner is non-responsive to the Company's requests as described in Section II.B.5 to replace the COLSL, Aqua will initiate termination procedures. Termination procedures include posting of 10-day shut off notices, and other required contacts under the Commission's regulations. When the Company provides the 10-day shut off notice to the customer (either through and delivery or posting at the customer's premises), the Company will also provide the Customer Refusal Letter – either for not allowing access to identify service line material (**Exhibit O1**), or for failure to allow Aqua to replace the COLSL during a main replacement or where Aqua has to replace the Aqua side service line (**Exhibit O2**), the Lead Fact Sheet describing the health hazards of lead service lines (**Exhibit H**), and the Lead Service Line Program Information Sheet (**Exhibit I**) which explains the requirements for reimbursement and the potential for termination of service.

In certain circumstances, the Company shall use Step-In Right as described in its tariff to perform a replacement where it will avoid termination of service to an occupant or customer that is not the property owner, where the customer has a protection from abuse order (or other court order of competent jurisdiction in this Commonwealth which provides clear evidence of domestic violence) or a medical certificate.

In other circumstances, the Company may utilize Step-In Rights as described in its tariff to perform a replacement where it will avoid termination of service to an occupant or customer that is not the property owner. Under these limited circumstances, the Step-In Rights may be used when the Company has attempted to contact the property owner to replace the COLSL, the structure is occupied by a party that is not the property owner, and the Company has attempted to get authorization to replace the COLSL, the property owner cannot be identified, or the property owner has been notified of the offer to replace the COLSL and has not responded.

Where Aqua is performing LSLR projects that are not connected to a main replacement or the replacement of the Aqua side service line, and the resident/property owner refuses to replace the customer side LSL and Aqua has either made contact with the resident/property owner and

**Aqua Pennsylvania, Inc.**  
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they refuse, or where the resident/property owner is non-responsive to the Company's requests as described in Section II.B.5 to replace the customer LSL, Aqua will provide the Customer Refusal Letter – Non-Main Replacement (**Exhibit O3**), the Lead Fact Sheet describing the health hazards of lead service lines (**Exhibit H**), and the Lead Service Line Program Information Sheet (**Exhibit I**) which explains the requirements for reimbursement. Aqua will not initiate termination procedures for customers who refuse to replace their LSLs or GRRs unless there is a replacement to the Company's service line.

Aqua shall make reasonable best efforts to assist a Customer or property owner, if the Customer is not the property owner, through the reimbursement process and, to the extent possible, make determinations in favor of the Customer or property owner where the Customer or property owner has provided reasonable evidence of a customer lead or galvanized service line replacement to Aqua. However, the documentation provided to Aqua must be sufficient in the Aqua's opinion that a customer lead or galvanized service line replacement occurred.

The Company's representatives will include notes within its customer information system documenting the refusal or non-response and complete any termination procedures as needed if the customer/property owner continues to refuse to replace the COLSL or does not respond.

**C. Communications, Outreach and Education**

Aqua's communications activities listed and described in the following sections are in accordance with EPA regulations at 40 C.F.R. § 141.85.

**1. Printed and Broadcast Materials**

As described in Section II.B above, and as further supplemented here, below is a list of all printed and broadcast materials the Company plans on distributing under different scenarios of COLSL replacement efforts. These materials may change or be updated from time to time.

- Exhibit A1 – Pre-investigative letters to identify service line material.
- Exhibit A2 – Second Notice of Pre-investigative letter to identify service line material
- Exhibit A3 – Final Notice of Pre-investigative letter to identify service line material.
- Exhibit A4 – Move-in Letter to customers regarding service line material.
- Exhibit B – Customer surveys.
- Exhibit C – Form provided to customer if the Company discovers a LSL or GRR during construction or maintenance activities.
- Exhibit D – Door hanger placed if contact is not made with customer to identify service line material.
- Exhibit E – 10 day shutoff notice.
- Exhibit F – Customer Lead/Galvanized Service Line Replacement Agreement.
- Exhibit G – Letter to customer requesting participation in the replacement program.
- Exhibit H – Lead Fact Sheet providing educational information about lead in drinking water.

**Aqua Pennsylvania, Inc.**  
**Lead Service Line Replacement Plan**

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- Exhibit I – Lead Service Line Replacement Program Information Sheet.
- Exhibit J – Post-COLSL replacement flushing instructions.
- Exhibit K – Pitcher filter, and instructions in other languages.
- Exhibit L – COLSL replacement close out letter.
- Exhibit M – 5<sup>th</sup> Liter sampling instructions.
- Exhibit N – 5<sup>th</sup> Liter sample results letter.
- Exhibit O1 – Letter provided if customer refuses or does not respond to requests for Aqua access Aqua’s meter to review the customer service line material.
- Exhibit O2 – Letter provided if the customer has an identified COLSL and refuses or does not respond to requests to replace the COLSL in connection with a main replacement project or where Aqua is replacing the Company side service line.
- Exhibit O3 – Letter provided where the customer refuses or does not respond to requests to replace the COLSL that are not connected to a main replacement project or a Company side service line replacement.

In addition to the above communication materials, Aqua has developed letters to be distributed as required by EPA regulations when they take effect:

- Exhibit P – Public education materials when elevated lead levels are found in a system.
- Exhibit Q – Notification of individual tap results from lead tap monitoring.
- Exhibit R – Notification of service line containing lead / GRR / unknown.
- Exhibit S – Held for future use.
- Exhibit T – Held for future use.
- Exhibit U – Notification of a disturbance to a lead, GRR, or lead status unknown service line that results in the service line being shut off or bypassed.
- Exhibit V – Notification of a disturbance to a lead, GRR, or lead status unknown service line from the replacement of an inline water meter, a water meter setter, or gooseneck, pigtail, or connector.
- Exhibit W – Press release regarding action level exceedance.

## **2. Aqua’s Website**

The Company has developed a section of its website that houses information related to Lead and its LSLR Program.

[www.aquawater.com/lead](http://www.aquawater.com/lead)

Aqua’s website provides information on sources of lead, the health effects of lead, the Company’s compliance with lead requirements, how residents can protect against lead exposure, and a help line for residents requiring assistance in determining their service line material. The website also includes information on Aqua’s LSLR Program including the status of current efforts to replace LSLs, flushing instructions post-replacement, a video showing how to take a sample with the sample bottles provided by Aqua, and reimbursement requirements.

**Aqua Pennsylvania, Inc.**  
**Lead Service Line Replacement Plan**

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Aqua has developed an online tool to show service line material which is available on Aqua's publicly facing website. This tool can be found at the below web address and can also be accessed through Aqua's Lead web page.

[www.aquawater.com/leadmap](http://www.aquawater.com/leadmap)

Aqua is also developing an online tool that will show the replacement schedule by geographical location, six months into the future. This tool will be completed in accordance with the timeline set forth in the Commission's regulations. The online tool will be able to be used by customers/property owners to determine if they are within the required radius of a project and within the required time of the commencement of a project, thereby allowing them to determine their eligibility for reimbursement.

### **III. CONCLUSION**

The Company will continue to develop its Service Line Inventory and replace COLSLs in accordance with this LSLR Plan and work toward the goal of removing all LSLs from its system. The Company's LSLR Plan will be updated as needed.

# EXHIBIT A1

Pre-investigative letter to identify service  
line material



Date

M1-XXX RESIDENT OR CURRENT RESIDENT ADDRESS CITY STATE ZIP



Dear Customer,

Aqua Pennsylvania is completing a service line material inventory as required by the United States Environmental Protection Agency (USEPA), the Pennsylvania Department of Environmental Protection (PADEP), and the Pennsylvania Public Utility Commission (PAPUC). We have two options available for you to identify your service line material. The first option is self-reporting that involves either filling out a survey (enclosed) that can be mailed back to us, or using the QR Code provided on the survey to upload your survey responses. The second option is to schedule an appointment to have your water service line inspected to determine its material of construction, and more specifically, to determine if you have a lead or galvanized service line. To complete this study in a timely manner, Aqua has hired a contractor, Environmental Resource Management (ERM). If you select the second option, ERM will have an inspector visit your home to collect information regarding service line material.

The presence of a lead or galvanized water service line does not mean that drinking water in your home is contaminated with lead; however, removal of the lead or galvanized service line eliminates any future possibility of lead entering your water supply from the water service line. You can learn more about lead in drinking water and steps you can take to minimize exposure by calling the Safe Drinking Water Hotline at (800) 426-4791, or by visiting the EPA website at https://www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water.

If our inspection reveals that you have a lead or galvanized service line, Aqua is required to replace, AT NO DIRECT COST TO YOU, any part of your service line that is constructed of lead or galvanized pipe. The service line extends from the water main in the street to your water meter. Aqua will install the new service line and you will own and maintain the new service line as a part of your property. We will provide you with additional service line replacement information if we identify that your service line is lead or galvanized.

If you prefer to have your service line inspected in person, please call the ERM Call Center (484) 913-0346 between the hours of 8am-6pm to schedule an appointment. Appointments will be available on select weekdays, evenings and Saturdays. Please state that you are calling to have your water line inspected for lead or galvanized pipe. We thank you in advance for your support for this important initiative.

Sincerely,

Handwritten signature of Michael Fili

Michael Fili, Vice President
Capital Planning, Design & Construction Aqua Pennsylvania

Para acceder al documento traducido al español, visite el sitio web de Aqua en https://www.aquawater.com/aqua-pa-lead-spanish.php

如果需要查看本文件的中文简体字译本, 请访问 Aqua 网站 : https://www.aquawater.com/aqua-pa-lead-chinese.php

Die deutsche Übersetzung dieses Dokuments finden Sie auf der Website von Aqua unter https://www.aquawater.com/aqua-pa-lead-german.php

# EXHIBIT A2

Second Pre-investigative letter to identify  
service line material

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**\*\*\*SECOND NOTICE\*\*\***

Dear Customer,

Aqua Pennsylvania is completing a service line material inventory as required by the United States Environmental Protection Agency (USEPA), the Pennsylvania Department of Environmental Protection (PADEP), and the Pennsylvania Public Utility Commission (PAPUC). We have two options available for you to identify your service line material. The first option is self-reporting that involves either filling out a survey (enclosed) that can be mailed back to us, or using the QR Code provided on the survey to upload your survey responses. The second option is to schedule an appointment to have your water service line inspected to determine its material of construction, and more specifically, to determine if you have a lead or galvanized service line. To complete this study in a timely manner, Aqua has hired a contractor, Environmental Resource Management (ERM). If you select the second option, ERM will have an inspector visit your home to collect information regarding service line material.

The presence of a lead or galvanized water service line does not mean that drinking water in your home is contaminated with lead; however, removal of the lead or galvanized service line eliminates any future possibility of lead entering your water supply from the water service line. You can learn more about lead in drinking water and steps you can take to minimize exposure by calling the Safe Drinking Water Hotline at (800) 426-4791, or by visiting the EPA website at <https://www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water>.

If our inspection reveals that you have a lead or galvanized service line, **Aqua is required to replace, AT NO DIRECT COST TO YOU, any part of your service line that is constructed of lead or galvanized pipe. The service line extends from the water main in the street to your water meter.** Aqua will install the new service line and you will own and maintain the new service line as a part of your property. We will provide you with additional service line replacement information if we identify that your service line is lead or galvanized.

If you prefer to have your service line inspected in person, please call the **ERM Call Center (484) 656-7070** between the hours of 8am-6pm to schedule an appointment. Please state that you are calling to have your water line inspected for lead or galvanized pipe. We thank you in advance for your support for this important initiative.

Sincerely,

A handwritten signature in blue ink that reads "Michael Fili".

Michael Fili, Vice President  
Capital Planning, Design & Construction  
Aqua Pennsylvania



# EXHIBIT A3

Final Pre-investigative letter to identify  
service line material



DATE

**\*\*\*\*FINAL ATTEMPT TO REACH YOU BEFORE FURTHER ACTION TAKEN\*\*\*\***

M1-XXX RESIDENT  
OR CURRENT RESIDENT  
ADDRESS  
CITY ST ZIP



Dear Customer,

Aqua Pennsylvania (Aqua or the Company), through its contractor, Environmental Resources Management, Inc. (ERM), has attempted to reach you on multiple occasions regarding a significant project that is under way in your area. Aqua requires that you identify your service line material or permit ERM to access the Company's meter at your property.

As required by the United States Environmental Protection Agency (USEPA), the Pennsylvania Department of Environmental Protection (PADEP), and the Pennsylvania Public Utility Commission (PAPUC), Aqua is complete a service line material inventory. We have two options available for you to identify your service line material. The first option is self-reporting that involves either filling out a survey (enclosed) that can be mailed back to us, or using the QR Code provided on the survey to upload your survey responses. The second option is to schedule an appointment to have your water service line inspected to determine its material of construction and more specifically, to determine if you have a lead or galvanized service line. If you select the second option, ERM will have an inspector visit your home to collect information regarding service line material. Failure to select one of these methods may result in further action taken by Aqua to obtain the required information, including requiring you to permit access to the Company's meter at your property and potential termination of service for failure to provide access.

The presence of a lead or galvanized water service line does not mean that drinking water in your home is contaminated with lead; however, removal of the lead or galvanized service line eliminates any future possibility of lead entering your water supply from the water service line. You can learn more about lead in drinking water and steps you can take to minimize exposure by calling the Safe Drinking Water Hotline at (800) 426-4791, or by visiting the EPA website at <https://www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water>.

If our inspection reveals that you have a lead or galvanized service line, **Aqua will replace, AT NO DIRECT COST TO YOU, any part of your service line that is constructed of lead or galvanized pipe. The service line extends from the water main in the street to your water meter.** Aqua owns the portion of the service line from the main in the street to the curb stop or edge of right of way (Aqua Service Line). You own the portion of the service line from the curb stop or edge of right of way through your property and into your structure (Customer Service Line). Aqua will install the new service line and dedicate back to you the Customer Service Line and you will own and maintain the new Customer Service Line as a part of your property. We will provide you with additional service line replacement information if we identify that your service line is lead or galvanized.

If you prefer to have your service line inspected in person, please call the **ERM Call Center at (484) 913-0346** between the hours of 8am-6pm to schedule an appointment. Please state that you are calling to have your water line inspected for lead or galvanized pipe. It is important that we hear from you soon. We thank you in advance for your support for this important initiative.

Sincerely,

Michael Fili, Vice President  
Capital Planning, Design & Construction Aqua Pennsylvania

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# EXHIBIT A4

Move-In Letter

# AQUA<sup>SM</sup>

An  Essential Utilities Company

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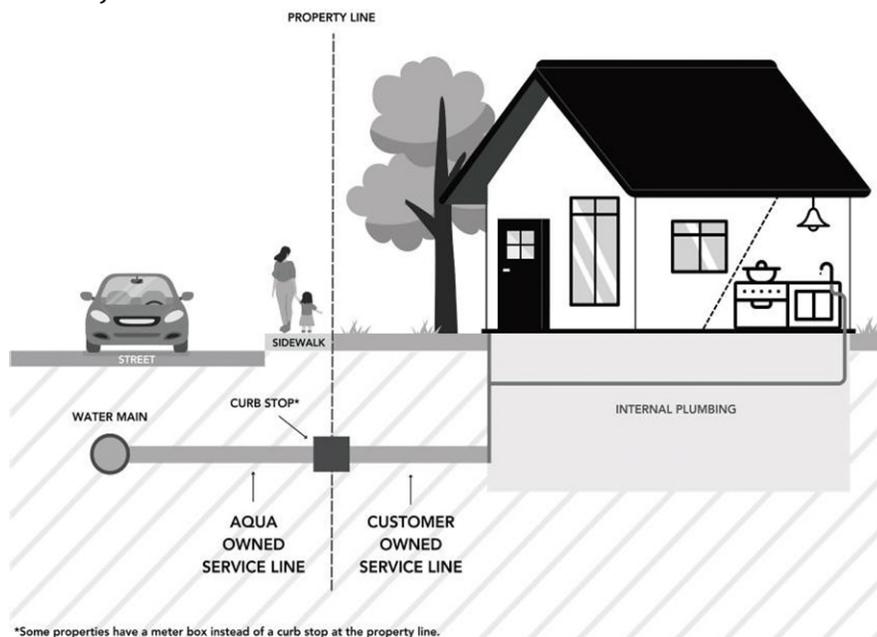
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Customer Name  
Address Line 1  
Address Line 2  
City, State Zip

Dear Consumer:

Aqua [STATE], Inc. (Aqua) is pleased to provide water service to your new address. Aqua supplies water to your property through a service line that runs from the water main into your building. Aqua owns the service line from the water main to the curb stop or meter box. You own the service line that runs from the curb stop or meter box into your building.

Aqua is conducting an ongoing service line material inventory and replacement program to identify and replace lead and galvanized service lines in our drinking water systems at no direct cost to our customers. Galvanized service lines are replaced if they could potentially be a source of lead to your tap water. Under the United States Environmental Protection Agency (USEPA), Aqua is required to notify you, as a new water consumer, whether your service line consists of lead, galvanized requiring replacement, or an unknown material. Currently, no action is required of you.



## SEE BELOW FOR YOUR SERVICE LINE CLASSIFICATION

Our records show the following information for your property:

- **Premise Number:**
- **Aqua Side Service Line Classification:**
- **Customer Side Service Line Classification:**
- **Regulatory Classification\*:**

\*Regulatory Classification is determined based on information available for both sides of the service line.

Please understand that inventorying and replacement efforts will take many years. We are developing detailed plans to meet these objectives. We will notify you if we require more information or need to arrange your service line replacement once we know the schedule for your area. Note that if you proceed with replacement of your service line using your own plumber, please contact us as soon as possible since we are required to replace the company-owned service line, if lead or galvanized, to minimize the risk of lead being released into your water.

### HEALTH EFFECTS OF LEAD

Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney, or nervous system problems.

### STEPS TO REDUCE LEAD IN YOUR DRINKING WATER

Lead is more likely to accumulate when water is in contact with a lead source for longer periods of time. There are steps you can take to minimize exposure to lead in drinking water:

- **Run your tap to flush out lead.** If your water has not been used for several hours, run your water for a few minutes or until it becomes cold or reaches a steady temperature before drinking or cooking. The amount of time to run the water will depend on the length and diameter of the service line and the amount of plumbing in your home.
- **Use cold water to cook or prepare baby formula.** Do not boil water to reduce lead. Lead dissolves more easily in hot water and boiling water will concentrate the lead.
- **If you buy a water filter for lead removal, make sure it is approved to reduce lead.** The filter should be certified for lead removal by NSF. For more information, contact NSF International, [www.NSF.org](http://www.NSF.org).

For more information on lead and our replacement program, please visit [www.aquawater.com/lead](http://www.aquawater.com/lead).

Please note that when we begin working in your area, we will contact you to arrange inspections and service line replacements. This will provide you with the opportunity to verify your service line material. If you have other questions, please call our dedicated service line material call center hub at 1-866-SLM-AQUA (1-866-756-2782).

Sincerely,  
Aqua [STATE], Inc.

# EXHIBIT B

## Customer Surveys

## Customer Lead and Copper Survey

To comply with Pennsylvania Public Utility Commission (PAPUC), Pennsylvania Department of Environmental Protection (PADEP) and Environmental Protection Agency (EPA) regulations, Aqua is compiling a database of the materials used in our customer's service lines. Please take a few minutes to complete this survey. If you have questions or would like assistance, please call ERM Call Center **(484) 913-0346** between the hours of 8am-6pm to schedule an appointment. Please state that you are calling about the **Aqua PA Priority Customer Water Survey**.

**To save time we provide a QR Code to complete this survey online:**

*(If you choose to complete this online, you may recycle these materials.)*



First Name:

Last Name:

Phone:    -    -

Year home built:

If known, what type of material is the service line coming into your home? Please provide a picture for verification via email to [LeadSurvey@erm.com](mailto:LeadSurvey@erm.com) or mail back with this survey. See included pipe identification instructions.

Lead

Copper

Plastic or PVC or PEX

Galvanized

**\*If other or unknown please CALL (484) 913-0346 to verify**

## Water Pipe and Service Line Material Identification

	Lead	Galvanized	Copper
<b>Outer Appearance</b>	Dull gray, bendable; Often curves between wall/floor and valve	Dark gray or black; Straight rigid pipe	Brown; Can have green corrosion spots
<b>Threads at connections</b>	None	Yes	None
<b>Scratch Test (coin or key)</b>	Shiny silver	Hard to scratch, remains gray	Copper, like a penny
<b>Magnet Test</b>	Does not stick	Magnet WILL stick	Does not stick

Please return completed survey in the enclosed self-address envelope to ERM c/o Rob DeJesse, AQUA Pennsylvania  
PO Box 950  
Lansdale, PA 19446-9802



## How to Identify Water Service Line and Water Pipe Materials in Your Home

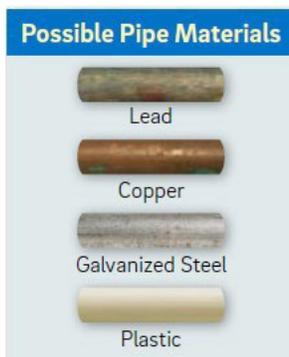
### Water Service Line and Pipe Material Identification Instructions

#### Step 1

Locate the water service line entering your home which is usually located in the basement or a crawlspace. The service line is typically just before the whole-house shut-off valve which should be near where the water service enters the home.

#### Step 2

Use the identification sheet below to help identify your service line material (copper, lead, galvanized or plastic pipe).



- **Lead** – pipe is NOT threaded, it is soft, easily scraped, dull silver-gray in color, and a magnet does NOT stick to the pipe. Use flat edge of a screwdriver (or similar tool) to scrape the pipe. If the scraped area is shiny and silver, the line is lead.
- **Copper** – the color of a penny and not threaded
- **Galvanized** – pipe is threaded, dull silver-gray in color, and magnet will typically stick to the pipe
- **Plastic** – white, blue, or black rigid plastic pipe

#### Follow these steps:

##### You will need:

- Key or a coin
- Strong refrigerator magnet

1. Find the water meter in your basement. Look at the pipe that comes through the outside wall of your home and connects to your meter.
2. Carefully scratch the pipe (like you would a lottery ticket) with a key or a coin. Do not use a knife or other sharp tool. Take care not to make a hole in the pipe. If the scratch turns a shiny silver color, it could be lead or steel. **NOTE: If pipe is painted, use sandpaper to expose the metal first.**
3. Place the magnet on the pipe. If a magnet sticks, it is a steel pipe.



##### Other ways you can check for lead:

- Purchase a lead test kit at a hardware or home improvement store. These kits test what the pipe is made from – not the water inside. Look for an EPA recognized kit.
- A **licensed and insured plumber** can inspect your pipes and other plumbing for lead or steel. Replacing an older brass faucet or valve might reduce the lead in water.

**Thank you for taking time out of your busy schedule to complete and return this survey. The data collected will help us to provide an accurate inventory of water service line materials in your community to eliminate lead from service lines.**

Please return completed survey in the enclosed self-address envelope to ERM c/o Rob DeJesse, AQUA Pennsylvania  
PO Box 950  
Lansdale, PA 19446-9802

# EXHIBIT C

Construction and Maintenance Activities  
Discover Lead Line Form

 An Essential Utilities Company	Premises No.: _____ Tap Serial No.: _____ Date: _____
	Address: _____
	Prepared by: _____
	PWSID: _____ PWS Name: _____

ESTE DOCUMENTO CONTIENE INFORMACIÓN IMPORTANTE ACERCA DE SU AGUA POTABLE.  
HAGA QUE ALGUIEN LO TRADUZCA PARA USTED, O HABLE CON ALGUIEN QUE LO ENTIENDA.

# An Important Health Notice From Aqua

  
**PLEASE READ THIS BEFORE USING YOUR WATER!**

During our maintenance/construction activities today, Aqua encountered:

- An Aqua-owned lead service line
- An Aqua-owned galvanized service line

that provides water from our water main to the curb stop.

Please note that:

- It has been replaced today.
- It will be replaced by: \_\_\_\_\_

The customer-owned service line that provides water from the curb stop into your house is constructed of:

\_\_\_\_\_

We encourage you to review the flushing instructions below and the information about lead on the back of this form. We will:

1. contact you to arrange for tap water sampling and
2. provide you with a pitcher filter to protect you from lead.

In the meantime, please call us if you would like additional information at 1-866-SLM-AQUA (1-866-756-2782).

Please review and follow these very important **instructions\*** to minimize your exposure to metals, such as lead, which might have been stirred up due to the service-line replacement work. Please flush all your faucets using these steps:

- |  |  |  |   |
|--|--|--|---|
|   | <b>1</b> If possible, remove faucet aerators from all water faucets in the home. | <b>2</b> Beginning in the lowest level of the home, fully open the cold water faucets throughout the home.                               | <b>3</b> Let the water run for at least 30 minutes at the last faucet you opened (which was on your top floor). |
| <b>4</b> Turn off each faucet starting with the faucets in the highest level of the home. Be sure to run water in bathtubs and showers as well as faucets. | <b>5</b> Clean and reinstall any aerators you might have removed in Step 1.      | <b>6</b> Do not consume tap water, open hot water faucets, or use icemaker or filtered water dispenser until after flushing is complete. |   |

\*Based on the American Water Works Association-recommended safety procedures ([awwa.org](http://awwa.org)).

You might also wish to use a NSF-approved home filter for water to be used for drinking and cooking, particularly if you are pregnant or have children under age six. Go to NSF.org for more information.

Please see the other side of this notice for more information on lead. Thank you for letting Aqua serve you! For questions or concerns, please contact Aqua customer service at **1-866-SLM-AQUA (1-866-756-2782)**.

**More helpful information on the back**



# Information About Lead and Drinking Water



## How does lead get into drinking water?

Lead is not typically found in the streams, reservoirs or wells that serve as our water supplies. The main water lines that carry water from treatment plants to customers don't contribute to lead. The main source of lead in drinking water is from lead service lines (the pipelines that deliver water from the water mains in the street to homes) and from household plumbing that contains lead.

Before the use of copper for water pipes, lead was once a material of choice. Before 1986, lead was also a key component of the solder used by plumbers when installing home plumbing. Lead is even found in brass and bronze plumbing fixtures. The chemical properties of water can cause lead and other metals to leach into the water. Water utilities, including Aqua, treat drinking water to reduce the chance for metals to leach into the water.

Customers who have, or think they might have, lead service lines are strongly encouraged to replace their service lines. If customers choose to replace their household plumbing, they should use certified lead-free solder and fixtures.

## How Aqua protects its customers:

Aqua conducts required testing for drinking water contaminants, including lead and copper, to ensure compliance with state and federal drinking water standards. Aqua also tests for lead in high-risk sample homes to comply with the U.S. Environmental Protection Agency's (EPA) lead and copper rule. According to the EPA, sampling locations must be selected based on priority tied to possible lead exposure. Aqua also works with individual customers who request lead information for their home. Test results, including those for lead and copper, are summarized in our annual water quality reports, which are produced for every water system we own and operate. You can find your community's water quality report on AquaWater.com.

Changes in water sources are not common. However, if we ever need to use a new water source, Aqua works with state environmental regulators to perform an early evaluation of the new source to anticipate water quality concerns and identify potential treatment needs.

Once a new water source is approved, Aqua further verifies the acceptability of water quality by conducting testing at approved high-risk homes for a sustained period of time to ensure water quality.

## Health effects of lead:

Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney, or nervous system problems.

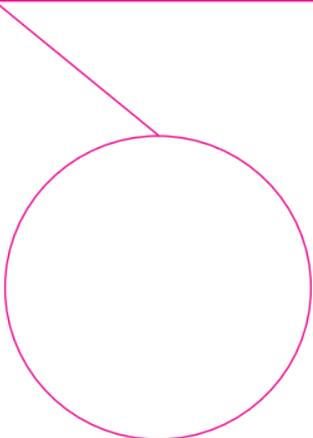
**If your home's water shows elevated levels of lead, or if you are concerned about the potential of lead in your water, here are ways you can minimize exposure.**

- **Run your tap to flush out lead.** If your water hasn't been used for several hours, run water for at least 15 to 30 seconds or until it becomes cold or reaches a steady temperature before using it for drinking or cooking.
- **Use cold water to cook and prepare baby formula. Don't boil water to reduce lead.** Lead dissolves more easily into hot water. Boiling water won't reduce lead.
- If you buy a water filter, make sure it's approved to reduce lead. You can contact NSF International at 800.NSF.8010 or NSF.org.
- If you are concerned about exposure, contact your local health department or healthcare provider to find out how you can get your child tested for lead. Call Aqua at 877.987.2782 for information about testing your water for lead.
- Brass faucets, fittings and valves – even those advertised as lead free – might contribute lead to drinking water. The law allows end-use fixtures, such as faucets, with wetted surfaces containing a maximum weighted average of 0.25 percent lead to be labeled as lead free. Visit NSF International at NSF.org to learn more.

**For more information** on reducing lead exposure in your home and the health effects of lead, visit the EPA at EPA.gov/lead or contact your healthcare provider.

# EXHIBIT D

Door Hanger



# IMPORTANT NOTICE

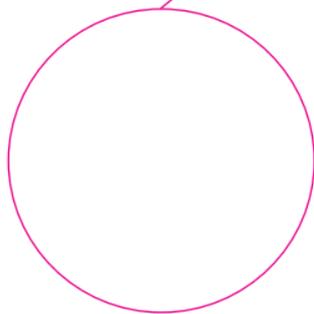
# AQUA<sup>SM</sup>

An  Essential Utilities Company

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visite el sitio web de Aqua en  
<https://www.aquawater.com/aqua-pa-lead-spanish.php>

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der Website von Aqua unter  
<https://www.aquawater.com/aqua-pa-lead-german.php>



## **We're sorry...we missed you!**

A company representative was at your property today.

Date: \_\_\_\_\_ Time: \_\_\_\_\_

The purpose(s) of our visit was to:

Gain Access to Conduct Service Line Inspection

Other/Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\* If unable to provide access for service line inspection, please fill out the survey provided via mail and/or QR code. The QR Code is located below. If you have questions, please contact the ERM Call Center via the information provided below.

### **Please Contact Us**

**ERM Call Center: (484) 913-0346**

**Or email at [Leadsurvey@erm.com](mailto:Leadsurvey@erm.com)**

**QR Code: Bensalem/Bristol**



# **AQUA** SM

An  Essential Utilities Company

# EXHIBIT E

10 Day Shutoff Notice

# 10-Day Shut Off Notice

## DATE NOTICE ISSUED:

Name: \_\_\_\_\_

Service Address: \_\_\_\_\_

Premise No. \_\_\_\_\_

In order for Aqua Pennsylvania, Inc. to continue supplying water service to your residence/business, you need to take immediate action. If the information **marked** below is not provided within the next 10 days, we will shut off the water service at the above address on or after 8:00 A.M. on \_\_\_\_\_ **Aqua may act on this notice for up to 60 days.**

## THIS ACTION WILL BE TAKEN FOR THE FOLLOWING REASON:

1. Your Bill For \$ \_\_\_\_\_ is Overdue. Call 1.877.987.2782 (and choose Collections).

### 2. Meter Operations:

- ACT 120 Lead Service Line Inspection or Replacement. Call 610.645.4272 to speak with Water Quality.  Inactive Account - Apply for Water Service
- Meter Equipment Inspection  Exchange or Install Meter  Meter Space Does Not Meet Aqua PA Specifications
- Customer side leak, property owner responsibility. Call 1.877.987.2782 to update repair status.

Other: \_\_\_\_\_ Call 1.877.WTR.AQUA or 1.877.987.2782.

3. Backflow Prevention:  Failure to Test Backflow Device  SEPA 610.541.4179 or backflow@aquawater.com  
 Failure to Install Backflow Device  GPA 1.877.987.2782 or gpabackflow@aquawater.com

## TO STOP THE SHUT OFF, YOU MUST DO THE FOLLOWING AT ONCE:

- Pay the total amount due or call 1.877.WTR.AQUA or 1.877.987.2782 (and choose Collections) to: request a payment arrangement, let us know that you made the payment, or dispute the overdue bill. If we shut off your water, you may have to pay the following charges to have your water turned back on: Overdue Amount \$ \_\_\_\_\_ ; Turn-On Charge \$ \_\_\_\_\_ ; **Payments will not be accepted by our representative. It must be paid at an authorized payment location** (call Aqua for the nearest payment location's address)
- Allow access by an Authorized Aqua Service Representative for inspection, installation or replacement of the existing meter equipment at the property. Call 1.877.987.2782 to schedule an appointment.
- Call 1.877.WTR.AQUA or 1.877.987.2782 (and choose Collections) if you or someone in your home has a serious illness or a medical condition. Read the Medical Emergency Notice shown (on the back).
- Comunicarse con Aqua al 877.987.2782 (elija "Bobranzas" - "Collectiones" en inglés para hacernos saber que realizó el pago, o para disputar el balance atrasado. También puede comunicarse con Aqua a la dirección que aparece arriba.
- Atencion! Este es en mensaje muy importante. Si usted no lo entiende, favor de llama a 877.987.2782.

If you have any questions or need more information, please call us, 877.987.2782. If you are not satisfied after you talk to us, you may file a complaint with the Public Utility Commission by calling 1.800.692.7380 toll free, or by writing to P.O. Box 3265 Harrisburg, PA 17105-3265. The Public Utility Commission will delay the shut off if you file a complaint before the shut off date.



762 W. Lancaster Avenue  
Bryn Mawr, PA 19010-3489

Para acceder al documento traducido al español, visite el sitio web de Aqua en <https://www.aquawater.com/aqua-pa-lead-spanish.php>

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<https://www.aquawater.com/aqua-pa-lead-chinese.php>

Die deutsche Übersetzung dieses Dokuments finden Sie auf der Website von Aqua unter <https://www.aquawater.com/aqua-pa-lead-german.php>

## IMPORTANT TO KNOW - BEFORE WE SHUT OFF YOUR UTILITY SERVICE

- **If we shut off your service during the winter months (between Dec. 1 - Mar. 31)** we will restore your service within 24 hours of your meeting all requirements/conditions to have service reconnected. Where street digging is required it may take up to 7 days.
- If you are a victim of domestic violence and have a Protection From Abuse Order (PFA) or other court order that shows clear evidence of domestic violence, there are special protections available.  
**Call us immediately at 877.987.2782.** (You will be required to provide us with a copy of the order.)
- You may be eligible for a payment agreement or special assistance programs. **Call 877.987.2782 right away** to provide us with household income and occupant information. Documentation of your income may be required, such as pay stubs or tax documents.
- If your landlord pays your utility bill: You have certain legal protections. Please call us at 877.987.2782.
- If you have trouble understanding or speaking English or have a disability please call us at 877.987.2782 for free interpretation.
- If your service is shut off, you may be required to pay more than the amount listed on the front of this notice to have your service turned back on. You may have to pay any additional bills that have become past due.
- All adult occupants of the premise whose name appears on the mortgage, deed, or lease are considered "customers" and are responsible for payment of this bill.
- If service is shut off, ANY adult occupant who has been living at the premise may have to pay all or portions of this bill to have service restored.
- If your service is shut off, you must contact us after your payment has been made to be sure you have met all conditions to have the service turned back on and to arrange access to your premise.
- After all conditions have been met to have the service turned back on, it may take up to 7 days to have your service restored. Please contact us to discuss the details.
- If you need water to heat your property, please contact Aqua immediately at 877.987.2782 (and choose Collections) so we can arrange a service visit to verify that need. The company will act in accordance with the public utility laws with respect to water service shut offs.

### MEDICAL EMERGENCY NOTICE

Let us know if someone living in your home is seriously ill or has a medical condition.

**WE WILL NOT SHUT OFF YOUR SERVICE provided you:**

- A. Provide a medical certification by a licensed physician, nurse practitioner or physician's assistant.  
Medical certifications must be in writing and signed by your physician, nurse practitioner or physician's assistant by fax, email or mail within three days.

**AND**

- B. Make some equitable arrangements to pay your current bills for service.

Call **Aqua at 877.987.2782** to let us know about your medical emergency.

**FAX: 610.520.2168 or toll-free at 866.780.8301**

**ATTN: Collections Department  
Aqua Pennsylvania, Inc.  
762 W. Lancaster Avenue  
Bryn Mawr, PA 19010**

# EXHIBIT F

Customer Agreement



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## LICENSE AGREEMENT TO REPLACE THE CUSTOMER OWNED LEAD/GALVANIZED SERVICE LINE

The undersigned customer(s) or property owner(s) (the “Customer”), through this License Agreement, grants Aqua Pennsylvania, Inc. (“Aqua” or the “Company”) and its contractors and/or subcontractors a license to enter upon the Customer’s property at the service address set forth below (the “Property”) for the purpose of replacing the Customer-owned lead or galvanized service line with a new Customer-side service line and connecting the new Customer-side service line to the Company’s facilities, at no direct cost to the Customer.

Service

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

The Customer represents that the Customer is the sole legal owner of the Property and has sole authority to agree to this License Agreement. The term of this License Agreement shall be valid until the Company or its contractor/subcontractor completes the replacement of the Customer-side service line and restoration.

The Company owns the Company-side service line from the Company’s water main to the curb stop, meter pit, or valve (as applicable) at or near the Customer’s property line. The Company, in its sole discretion has determined the location of the Company-side service line. The Company-side service line will be owned and maintained by the Company.

The Company or the Company’s contractor and/or subcontractor shall replace the Customer-owned lead or galvanized service line with a new service line of size and material determined by the Company. The Customer-owned lead or galvanized service line will be abandoned in place. The Company shall connect the new Customer-side service line to the Company’s connecting facilities and the Customer’s premises. It may be necessary for the Company or Company’s contractor to gain entry into the Customer’s premises to make the connection at the meter with the new Customer-side service line. The ownership of the new Customer-side service line will be dedicated to the Customer at the completion of the replacement. Ownership and maintenance responsibilities of the new Customer-side service line will remain with the Customer.

Following the replacement of the Customer-side service line, the Company will restore the Customer's Property as reasonably as practicable to the condition prior to the commencement of the replacement under this License Agreement. The Company warrants the workmanship and materials of the installation of the new Customer-side service line and restoration of surfaces for a period of two (2) years from the date the replacement is completed. The date the replacement is completed is the date water service is re-established to the Property.

The maximum coverage under the warranty on the workmanship and materials is limited to an amount up to Twenty Thousand Dollars (\$20,000.00) and limited to repairing or replacing the Customer-side service line if the failure was due to the workmanship and materials of the replacement, and restoration of surfaces which shall mean restoration as reasonably as practicable to the condition that existed prior to the replacement under this License Agreement. The Company shall not be liable for any damages beyond the maximum coverage of the two year warranty as described in this License Agreement. Should any repair be necessary under this warranty, the Customer grants Aqua and its contractors and/or subcontractors license to enter upon the Customer's Property to complete the repairs.

**In consideration of the Company performing the Customer-side service line replacement at no direct cost to the Customer and receiving the associated warranty on workmanship and materials and restoration of surfaces as set forth above, the Customer agrees to indemnify, release and hold harmless the Company and its affiliates, agents, and contractors and/or subcontractors from and against all claims, liabilities, and costs arising from acts and omissions of the Company and/or its contractors and/or subcontractors in replacing and installing the new Customer-side service line that are outside of the associated warranty on workmanship and materials and restoration of surfaces. The Customer specifically agrees to accept dedication of the newly installed Customer-owned portion of the service line upon completion of its installation.**

**PLEASE RETURN A SIGNED COPY OF THIS LICENSE AGREEMENT IN THE PRE-ADDRESSED, POSTAGE PAID, ENVELOPE TO:**

**Aqua Pennsylvania, Inc.  
762 W. Lancaster Ave.  
Bryn Mawr, PA 19010  
Attention: Water Quality Department**

Contract No.

CUSTOMER

AQUA PENNSYLVANIA, INC.

Signature: \_\_\_\_\_ Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_ Title: \_\_\_\_\_

Phone: \_\_\_\_\_ Date: \_\_\_\_\_

# EXHIBIT G

Customer Letter – Lead Material Identified



Para acceder al documento traducido al español, visite el sitio web de Aqua en <https://www.aquawater.com/aqua-pa-lead-spanish.php>

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<https://www.aquawater.com/aqua-pa-lead-chinese.php>

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Date

Address

Dear Aqua Customer,

Aqua Pennsylvania is implementing a lead line replacement program. Our records show that the service line at the above address is, or may be, comprised of lead.

The water service line serving your property includes a section of pipe from the water main to the curb (curb stop) that is “company-owned.” There is a second section of pipe extending from the curb stop to your home that is “customer-owned.” It is the property owner’s responsibility to maintain the customer-owned service line.

**Aqua can replace, AT NO DIRECT COST TO YOU, your customer-owned service line from the curb line to the connection with the water meter inside your building/house.** Our contractor will excavate/tunnel from the water main to your building/house and enter your building/house to disconnect the lead service line and connect the new one. The new customer-owned service line will then be turned over to you to own and maintain as a part of your property.

To move forward with this program, please call 610.645.4272. Please leave a message that you would like your lead service line replaced with your name, address, and phone number. Someone will call you back by the next business day.

**Please note that refusal to replace the lead service line may result in termination of water service to the property.**

We thank you in advance for your support of this program.

Sincerely,

Ann Dreyer  
Supervisor, Water Quality Services

Attachments: Lead Fact Sheet

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An  Essential Utilities Company

# Aqua Wants Our Customers to Be Informed\*

Este documento contiene información importante acerca de su agua potable. Haga que alguien lo traduzca para usted, o hable con alguien que lo entienda.

## Here's what you should know about lead and drinking water.

Lead is not typically found in the streams, reservoirs or wells that serve as water supplies or in the main water lines that carry water from treatment plants to homes. Yet, the chemical properties of water can cause lead and other metals to leach into drinking water. The main source of lead in drinking water is from lead service lines (the pipes that deliver water from water mains in the street and into homes) and from typical household plumbing (lead solder and brass fixtures) that contains lead. Households that have, or suspect having, lead service lines or lead in their household plumbing are strongly encouraged to replace them. The use of lead in solder was prohibited after 1986, so buildings constructed after then should not have contained lead in the solder.

### How Aqua protects its customers:

Water utilities, including Aqua, treat drinking water to reduce the chance for metals to leach into the water. Aqua conducts required testing for drinking water contaminants, including lead and copper, to ensure compliance with state and federal drinking water standards. Aqua tests the water at our treatment plants, and also schedules customer tap sampling and tests for lead in potential high-risk areas, to comply with the U.S. Environmental Protection Agency's (EPA) lead and copper rule.

You can always view your community's test results. They are summarized in our annual water quality reports, which are produced for every water system we own and operate.

### Lead Service Line Replacement Program:

Aqua can now assist customers with replacing the customer/property owner's portion of the service line if it is made of lead. Aqua's new program will allow us to work with customers, either during a main replacement project or by customer request, to replace the customer/property owner's portion of the service line if it is lead and dedicate the service line back to the customer/property owner at no direct cost to the customer/property owner.

Visit our website at <https://www.aquawater.com/lead> for more information.



Call us at  
1-866-SLM-AQUA  
(1-866-756-2782)  
for more information.



You can find your community's  
water quality report at  
[AquaWater.com](https://www.aquawater.com).

More helpful information on the back 



## If you are a residential customer:

You should know that there are parts of the service line bringing water to your home that are Aqua's property (the pipe that goes from our water main in the street to your curb) and parts of the service line that are the property owner's (the pipe that goes from your curb to your home). When we encounter lead service lines during our maintenance and construction activities, we will seek to identify the material type of both portions (Aqua's and the property owner's) of the service line. If we find lead on Aqua's side only, Aqua will replace its portion of the service line. If we find lead on the customer/property owner's side, we will work with you to replace the customer/property owner portion. Disturbing a service line that contains lead, including the replacement of your lead service line, could result in temporary elevated lead levels in your drinking water.

If you have concerns regarding your internal plumbing, we recommend that you have a licensed plumber check the pipes that are your property. This is important to know, because household plumbing can also be a source of lead in tap water. See the section below on "what you can do" for minimizing your risk if this happens.

**For more information about Aqua's Lead Program please call our call center hub at 1-866-SLM-AQUA (1-866-756-2782)**



## If you are a school or day care center:

You should know that the EPA has established more stringent sampling procedures for schools and day care centers. Because children often drink from fountains and faucets at school without flushing the water first, and because they are at higher risk of health effects due to exposure, for their protection, sampling is done differently at schools and day care centers.

**Aqua suggests that you call the EPA's safe drinking water hotline at 800.426.4791 or email them using this URL: <https://www.epa.gov/lead/forms/lead-hotline-national-lead-information-center>. Specific information regarding schools can be found on EPA's website at <https://www.epa.gov/ground-water-and-drinking-water/3ts-reducing-lead-drinking-water>. It's important for any testing you do to be conducted using EPA protocols, so that the results are meaningful.**

### The health effects of lead:

Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney or nervous system problems.

If you are concerned about lead exposure:

- Contact your local health department or healthcare provider to find out how you can get your child tested for lead.
- Visit the EPA at [EPA.gov/lead](https://www.epa.gov/lead) for more information on the health effects of lead or reducing lead exposure in your home.
- Call Aqua at 877.987.2782 for information about testing your water.

### What you can do:

If your home's water shows elevated levels of lead, or if you are concerned about the potential of lead in your water, below are ways you can minimize your exposure.

- **Run your tap to flush out lead.** If your water hasn't been used for several hours, run your water for a few minutes or until it becomes cold or reaches a steady temperature before drinking or cooking.
- **Use cold water to cook or prepare baby formula.** Don't boil water to reduce lead. Lead dissolves more easily into hot water and boiling will concentrate the lead. Boiling water won't reduce lead.
- If you buy a water filter for lead removal, make sure it's approved to reduce lead. Contact NSF International, [www.NSF.org](http://www.NSF.org).

# EXHIBIT H

## Lead Fact Sheet

Para acceder al documento traducido al español, visite el sitio web de Aqua en <https://www.aquawater.com/aqua-pa-lead-spanish.php>  
如果需要查看本文件的中文简体字译本，请访问 Aqua 网站：<https://www.aquawater.com/aqua-pa-lead-chinese.php>  
Die deutsche Übersetzung dieses Dokuments finden Sie auf der Website von Aqua unter <https://www.aquawater.com/aqua-pa-lead-german.php>



An  Essential Utilities Company

# Aqua Wants Our Customers to Be Informed\*

Este documento contiene información importante acerca de su agua potable. Haga que alguien lo traduzca para usted, o hable con alguien que lo entienda.

## Here's what you should know about lead and drinking water.

Lead is not typically found in the streams, reservoirs or wells that serve as water supplies or in the main water lines that carry water from treatment plants to homes. Yet, the chemical properties of water can cause lead and other metals to leach into drinking water. The main source of lead in drinking water is from lead service lines (the pipes that deliver water from water mains in the street and into homes) and from typical household plumbing (lead solder and brass fixtures) that contains lead. Households that have, or suspect having, lead service lines or lead in their household plumbing are strongly encouraged to replace them. The use of lead in solder was prohibited after 1986, so buildings constructed after then should not have contained lead in the solder.

### How Aqua protects its customers:

Water utilities, including Aqua, treat drinking water to reduce the chance for metals to leach into the water. Aqua conducts required testing for drinking water contaminants, including lead and copper, to ensure compliance with state and federal drinking water standards. Aqua tests the water at our treatment plants, and also schedules customer tap sampling and tests for lead in potential high-risk areas, to comply with the U.S. Environmental Protection Agency's (EPA) lead and copper rule.

You can always view your community's test results. They are summarized in our annual water quality reports, which are produced for every water system we own and operate.

### Lead Service Line Replacement Program:

Aqua can now assist customers with replacing the customer/property owner's portion of the service line if it is made of lead. Aqua's new program will allow us to work with customers, either during a main replacement project or by customer request, to replace the customer/property owner's portion of the service line if it is lead and dedicate the service line back to the customer/property owner at no direct cost to the customer/property owner.

Visit our website at <https://www.aquawater.com/lead> for more information.



Call us at  
1-866-SLM-AQUA  
(1-866-756-2782)  
for more information.



You can find your community's  
water quality report at  
[AquaWater.com](https://www.aquawater.com).

More helpful information on the back 



## If you are a residential customer:

You should know that there are parts of the service line bringing water to your home that are Aqua's property (the pipe that goes from our water main in the street to your curb) and parts of the service line that are the property owner's (the pipe that goes from your curb to your home). When we encounter lead service lines during our maintenance and construction activities, we will seek to identify the material type of both portions (Aqua's and the property owner's) of the service line. If we find lead on Aqua's side only, Aqua will replace its portion of the service line. If we find lead on the customer/property owner's side, we will work with you to replace the customer/property owner portion. Disturbing a service line that contains lead, including the replacement of your lead service line, could result in temporary elevated lead levels in your drinking water.

If you have concerns regarding your internal plumbing, we recommend that you have a licensed plumber check the pipes that are your property. This is important to know, because household plumbing can also be a source of lead in tap water. See the section below on "what you can do" for minimizing your risk if this happens.

**For more information about Aqua's Lead Program please call our call center hub at 1-866-SLM-AQUA (1-866-756-2782)**



## If you are a school or day care center:

You should know that the EPA has established more stringent sampling procedures for schools and day care centers. Because children often drink from fountains and faucets at school without flushing the water first, and because they are at higher risk of health effects due to exposure, for their protection, sampling is done differently at schools and day care centers.

**Aqua suggests that you call the EPA's safe drinking water hotline at 800.426.4791 or email them using this URL: <https://www.epa.gov/lead/forms/lead-hotline-national-lead-information-center>. Specific information regarding schools can be found on EPA's website at <https://www.epa.gov/ground-water-and-drinking-water/3ts-reducing-lead-drinking-water>. It's important for any testing you do to be conducted using EPA protocols, so that the results are meaningful.**

### The health effects of lead:

Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney or nervous system problems.

If you are concerned about lead exposure:

- Contact your local health department or healthcare provider to find out how you can get your child tested for lead.
- Visit the EPA at [EPA.gov/lead](https://www.epa.gov/lead) for more information on the health effects of lead or reducing lead exposure in your home.
- Call Aqua at 877.987.2782 for information about testing your water.

### What you can do:

If your home's water shows elevated levels of lead, or if you are concerned about the potential of lead in your water, below are ways you can minimize your exposure.

- **Run your tap to flush out lead.** If your water hasn't been used for several hours, run your water for a few minutes or until it becomes cold or reaches a steady temperature before drinking or cooking.
- **Use cold water to cook or prepare baby formula.** Don't boil water to reduce lead. Lead dissolves more easily into hot water and boiling will concentrate the lead. Boiling water won't reduce lead.
- If you buy a water filter for lead removal, make sure it's approved to reduce lead. Contact NSF International, [www.NSF.org](http://www.NSF.org).

# EXHIBIT I

## Lead Service Line Replacement Program Information Sheet

# Customer Lead Service Line Replacement Program Information Sheet



Para acceder al documento traducido al español, visite el sitio web de Aqua en <https://www.aquawater.com/aqua-pa-lead-spanish.php>

如果需要查看本文件的中文简体字译本，请访问 Aqua 网站：  
<https://www.aquawater.com/aqua-pa-lead-chinese.php>

Die deutsche Übersetzung dieses Dokuments finden Sie auf der Website von Aqua unter <https://www.aquawater.com/aqua-pa-lead-german.php>

## **BACKGROUND – AQUA CUSTOMER LEAD SERVICE LINE REPLACEMENT PROGRAM**

Lead is a naturally occurring metal that can cause a variety of adverse health effects. While the most common sources of lead exposure are soil, paint chips and dust, drinking water is another route of lead exposure, primarily as a result of corrosion of lead pipes and plumbing materials. The Pennsylvania General Assembly determined it is in the public interest for water utilities to assist customers in the replacement of customer-owned lead, or galvanized requiring replacement (“galvanized”), service lines throughout Pennsylvania.

The service line that provides water service to a property is made up of two parts: a Company-owned portion (which connects from the Company’s main to the curb line) and a customer-owned portion (which connects from the curb line to a customer’s structure). Customers, or property owners if the customer is not the property owner (“Customer”) are required to maintain and repair the Customer-owned portion of the service line.

Aqua Pennsylvania, Inc. (“Aqua” or the “Company”) now has been granted the authority to assist Customers in replacing the Customer-owned portion of the service line if that service line is identified as lead or galvanized.

## **CUSTOMER-OWNED LEAD SERVICE LINE REPLACEMENT PROGRAM**

Under the Customer Lead Service Line Replacement Program (“Replacement Program”), Aqua will identify customer-owned service lines that are lead or galvanized, enter into an agreement with the Customer to replace the Customer-owned portion of the service line and restore the Customer’s property at no direct cost to the customer, dedicate the newly installed customer portion of the service line back to the Customer, and provide a warranty on the work completed to replace the Customer-owned lead or galvanized service line.

Aqua’s Replacement Program is made up of two parts: (1) replacements in connection with a main replacement project, and (2) replacements per Customer request not associated with a main replacement project.

## **Cap on Replacements Per Year**

Aqua can perform up to 1,500 customer-owned lead or galvanized service line replacements per year.

## **Customer Agreement and Replacement**

In order for Aqua to complete a replacement, the Customer must enter into an agreement with Aqua to replace the Customer-owned lead or galvanized service line. Aqua cannot replace the Customer portion of a lead or galvanized service line without first entering into an agreement. The agreement provides that the Customer will give access to Aqua, or Aqua's contractor, to complete the replacement. Following replacement, Aqua, or Aqua's contractor, will restore the property as reasonably as practicable to its former condition prior to the replacement of the Customer-owned lead or galvanized service line.

## **Dedication of Newly Installed Customer Portion of Service Line and Warranty**

After the new Customer-owned portion of the service line is installed, the Customer-owned portion will be dedicated to the Customer and ownership and responsibility for repair and maintenance of the Customer-owned portion of the service line will remain with the Customer as was the case prior to the replacement. A two-year warranty on the workmanship and materials of the installation and the restoration of surfaces shall be provided.

## **Coordination of Replacements**

Aqua will strive to group customer requested replacements within its operating divisions to create efficiencies. However, Aqua may replace a Customer's lead or galvanized service line if projects cannot be grouped together in its discretion.

## **Filters, Sampling and Testing**

Upon identification of a customer lead or galvanized service line, Aqua will provide a National Sanitation Foundation approved water filter (pitcher or tap filter) and six months of replacement filters. At approximately 3-6 months after replacement is completed, Aqua will offer water sampling materials to Customers or residents, and if Customer or resident wants to have samples taken, Aqua will collect, test, and provide the results from those samples.

## **Reimbursement for Customers that Have Already Replaced a Lead or Galvanized Service Line**

As part of Aqua's Replacement Program, Aqua will, subject to certain requirements discussed below, provide a reimbursement to those Customers that have replaced their Customer-owned lead or galvanized service line at their own cost within one year before or after a lead service line replacement project commencement and within one mile of the project area. If a Customer or property owner refuses or fails to accept the Company replacement of the lead or galvanized customer service line, the Customer or property owner will only be eligible for reimbursement if they replace their Customer lead or galvanized service line at the customer or property owner's expense, within one year of the lead service line project commencement.

Reimbursement will occur for those Customers that provide documentation sufficient, in Aqua's sole discretion, to verify that the Customer replaced the Customer-owned lead or galvanized service line within one year before or after the start of a planned lead service line replacement project main replacement and as long as the Customer is within one mile of the main replacement project or focused replacement area. Customers will be eligible for reimbursement up to 125% of the average cost of Aqua's lead and galvanized replacements. Average cost used to determine reimbursement amounts during a calendar year will be based on Aqua's prior calendar year average costs for lead and galvanized service line replacements. Examples of documentation required by Aqua for a Customer to be eligible for reimbursement include, but are not limited to, detailed estimates from a licensed plumber and paid invoices or statements. A verified statement may also be submitted from the licensed plumber.

Aqua shall make reasonable best efforts to assist a Customer or property owner, if the Customer is not the property owner, through the reimbursement process and, to the extent possible, make determinations in favor of the Customer or property owner where the Customer or property owner has provided reasonable evidence of a customer lead or galvanized service line replacement to Aqua. However, the documentation provided to Aqua must be sufficient in the Aqua's opinion that a customer lead or galvanized service line replacement occurred.

### **Partial Replacements Prohibited**

Under the Pennsylvania Public Utility Commission's ("PUC") regulations, Aqua cannot perform a partial replacement of a lead or galvanized service line. If a Customer causes a partial replacement, by replacing the Customer portion of a lead or galvanized service line without notifying Aqua, Aqua is required to terminate service until a full replacement of the lead or galvanized service line can be completed.

In addition, any Customer that refuses to allow Aqua (or its contractor) to replace the lead or galvanized service line, or refuses to employ its own licensed plumber to replace the lead or galvanized service line, will result in termination of service to the property until the entire lead or galvanized service line is replaced.

Aqua shall use Step In Rights as described in Aqua's tariff to perform a replacement if the customer or occupier of the property is not the owner, and the customer or occupier provides a medical certificate or a Protection From Abuse order (or other court order issued by a court of competent jurisdiction in this Commonwealth which provides clear evidence of domestic violence), subject to the requirements in Aqua's tariff. Aqua may use Step In Rights where the customer or occupier is not the property owner if Aqua has attempted to contact the property owner with an offer to replace the Customer lead service line and has not received a response or the property owner cannot be identified.

### **CONCLUSION**

Aqua recognizes the importance of removing lead from water systems across Pennsylvania both on Aqua owned and Customer-owned assets. Aqua looks forward to working with Customers to achieve this goal.

# EXHIBIT J

## Post-Replacement Flushing Instructions

Para acceder al documento traducido al español, visite el sitio web de Aqua en <https://www.aquawater.com/aqua-pa-lead-spanish.php>

如果需要查看本文件的中文简体字译本, 请访问 Aqua 网站:  
<https://www.aquawater.com/aqua-pa-lead-chinese.php>

Die deutsche Übersetzung dieses Dokuments finden Sie auf der Website von Aqua unter <https://www.aquawater.com/aqua-pa-lead-german.php>

ESTE DOCUMENTO CONTIENE INFORMACIÓN IMPORTANTE ACERCA DE SU AGUA POTABLE. HAGA QUE ALGUIEN LO TRADUZCA PARA USTED, O HABLE CON ALGUIEN QUE LO ENTIENDA.

## An Important Health Notice From Aqua\*



PLEASE READ THIS BEFORE USING YOUR WATER!

As part of Aqua's Customer-Owned Lead Service Line Replacement Program ("Replacement Program"), Aqua, or Aqua's contractor, replaced your customer-owned lead or galvanized service line. Before using your water please follow the flushing instructions below:

Please review and follow these very important **instructions**<sup>1</sup> to minimize your exposure to metals, such as lead, which might have been stirred up due to the service-line replacement work. Please flush all your faucets using these steps:

1



If possible, remove faucet aerators from all water faucets in the home.

4

Turn off each faucet starting with the faucets in the highest level of the home. Be sure to run water in bathtubs and showers as well as faucets.

2

Beginning in the lowest level of the home, fully open the cold water faucets throughout the home.

5

Clean and reinstall any aerators you might have removed in Step 1.

3

Let the water run for at least 30 minutes at the last faucet you opened (which was on your top floor).

6

Do not consume tap water, open hot water faucets, or use icemaker or filtered water dispenser until after flushing is complete.

<sup>1</sup> Based on the American Water Works Association-recommended safety procedures ([awwa.org](http://awwa.org)).

You might also wish to use a NSF-approved home filter for water to be used for drinking and cooking, particularly if you are pregnant or have children under age six. Go to [NSF.org](http://NSF.org) for more information.

Please visit Aqua's website for more information concerning Aqua's Replacement program at [www.aquawater.com/lead](http://www.aquawater.com/lead). Thank you for letting Aqua serve you! For questions or concerns, please contact Aqua customer service at **1-866-SLM-AQUA (1-866-756-2782)**.

\*This information sheet contains regulatorily required or recommended language and nothing herein is intended as, nor should be construed as, a promise of or contract for payment or reimbursement of expenses incurred for any action you take on account of this information sheet.

# EXHIBIT K

Pitcher Filter and Instruction Letter



# BRITA® LONGLAST®

WATER FILTRATION SYSTEM

Longest-Lasting  
Lead-Removing Filter\*



**10** CUP CAPACITY  
1.9L • 64 FL. OZ. • 2.0 L  
MADE IN POLYMER BLENDED

1 PITCHER / 1 FILTER

**REDUCES**

**99% OF LEAD,**  
Mercury, Chlorine, Benzene and More  
(See back panel for details)

FILTER LASTS



100 Gallons

\*See certifications.  
†Approximate timing based on  
100 gallons flow rate and average  
home usage of 11 gallons per day.

**BRITA**  
**LONGLAST**  
WATER FILTRATION SYSTEM

Small Filter, Big Impact™

GREAT-TASTING WATER WITHOUT THE WASTE™

With Brita LONGLAST,® enjoy 6 months (120 gallons) of cleaner, great-tasting water. Change your filter less often and replace up to 1,800 bottles each year.\*

\*Standard 16.9 oz. single-use water bottles

GET TO THE GOOD STUFF — WHAT WE FILTER OUT

The Brita® Pacifica Pitcher with LONGLAST® Filter reduces the following impurities that may be in your tap water:

Heavy Metals	Lead, Mercury, Cadmium
Taste and Odor	Chlorine
Particulates	Particulate I
Pharmaceuticals	Estrone, Ibuprofen, Naproxen
Industrial Chemicals	Bisphenol A (BPA), Nonyl Phenol
Industrial Pollutants	Asbestos, Benzene

EASY SETUP

With quick setup, you can start using your Brita® today!

WASH YOUR HANDS BEFORE UNWRAPPING THE FILTER. DISCARD FIRST 3 PITCHERS OF WATER TO FLUSH OUT SYSTEM.



See User's Guide for detailed instructions. No presoak or rinse required! For best results, store the Brita® Pitcher in your refrigerator or out of direct sunlight.

GET MORE WITH BRITA®

Join now to receive custom filter replacement reminders, see the latest news and offers, earn points and claim rewards. Visit [brita.com/register](http://brita.com/register).

FILTER REPLACEMENT IS ESSENTIAL FOR PRODUCT TO PERFORM AS REPRESENTED.

REPLACE FILTER EVERY 120 GALLONS (ABOUT 6 MONTHS FOR THE AVERAGE FAMILY).

ES IMPORTANTE CAMBIAR LOS FILTROS PARA QUE EL PRODUCTO FUNCIONE SEGUN LO INDICADO.

CAMBIE EL FILTRO DESPUES DE CADA 120 GALONES (ALREDEDOR DE 6 MESES PARA LA FAMILIA PROMEDIO).

Pacifica Pitcher (model...)  
LONGLAST® Filter  
has been tested  
the WQA against  
standards 42, 53 and 401  
of the claims.  
Performance Data Sheet.



See below for instructions on using the Brita pitcher filter based on Brita's User's Guide available at

<https://assets.ctfassets.net/oyntpw38l81s/4at4PbGRwEt3DzNPy3bdGS/fe99caa7b2f53863443861e5a10483d9/Shasta-Elite-User-Guide.pdf>

1. Hand wash\* pitcher/dispenser, lid and reservoir. Rinse well. With clean hands, insert filter into reservoir by lining up groove in filter with ridge in reservoir. Press firmly for a tight seal.  
\*Do not wash in dishwasher. Do not use abrasive cleaners.
2. To set the filter life status indicator, press the STATUS button and hold it down for 6 seconds, until the green light next to ELITE FILTER blinks three times.
3. Open the lid and fill the reservoir with cold tap water.\* Pour out the first 3 pitchers/first dispenser of water, or use to water plants.  
\*Hot water shouldn't be used with the Brita Elite Filter (Max. 85°F/29°C – Min. 32°F/0°C).
4. To check filter life status, quickly press and release the STATUS button. When the light blinks red, you should replace your filter and reset the indicator (step 2), about every 6 months\* for the average household.  
\*Approximate timing based on 120 gallon (454 litres) filter life and average family usage of 11 glasses per day.

\*\*\*\*\*

Vea a continuación las instrucciones sobre cómo usar el filtro de la jarra Brita basadas en la Guía del usuario de Brita disponibles en

<https://assets.ctfassets.net/oyntpw38l81s/4at4PbGRwEt3DzNPy3bdGS/fe99caa7b2f53863443861e5a10483d9/Shasta-Elite-User-Guide.pdf>

1. Lave a mano\* la jarra/dispensador, tapa y depósito. Enjuague bien. Con las manos limpias, inserte el filtro en el depósito alineando la ranura del filtro con la muesca del depósito. Presione firmemente para un cierre hermético.  
\*No lave en el lavavajillas. No use limpiadores abrasivos.
2. Para activar el indicador del estado del filtro, presione el botón ESTADO (STATUS) y manténgalo apretado durante 6 segundos, hasta que la luz verde cerca del ELITE FILTER (FILTRO ELITE) titile tres veces.
3. Abra la tapa y llene el depósito con agua del grifo fría.\* Vierta las 3 primeras jarras/el primer depósito de agua, o use para regar las plantas.  
\*No debe usar agua caliente con el filtro Elite de Brita (Max. 85°F/29°C – Min. 32°F/0°C).
4. Para comprobar el estado del filtro, presione y suelte el botón ESTADO (STATUS) rápidamente. Cuando la luz titile en rojo, debe reemplazar el filtro y activar el indicador (paso 2), aproximadamente cada 6 meses\* para un hogar promedio.  
\*El tiempo aproximado está basado en considerar que la vida del filtro es de 120 galones (454 litros) y que una familia promedio usa 11 vasos al día.

\*\*\*\*\*

请参阅以下有关 Brita 滤水壶的使用说明，该说明改编自 Brita 产品的用户指南，用户指南的网址为

<https://assets.ctfassets.net/oyntpw38l81s/4at4PbGRwEt3DzNPy3bdGS/fe99caa7b2f53863443861e5a10483d9/Shasta-Elite-User-Guide.pdf>

1. 用手清洗\*滤水壶/配器、盖子和储水器。冲洗干净。用干净的那只手将过滤器插入储水器，将过滤器的凹槽与储水器中的凸起脊对齐。用力按压至密封。

\*不要用洗碗机清洗。不要使用研磨性清洁剂。

2. 如果想设置过滤器使用寿命状态指示器，请按下“STATUS”按钮并持续按 6 秒钟，直到看见“ELITE FILTER”旁边的绿灯闪烁三次。

3. 打开盖子，在储水器内灌满冷自来水。\*倒掉前三滤水壶/前一配器内的水，或用这些水浇灌植物。

\*Brita Elite 过滤器不能用来过滤热水（水温范围：最高 85 华氏度/29 摄氏度 - 最低 32 华氏度/0 摄氏度）。

4. 如果想检查过滤器使用寿命状态，请快速按下并放开 STATUS 按钮。当指示灯闪光为红色时，您应该更换过滤器并重新设置指示器（步骤 2），对于普通家庭来说，大约每 6 个月\*需更换一次。

\*大致的使用寿命时限，根据过滤器使用寿命时限内最多过滤 120 加仑（454 升）的水量及一个家庭平均每天使用 11 杯的水量来估算。

\*\*\*\*\*

Im Folgenden finden Sie eine Anleitung zur Verwendung des Brita-Kannenfilters, die auf der Brita-Bedienungsanleitung basiert, die Sie unter

<https://assets.ctfassets.net/oyntpw38l81s/4at4PbGRwEt3DzNPy3bdGS/fe99caa7b2f53863443861e5a10483d9/Shasta-Elite-User-Guide.pdf> finden.

1. Von Hand abwaschen\* Krug/Spender, Deckel und Behälter. Gut ausspülen. Setzen Sie den Filter mit sauberen Händen in den Behälter ein, wobei Sie die Rille im Filter mit der Kante im Behälter ausrichten. Drücken Sie sie fest an, um sie dicht zu verschließen.

\*Nicht in der Spülmaschine waschen. Verwenden Sie keine Scheuermittel.

2. Um die Filterlebensdaueranzeige einzustellen, drücken Sie die Taste STATUS und halten Sie sie 6 Sekunden lang gedrückt, bis die grüne Lampe neben ELITE FILTER dreimal blinkt.

3. Öffnen Sie den Deckel und füllen Sie den Behälter mit kaltem Leitungswasser.\* Gießen Sie die ersten 3 Kannen/den ersten Wasserspender aus, oder verwenden Sie ihn zum Gießen von Pflanzen.

\*Heißes Wasser sollte nicht mit dem Brita Elite Filter verwendet werden (Max. 85°F/29°C – Min. 32°F/0°C).

4. Um den Status der Filterlebensdauer zu überprüfen, drücken Sie kurz auf die STATUS-Taste und lassen Sie sie wieder los. Wenn die Anzeige blinkt, sollten Sie den Filter austauschen und die Anzeige zurücksetzen (Schritt 2), was in einem durchschnittlichen Haushalt etwa alle 6 Monate\* geschieht.

\*Der ungefähre Zeitplan basiert auf einer Lebensdauer des Filters von 454 Litern und einem durchschnittlichen Familienverbrauch von 11 Gläsern pro Tag.

\*\*\*\*\*

# EXHIBIT L

Lead Service Line Replacement Close Out  
Letter



Para acceder al documento traducido al español, visite el sitio web de Aqua en <https://www.aquawater.com/aqua-pa-lead-spanish.php>

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Die deutsche Übersetzung dieses Dokuments finden Sie auf der Website von Aqua unter <https://www.aquawater.com/aqua-pa-lead-german.php>

[DATE]

Dear Customer:

Our records show that your service line has been replaced in the last three to six months. As detailed in the Customer Lead/Galvanized Service Line Replacement License Agreement, the Company has dedicated the newly installed customer-owned portion of the service line back to you and you are responsible for that service line as of the date of completion of the installation. Your warranty on the workmanship and materials of the newly installed Customer-side service line and restoration of the surfaces is for 24 months from the date the replacement was completed.

**If you would like Aqua to sample the water at your premise, please contact Aqua at 610.645.4272. Aqua will provide sampling bottles and instructions for taking the samples as well as contact information for Aqua to arrange retrieval of the samples.**

Lead in drinking water is primarily from materials and components associated with service lines and home plumbing in older homes. Aqua is responsible for providing high-quality drinking water to your home but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by running your water for a few minutes or until it becomes cold before using it for drinking or cooking.

Call me at 610.645.4234 if you have any questions.

Sincerely,

Ann Dreyer  
Supervisor, Water Quality Services

# EXHIBIT M

5<sup>th</sup> Liter Sampling Instructions

**Aqua Pennsylvania**  
**Sampling Instructions for Special Lead Analysis**  
**For homes that had their Lead or Galvanized Service Line**  
**Replaced**

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**Thank you for agreeing to collect samples following your lead/galvanized service line replacement. We recognize these instructions can be confusing. If you have any questions about the sampling protocol, please call us at 610.645.4272.**

**Please complete the back of these instructions with information on your home and when you collected the samples.**

**Sample Bottles** – Five 1 Liter plastic bottles will be dropped off from Aqua Pennsylvania’s Bryn Mawr Lab. These bottles are specifically designed for lead and copper analyses.

**Sample Location** – Please sample from a kitchen or bathroom cold-water faucet. The water going to that faucet should not have any treatment such as a filter or a water softener. If you do have a treatment system, note that on the form. Each of the 5 bottles must be collected from the same faucet.

**Sampling Procedure** – Do not use any water in your house for a minimum of six (6) hours prior to sampling. We recommend sampling either early mornings or evenings upon returning home. Be sure to use a kitchen or bathroom cold water tap that has been used for drinking water consumption in the past few days. Do not intentionally flush the water line before the start of the 6-hour period. Do not remove the aerator prior to sampling.

A series of five samples will be collected. We suggest that you line up the bottles by number (1 through 5) and remove the caps.

**Sample #1 (first draw):** Place the opened sample bottle below the faucet and open the cold water tap as you would to fill a glass of water. Fill the sample bottle to the line marked “1000-ml” **without allowing any water to run into the sink and keep running the water.**

After sample # 1 has been filled, quickly place bottle # 2 under the faucet. Fill each bottle in order (1 through 5) while the water continues to flow from the faucet. After each of the 5 bottles has been filled, replace the caps, tighten the caps, and place the bottles back in the bags.

If any plumbing repairs or replacements have been done in the home within the last three years, please note this on the form.

After the samples have been collected, please call 610.645.4272 Monday through Friday so that a driver can be notified to pick up samples. If you are leaving a message on our voicemail, please leave your name, address, and number where you can be reached. Place samples bottles outside the front door for pick-up (if it is more appropriate to leave somewhere other than front door, please specify that when calling).

**Results / Questions** - The results from your samples and information about lead will be provided to you as soon as practical but no later than 30 days. However, if elevated lead levels are found, prompt notification will be provided within two working days after results are made available. Call 610.645.4272 if you have any questions regarding these instructions.

**In order to process the samples, it is important that the resident complete this form and return with the 5 bottles.**

**Do you have a water softener or treatment system? Y / N**

**If so, was your softener or treatment bypassed when you took the samples? Y / N**

**Have you had any plumbing repairs or replacement in the last 3 years? Y/N If Yes, Explain:**

Sample Location and faucet (i.e., kitchen sink) \_\_\_\_\_

Water was last used:      Time: \_\_\_\_\_      Date: \_\_\_\_\_

Series of five water samples:

- Sample #1 was collected:      Time: \_\_\_\_\_      Date: \_\_\_\_\_
- Sample #5 was collected:      Time: \_\_\_\_\_      Date: \_\_\_\_\_

I have read the instructions and have taken the 5 tap samples in accordance with these instructions.

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_

**Name:**

**Phone number:**

**Address:**

**Mailing Address (if different):**

# EXHIBIT N

5<sup>th</sup> Liter Sample Results Letter



An Essential Utilities Company

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DATE

Name  
Address

Dear [NAME] :

Below are the lead results for the water samples you collected from your property, following the 5<sup>th</sup> Liter sampling protocol instructions provided to you, on DATE.

	<i>1<sup>st</sup> Liter</i>	<i>5<sup>th</sup> Liter</i>
<b>LEAD RESULT</b>	ug/L	ug/L

**ug/L = Micrograms per Liter or parts per billion**  
**N.D. = Not Detected**

The “Action Level” for lead in drinking water is 15 ug/L. “Action Level” is defined as the concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.

Maximum Contaminant Level Goal (MCLG) is 0 ug/L. “MCLG” is defined as the level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

Lead in drinking water is primarily from materials and components associated with service lines and home plumbing in older homes. Aqua is responsible for providing high-quality drinking water but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for a period of time it takes to bring in fresh water before using it for drinking or cooking.

The water supplied to this area meets all the National Primary Drinking Water Standards.

I have included an additional fact sheet on lead in drinking water for your information. Call me at 610.645.4234 if you have any questions.

Sincerely,

Ann Dreyer  
Supervisor, Water Quality Services

# EXHIBIT 01

Letter Provided If Customer Refuses Or  
Does Not Respond To Requests For Aqua  
To Access Aqua's Meter To Review The  
Customer Service Line Material



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Date

Name  
Address

Dear Customer:

In connection with Aqua's Lead Service Line Replacement Program, Aqua has attempted to contact you to identify your service line material to determine if your service line is lead or galvanized requiring replacement. You have either refused to allow Aqua to access your property or Aqua has not received a response from you.

Regarding access to identify service line material, Aqua must be allowed to identify the service line material that connects with Aqua's meter. Under the Pennsylvania Public Utility Commission's ("PUC") regulations, Aqua cannot perform a partial replacement of a lead or galvanized service line (see 52 Pa. Code § 65.62). Since your service line material is not known, in accordance with PUC regulations Aqua is required to terminate service to your premise if permission is not granted to identify the service line material.

To avoid termination of service, please contact Aqua's Water Quality Department at 610.645.4234 to set up an appointment and to receive further information for Aqua or its representatives to identify your service line material.

Sincerely,

A handwritten signature in blue ink that reads "Michael Fili".

Michael Fili, Vice President  
Capital Planning, Design & Construction  
Aqua Pennsylvania, Inc.

Attachments: Lead Fact Sheet  
Aqua Lead Service Line Replacement Program Information Sheet

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An  Essential Utilities Company

# Aqua Wants Our Customers to Be Informed\*

Este documento contiene información importante acerca de su agua potable. Haga que alguien lo traduzca para usted, o hable con alguien que lo entienda.

## Here's what you should know about lead and drinking water.

Lead is not typically found in the streams, reservoirs or wells that serve as water supplies or in the main water lines that carry water from treatment plants to homes. Yet, the chemical properties of water can cause lead and other metals to leach into drinking water. The main source of lead in drinking water is from lead service lines (the pipes that deliver water from water mains in the street and into homes) and from typical household plumbing (lead solder and brass fixtures) that contains lead. Households that have, or suspect having, lead service lines or lead in their household plumbing are strongly encouraged to replace them. The use of lead in solder was prohibited after 1986, so buildings constructed after then should not have contained lead in the solder.

### How Aqua protects its customers:

Water utilities, including Aqua, treat drinking water to reduce the chance for metals to leach into the water. Aqua conducts required testing for drinking water contaminants, including lead and copper, to ensure compliance with state and federal drinking water standards. Aqua tests the water at our treatment plants, and also schedules customer tap sampling and tests for lead in potential high-risk areas, to comply with the U.S. Environmental Protection Agency's (EPA) lead and copper rule.

You can always view your community's test results. They are summarized in our annual water quality reports, which are produced for every water system we own and operate.

### Lead Service Line Replacement Program:

Aqua can now assist customers with replacing the customer/property owner's portion of the service line if it is made of lead. Aqua's new program will allow us to work with customers, either during a main replacement project or by customer request, to replace the customer/property owner's portion of the service line if it is lead and dedicate the service line back to the customer/property owner at no direct cost to the customer/property owner.

Visit our website at <https://www.aquawater.com/lead> for more information.



Call us at  
1-866-SLM-AQUA  
(1-866-756-2782)  
for more information.



You can find your community's  
water quality report at  
[AquaWater.com](https://www.aquawater.com).

More helpful information on the back 



## If you are a residential customer:

You should know that there are parts of the service line bringing water to your home that are Aqua's property (the pipe that goes from our water main in the street to your curb) and parts of the service line that are the property owner's (the pipe that goes from your curb to your home). When we encounter lead service lines during our maintenance and construction activities, we will seek to identify the material type of both portions (Aqua's and the property owner's) of the service line. If we find lead on Aqua's side only, Aqua will replace its portion of the service line. If we find lead on the customer/property owner's side, we will work with you to replace the customer/property owner portion. Disturbing a service line that contains lead, including the replacement of your lead service line, could result in temporary elevated lead levels in your drinking water.

If you have concerns regarding your internal plumbing, we recommend that you have a licensed plumber check the pipes that are your property. This is important to know, because household plumbing can also be a source of lead in tap water. See the section below on "what you can do" for minimizing your risk if this happens.

**For more information about Aqua's Lead Program please call our call center hub at 1-866-SLM-AQUA (1-866-756-2782)**



## If you are a school or day care center:

You should know that the EPA has established more stringent sampling procedures for schools and day care centers. Because children often drink from fountains and faucets at school without flushing the water first, and because they are at higher risk of health effects due to exposure, for their protection, sampling is done differently at schools and day care centers.

**Aqua suggests that you call the EPA's safe drinking water hotline at 800.426.4791 or email them using this URL: <https://www.epa.gov/lead/forms/lead-hotline-national-lead-information-center>. Specific information regarding schools can be found on EPA's website at <https://www.epa.gov/ground-water-and-drinking-water/3ts-reducing-lead-drinking-water>. It's important for any testing you do to be conducted using EPA protocols, so that the results are meaningful.**

### The health effects of lead:

Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney or nervous system problems.

If you are concerned about lead exposure:

- Contact your local health department or healthcare provider to find out how you can get your child tested for lead.
- Visit the EPA at [EPA.gov/lead](https://www.epa.gov/lead) for more information on the health effects of lead or reducing lead exposure in your home.
- Call Aqua at 877.987.2782 for information about testing your water.

### What you can do:

If your home's water shows elevated levels of lead, or if you are concerned about the potential of lead in your water, below are ways you can minimize your exposure.

- **Run your tap to flush out lead.** If your water hasn't been used for several hours, run your water for a few minutes or until it becomes cold or reaches a steady temperature before drinking or cooking.
- **Use cold water to cook or prepare baby formula.** Don't boil water to reduce lead. Lead dissolves more easily into hot water and boiling will concentrate the lead. Boiling water won't reduce lead.
- If you buy a water filter for lead removal, make sure it's approved to reduce lead. Contact NSF International, [www.NSF.org](http://www.NSF.org).

# Customer Lead Service Line Replacement Program Information Sheet



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## **BACKGROUND – AQUA CUSTOMER LEAD SERVICE LINE REPLACEMENT PROGRAM**

Lead is a naturally occurring metal that can cause a variety of adverse health effects. While the most common sources of lead exposure are soil, paint chips and dust, drinking water is another route of lead exposure, primarily as a result of corrosion of lead pipes and plumbing materials. The Pennsylvania General Assembly determined it is in the public interest for water utilities to assist customers in the replacement of customer-owned lead, or galvanized requiring replacement (“galvanized”), service lines throughout Pennsylvania.

The service line that provides water service to a property is made up of two parts: a Company-owned portion (which connects from the Company’s main to the curb line) and a customer-owned portion (which connects from the curb line to a customer’s structure). Customers, or property owners if the customer is not the property owner (“Customer”) are required to maintain and repair the Customer-owned portion of the service line.

Aqua Pennsylvania, Inc. (“Aqua” or the “Company”) now has been granted the authority to assist Customers in replacing the Customer-owned portion of the service line if that service line is identified as lead or galvanized.

## **CUSTOMER-OWNED LEAD SERVICE LINE REPLACEMENT PROGRAM**

Under the Customer Lead Service Line Replacement Program (“Replacement Program”), Aqua will identify customer-owned service lines that are lead or galvanized, enter into an agreement with the Customer to replace the Customer-owned portion of the service line and restore the Customer’s property at no direct cost to the customer, dedicate the newly installed customer portion of the service line back to the Customer, and provide a warranty on the work completed to replace the Customer-owned lead or galvanized service line.

Aqua’s Replacement Program is made up of two parts: (1) replacements in connection with a main replacement project, and (2) replacements per Customer request not associated with a main replacement project.

## **Cap on Replacements Per Year**

Aqua can perform up to 1,500 customer-owned lead or galvanized service line replacements per year.

## **Customer Agreement and Replacement**

In order for Aqua to complete a replacement, the Customer must enter into an agreement with Aqua to replace the Customer-owned lead or galvanized service line. Aqua cannot replace the Customer portion of a lead or galvanized service line without first entering into an agreement. The agreement provides that the Customer will give access to Aqua, or Aqua's contractor, to complete the replacement. Following replacement, Aqua, or Aqua's contractor, will restore the property as reasonably as practicable to its former condition prior to the replacement of the Customer-owned lead or galvanized service line.

## **Dedication of Newly Installed Customer Portion of Service Line and Warranty**

After the new Customer-owned portion of the service line is installed, the Customer-owned portion will be dedicated to the Customer and ownership and responsibility for repair and maintenance of the Customer-owned portion of the service line will remain with the Customer as was the case prior to the replacement. A two-year warranty on the workmanship and materials of the installation and the restoration of surfaces shall be provided.

## **Coordination of Replacements**

Aqua will strive to group customer requested replacements within its operating divisions to create efficiencies. However, Aqua may replace a Customer's lead or galvanized service line if projects cannot be grouped together in its discretion.

## **Filters, Sampling and Testing**

Upon identification of a customer lead or galvanized service line, Aqua will provide a National Sanitation Foundation approved water filter (pitcher or tap filter) and six months of replacement filters. At approximately 3-6 months after replacement is completed, Aqua will offer water sampling materials to Customers or residents, and if Customer or resident wants to have samples taken, Aqua will collect, test, and provide the results from those samples.

## **Reimbursement for Customers that Have Already Replaced a Lead or Galvanized Service Line**

As part of Aqua's Replacement Program, Aqua will, subject to certain requirements discussed below, provide a reimbursement to those Customers that have replaced their Customer-owned lead or galvanized service line at their own cost within one year before or after a lead service line replacement project commencement and within one mile of the project area. If a Customer or property owner refuses or fails to accept the Company replacement of the lead or galvanized customer service line, the Customer or property owner will only be eligible for reimbursement if they replace their Customer lead or galvanized service line at the customer or property owner's expense, within one year of the lead service line project commencement.

Reimbursement will occur for those Customers that provide documentation sufficient, in Aqua's sole discretion, to verify that the Customer replaced the Customer-owned lead or galvanized service line within one year before or after the start of a planned lead service line replacement project main replacement and as long as the Customer is within one mile of the main replacement project or focused replacement area. Customers will be eligible for reimbursement up to 125% of the average cost of Aqua's lead and galvanized replacements. Average cost used to determine reimbursement amounts during a calendar year will be based on Aqua's prior calendar year average costs for lead and galvanized service line replacements. Examples of documentation required by Aqua for a Customer to be eligible for reimbursement include, but are not limited to, detailed estimates from a licensed plumber and paid invoices or statements. A verified statement may also be submitted from the licensed plumber.

Aqua shall make reasonable best efforts to assist a Customer or property owner, if the Customer is not the property owner, through the reimbursement process and, to the extent possible, make determinations in favor of the Customer or property owner where the Customer or property owner has provided reasonable evidence of a customer lead or galvanized service line replacement to Aqua. However, the documentation provided to Aqua must be sufficient in the Aqua's opinion that a customer lead or galvanized service line replacement occurred.

### **Partial Replacements Prohibited**

Under the Pennsylvania Public Utility Commission's ("PUC") regulations, Aqua cannot perform a partial replacement of a lead or galvanized service line. If a Customer causes a partial replacement, by replacing the Customer portion of a lead or galvanized service line without notifying Aqua, Aqua is required to terminate service until a full replacement of the lead or galvanized service line can be completed.

In addition, any Customer that refuses to allow Aqua (or its contractor) to replace the lead or galvanized service line, or refuses to employ its own licensed plumber to replace the lead or galvanized service line, will result in termination of service to the property until the entire lead or galvanized service line is replaced.

Aqua shall use Step In Rights as described in Aqua's tariff to perform a replacement if the customer or occupier of the property is not the owner, and the customer or occupier provides a medical certificate or a Protection From Abuse order (or other court order issued by a court of competent jurisdiction in this Commonwealth which provides clear evidence of domestic violence), subject to the requirements in Aqua's tariff. Aqua may use Step In Rights where the customer or occupier is not the property owner if Aqua has attempted to contact the property owner with an offer to replace the Customer lead service line and has not received a response or the property owner cannot be identified.

### **CONCLUSION**

Aqua recognizes the importance of removing lead from water systems across Pennsylvania both on Aqua owned and Customer-owned assets. Aqua looks forward to working with Customers to achieve this goal.

# EXHIBIT 02

Letter Provided If The Customer Has An Identified COLSL And Refuses Or Does Not Respond To Requests To Replace The COLSL In Connection With A Main Replacement Project Or Where Aqua Is Replacing The Company Side Service Line



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Date

Name  
Address

Dear Customer:

In connection with Aqua's Lead Service Line Replacement Program, your customer-owned service line has been determined to be lead or galvanized requiring replacement and either you have refused to allow Aqua to replace the service line or Aqua has not received a response from you regarding the replacement of your service line.

In accordance with PUC regulations Aqua is required to terminate service to your premise as Aqua will be replacing the Company-owned side of the service line. Under the Pennsylvania Public Utility Commission's ("PUC") regulations, Aqua cannot perform a partial replacement of a lead or galvanized service line (see 52 Pa. Code § 65.62).

To avoid termination of service, please contact Aqua's Water Quality Department at 610.645.4234 to set up an appointment and to receive further information for Aqua or its representatives to replace your lead or galvanized service line.

Sincerely,

A handwritten signature in blue ink that reads "Michael Fili".

Michael Fili, Vice President  
Capital Planning, Design & Construction  
Aqua Pennsylvania, Inc.

Attachments: Lead Fact Sheet  
Aqua Lead Service Line Replacement Program Information Sheet

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### How Aqua protects its customers:

Water utilities, including Aqua, treat drinking water to reduce the chance for metals to leach into the water. Aqua conducts required testing for drinking water contaminants, including lead and copper, to ensure compliance with state and federal drinking water standards. Aqua tests the water at our treatment plants, and also schedules customer tap sampling and tests for lead in potential high-risk areas, to comply with the U.S. Environmental Protection Agency's (EPA) lead and copper rule.

You can always view your community's test results. They are summarized in our annual water quality reports, which are produced for every water system we own and operate.

### Lead Service Line Replacement Program:

Aqua can now assist customers with replacing the customer/property owner's portion of the service line if it is made of lead. Aqua's new program will allow us to work with customers, either during a main replacement project or by customer request, to replace the customer/property owner's portion of the service line if it is lead and dedicate the service line back to the customer/property owner at no direct cost to the customer/property owner.

Visit our website at <https://www.aquawater.com/lead> for more information.



Call us at  
1-866-SLM-AQUA  
(1-866-756-2782)  
for more information.



You can find your community's  
water quality report at  
[AquaWater.com](https://www.aquawater.com).

More helpful information on the back 



## If you are a residential customer:

You should know that there are parts of the service line bringing water to your home that are Aqua's property (the pipe that goes from our water main in the street to your curb) and parts of the service line that are the property owner's (the pipe that goes from your curb to your home). When we encounter lead service lines during our maintenance and construction activities, we will seek to identify the material type of both portions (Aqua's and the property owner's) of the service line. If we find lead on Aqua's side only, Aqua will replace its portion of the service line. If we find lead on the customer/property owner's side, we will work with you to replace the customer/property owner portion. Disturbing a service line that contains lead, including the replacement of your lead service line, could result in temporary elevated lead levels in your drinking water.

If you have concerns regarding your internal plumbing, we recommend that you have a licensed plumber check the pipes that are your property. This is important to know, because household plumbing can also be a source of lead in tap water. See the section below on "what you can do" for minimizing your risk if this happens.

**For more information about Aqua's Lead Program please call our call center hub at 1-866-SLM-AQUA (1-866-756-2782)**



## If you are a school or day care center:

You should know that the EPA has established more stringent sampling procedures for schools and day care centers. Because children often drink from fountains and faucets at school without flushing the water first, and because they are at higher risk of health effects due to exposure, for their protection, sampling is done differently at schools and day care centers.

**Aqua suggests that you call the EPA's safe drinking water hotline at 800.426.4791 or email them using this URL: <https://www.epa.gov/lead/forms/lead-hotline-national-lead-information-center>. Specific information regarding schools can be found on EPA's website at <https://www.epa.gov/ground-water-and-drinking-water/3ts-reducing-lead-drinking-water>. It's important for any testing you do to be conducted using EPA protocols, so that the results are meaningful.**

### The health effects of lead:

Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney or nervous system problems.

If you are concerned about lead exposure:

- Contact your local health department or healthcare provider to find out how you can get your child tested for lead.
- Visit the EPA at [EPA.gov/lead](https://www.epa.gov/lead) for more information on the health effects of lead or reducing lead exposure in your home.
- Call Aqua at 877.987.2782 for information about testing your water.

### What you can do:

If your home's water shows elevated levels of lead, or if you are concerned about the potential of lead in your water, below are ways you can minimize your exposure.

- **Run your tap to flush out lead.** If your water hasn't been used for several hours, run your water for a few minutes or until it becomes cold or reaches a steady temperature before drinking or cooking.
- **Use cold water to cook or prepare baby formula.** Don't boil water to reduce lead. Lead dissolves more easily into hot water and boiling will concentrate the lead. Boiling water won't reduce lead.
- If you buy a water filter for lead removal, make sure it's approved to reduce lead. Contact NSF International, [www.NSF.org](http://www.NSF.org).

# Customer Lead Service Line Replacement Program Information Sheet



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## **BACKGROUND – AQUA CUSTOMER LEAD SERVICE LINE REPLACEMENT PROGRAM**

Lead is a naturally occurring metal that can cause a variety of adverse health effects. While the most common sources of lead exposure are soil, paint chips and dust, drinking water is another route of lead exposure, primarily as a result of corrosion of lead pipes and plumbing materials. The Pennsylvania General Assembly determined it is in the public interest for water utilities to assist customers in the replacement of customer-owned lead, or galvanized requiring replacement (“galvanized”), service lines throughout Pennsylvania.

The service line that provides water service to a property is made up of two parts: a Company-owned portion (which connects from the Company’s main to the curb line) and a customer-owned portion (which connects from the curb line to a customer’s structure). Customers, or property owners if the customer is not the property owner (“Customer”) are required to maintain and repair the Customer-owned portion of the service line.

Aqua Pennsylvania, Inc. (“Aqua” or the “Company”) now has been granted the authority to assist Customers in replacing the Customer-owned portion of the service line if that service line is identified as lead or galvanized.

## **CUSTOMER-OWNED LEAD SERVICE LINE REPLACEMENT PROGRAM**

Under the Customer Lead Service Line Replacement Program (“Replacement Program”), Aqua will identify customer-owned service lines that are lead or galvanized, enter into an agreement with the Customer to replace the Customer-owned portion of the service line and restore the Customer’s property at no direct cost to the customer, dedicate the newly installed customer portion of the service line back to the Customer, and provide a warranty on the work completed to replace the Customer-owned lead or galvanized service line.

Aqua’s Replacement Program is made up of two parts: (1) replacements in connection with a main replacement project, and (2) replacements per Customer request not associated with a main replacement project.

## **Cap on Replacements Per Year**

Aqua can perform up to 1,500 customer-owned lead or galvanized service line replacements per year.

## **Customer Agreement and Replacement**

In order for Aqua to complete a replacement, the Customer must enter into an agreement with Aqua to replace the Customer-owned lead or galvanized service line. Aqua cannot replace the Customer portion of a lead or galvanized service line without first entering into an agreement. The agreement provides that the Customer will give access to Aqua, or Aqua's contractor, to complete the replacement. Following replacement, Aqua, or Aqua's contractor, will restore the property as reasonably as practicable to its former condition prior to the replacement of the Customer-owned lead or galvanized service line.

## **Dedication of Newly Installed Customer Portion of Service Line and Warranty**

After the new Customer-owned portion of the service line is installed, the Customer-owned portion will be dedicated to the Customer and ownership and responsibility for repair and maintenance of the Customer-owned portion of the service line will remain with the Customer as was the case prior to the replacement. A two-year warranty on the workmanship and materials of the installation and the restoration of surfaces shall be provided.

## **Coordination of Replacements**

Aqua will strive to group customer requested replacements within its operating divisions to create efficiencies. However, Aqua may replace a Customer's lead or galvanized service line if projects cannot be grouped together in its discretion.

## **Filters, Sampling and Testing**

Upon identification of a customer lead or galvanized service line, Aqua will provide a National Sanitation Foundation approved water filter (pitcher or tap filter) and six months of replacement filters. At approximately 3-6 months after replacement is completed, Aqua will offer water sampling materials to Customers or residents, and if Customer or resident wants to have samples taken, Aqua will collect, test, and provide the results from those samples.

## **Reimbursement for Customers that Have Already Replaced a Lead or Galvanized Service Line**

As part of Aqua's Replacement Program, Aqua will, subject to certain requirements discussed below, provide a reimbursement to those Customers that have replaced their Customer-owned lead or galvanized service line at their own cost within one year before or after a lead service line replacement project commencement and within one mile of the project area. If a Customer or property owner refuses or fails to accept the Company replacement of the lead or galvanized customer service line, the Customer or property owner will only be eligible for reimbursement if they replace their Customer lead or galvanized service line at the customer or property owner's expense, within one year of the lead service line project commencement.

Reimbursement will occur for those Customers that provide documentation sufficient, in Aqua's sole discretion, to verify that the Customer replaced the Customer-owned lead or galvanized service line within one year before or after the start of a planned lead service line replacement project main replacement and as long as the Customer is within one mile of the main replacement project or focused replacement area. Customers will be eligible for reimbursement up to 125% of the average cost of Aqua's lead and galvanized replacements. Average cost used to determine reimbursement amounts during a calendar year will be based on Aqua's prior calendar year average costs for lead and galvanized service line replacements. Examples of documentation required by Aqua for a Customer to be eligible for reimbursement include, but are not limited to, detailed estimates from a licensed plumber and paid invoices or statements. A verified statement may also be submitted from the licensed plumber.

Aqua shall make reasonable best efforts to assist a Customer or property owner, if the Customer is not the property owner, through the reimbursement process and, to the extent possible, make determinations in favor of the Customer or property owner where the Customer or property owner has provided reasonable evidence of a customer lead or galvanized service line replacement to Aqua. However, the documentation provided to Aqua must be sufficient in the Aqua's opinion that a customer lead or galvanized service line replacement occurred.

### **Partial Replacements Prohibited**

Under the Pennsylvania Public Utility Commission's ("PUC") regulations, Aqua cannot perform a partial replacement of a lead or galvanized service line. If a Customer causes a partial replacement, by replacing the Customer portion of a lead or galvanized service line without notifying Aqua, Aqua is required to terminate service until a full replacement of the lead or galvanized service line can be completed.

In addition, any Customer that refuses to allow Aqua (or its contractor) to replace the lead or galvanized service line, or refuses to employ its own licensed plumber to replace the lead or galvanized service line, will result in termination of service to the property until the entire lead or galvanized service line is replaced.

Aqua shall use Step In Rights as described in Aqua's tariff to perform a replacement if the customer or occupier of the property is not the owner, and the customer or occupier provides a medical certificate or a Protection From Abuse order (or other court order issued by a court of competent jurisdiction in this Commonwealth which provides clear evidence of domestic violence), subject to the requirements in Aqua's tariff. Aqua may use Step In Rights where the customer or occupier is not the property owner if Aqua has attempted to contact the property owner with an offer to replace the Customer lead service line and has not received a response or the property owner cannot be identified.

### **CONCLUSION**

Aqua recognizes the importance of removing lead from water systems across Pennsylvania both on Aqua owned and Customer-owned assets. Aqua looks forward to working with Customers to achieve this goal.

# EXHIBIT 03

Letter provided where the customer refuses or does not respond to requests to replace the COLSL that are not connected to a main replacement project or a Company side service line replacement



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Date

Name

Address

Dear Customer:

In connection with Aqua's Lead Service Line Replacement ("LSLR") Program, your service line has been determined to be lead or galvanized requiring replacement and either you have refused to allow Aqua to replace the service line or Aqua has not received a response from you regarding the replacement of your service line. You are now categorized as a refusal under Aqua's Lead Service Line Replacement Program. You will continue to receive annual notification of your lead or galvanized service line until the service is replaced.

As your property is not associated with a current main replacement project or the replacement of Aqua's portion of the service line, Aqua continues to encourage you to contact Aqua to allow for the replacement of your lead or galvanized service line. Please be aware that customers/property owners that replace their lead or galvanized service lines at their own expense may be eligible for reimbursement if the replacement was within a 1-mile radius of an LSLR Project and within 1 year of the of the LSLR Project Commencement. If you replace your service line at your own expense more than 1 year after the LSLR Project Commencement, you will not be eligible for reimbursement. Please note that the reimbursement Aqua may provide may not be the full amount of the cost you incurred to replace your service line at your own expense. Please review the Lead Service Line Replacement Program Information Sheet for more information.

Please contact Aqua's Water Quality Department at 610.645.4234 to set up an appointment and receive further information for Aqua or its representatives to replace your lead or galvanized service line.

Sincerely,

A handwritten signature in blue ink that reads "Michael Fili".

Michael Fili, Vice President  
Capital Planning, Design & Construction  
Aqua Pennsylvania, Inc.

Attachments: Lead Fact Sheet  
Aqua Lead Service Line Replacement Program Information Sheet

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An  Essential Utilities Company

# Aqua Wants Our Customers to Be Informed\*

Este documento contiene información importante acerca de su agua potable. Haga que alguien lo traduzca para usted, o hable con alguien que lo entienda.

## Here's what you should know about lead and drinking water.

Lead is not typically found in the streams, reservoirs or wells that serve as water supplies or in the main water lines that carry water from treatment plants to homes. Yet, the chemical properties of water can cause lead and other metals to leach into drinking water. The main source of lead in drinking water is from lead service lines (the pipes that deliver water from water mains in the street and into homes) and from typical household plumbing (lead solder and brass fixtures) that contains lead. Households that have, or suspect having, lead service lines or lead in their household plumbing are strongly encouraged to replace them. The use of lead in solder was prohibited after 1986, so buildings constructed after then should not have contained lead in the solder.

### How Aqua protects its customers:

Water utilities, including Aqua, treat drinking water to reduce the chance for metals to leach into the water. Aqua conducts required testing for drinking water contaminants, including lead and copper, to ensure compliance with state and federal drinking water standards. Aqua tests the water at our treatment plants, and also schedules customer tap sampling and tests for lead in potential high-risk areas, to comply with the U.S. Environmental Protection Agency's (EPA) lead and copper rule.

You can always view your community's test results. They are summarized in our annual water quality reports, which are produced for every water system we own and operate.

### Lead Service Line Replacement Program:

Aqua can now assist customers with replacing the customer/property owner's portion of the service line if it is made of lead. Aqua's new program will allow us to work with customers, either during a main replacement project or by customer request, to replace the customer/property owner's portion of the service line if it is lead and dedicate the service line back to the customer/property owner at no direct cost to the customer/property owner.

Visit our website at <https://www.aquawater.com/lead> for more information.



Call us at  
1-866-SLM-AQUA  
(1-866-756-2782)  
for more information.



You can find your community's  
water quality report at  
[AquaWater.com](https://www.aquawater.com).

More helpful information on the back 



## If you are a residential customer:

You should know that there are parts of the service line bringing water to your home that are Aqua's property (the pipe that goes from our water main in the street to your curb) and parts of the service line that are the property owner's (the pipe that goes from your curb to your home). When we encounter lead service lines during our maintenance and construction activities, we will seek to identify the material type of both portions (Aqua's and the property owner's) of the service line. If we find lead on Aqua's side only, Aqua will replace its portion of the service line. If we find lead on the customer/property owner's side, we will work with you to replace the customer/property owner portion. Disturbing a service line that contains lead, including the replacement of your lead service line, could result in temporary elevated lead levels in your drinking water.

If you have concerns regarding your internal plumbing, we recommend that you have a licensed plumber check the pipes that are your property. This is important to know, because household plumbing can also be a source of lead in tap water. See the section below on "what you can do" for minimizing your risk if this happens.

**For more information about Aqua's Lead Program please call our call center hub at 1-866-SLM-AQUA (1-866-756-2782)**



## If you are a school or day care center:

You should know that the EPA has established more stringent sampling procedures for schools and day care centers. Because children often drink from fountains and faucets at school without flushing the water first, and because they are at higher risk of health effects due to exposure, for their protection, sampling is done differently at schools and day care centers.

**Aqua suggests that you call the EPA's safe drinking water hotline at 800.426.4791 or email them using this URL: <https://www.epa.gov/lead/forms/lead-hotline-national-lead-information-center>. Specific information regarding schools can be found on EPA's website at <https://www.epa.gov/ground-water-and-drinking-water/3ts-reducing-lead-drinking-water>. It's important for any testing you do to be conducted using EPA protocols, so that the results are meaningful.**

### The health effects of lead:

Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney or nervous system problems.

If you are concerned about lead exposure:

- Contact your local health department or healthcare provider to find out how you can get your child tested for lead.
- Visit the EPA at [EPA.gov/lead](https://www.epa.gov/lead) for more information on the health effects of lead or reducing lead exposure in your home.
- Call Aqua at 877.987.2782 for information about testing your water.

### What you can do:

If your home's water shows elevated levels of lead, or if you are concerned about the potential of lead in your water, below are ways you can minimize your exposure.

- **Run your tap to flush out lead.** If your water hasn't been used for several hours, run your water for a few minutes or until it becomes cold or reaches a steady temperature before drinking or cooking.
- **Use cold water to cook or prepare baby formula.** Don't boil water to reduce lead. Lead dissolves more easily into hot water and boiling will concentrate the lead. Boiling water won't reduce lead.
- If you buy a water filter for lead removal, make sure it's approved to reduce lead. Contact NSF International, [www.NSF.org](http://www.NSF.org).

# Customer Lead Service Line Replacement Program Information Sheet



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The service line that provides water service to a property is made up of two parts: a Company-owned portion (which connects from the Company’s main to the curb line) and a customer-owned portion (which connects from the curb line to a customer’s structure). Customers, or property owners if the customer is not the property owner (“Customer”) are required to maintain and repair the Customer-owned portion of the service line.

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## **CUSTOMER-OWNED LEAD SERVICE LINE REPLACEMENT PROGRAM**

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Aqua’s Replacement Program is made up of two parts: (1) replacements in connection with a main replacement project, and (2) replacements per Customer request not associated with a main replacement project.

## **Cap on Replacements Per Year**

Aqua can perform up to 1,500 customer-owned lead or galvanized service line replacements per year.

## **Customer Agreement and Replacement**

In order for Aqua to complete a replacement, the Customer must enter into an agreement with Aqua to replace the Customer-owned lead or galvanized service line. Aqua cannot replace the Customer portion of a lead or galvanized service line without first entering into an agreement. The agreement provides that the Customer will give access to Aqua, or Aqua's contractor, to complete the replacement. Following replacement, Aqua, or Aqua's contractor, will restore the property as reasonably as practicable to its former condition prior to the replacement of the Customer-owned lead or galvanized service line.

## **Dedication of Newly Installed Customer Portion of Service Line and Warranty**

After the new Customer-owned portion of the service line is installed, the Customer-owned portion will be dedicated to the Customer and ownership and responsibility for repair and maintenance of the Customer-owned portion of the service line will remain with the Customer as was the case prior to the replacement. A two-year warranty on the workmanship and materials of the installation and the restoration of surfaces shall be provided.

## **Coordination of Replacements**

Aqua will strive to group customer requested replacements within its operating divisions to create efficiencies. However, Aqua may replace a Customer's lead or galvanized service line if projects cannot be grouped together in its discretion.

## **Filters, Sampling and Testing**

Upon identification of a customer lead or galvanized service line, Aqua will provide a National Sanitation Foundation approved water filter (pitcher or tap filter) and six months of replacement filters. At approximately 3-6 months after replacement is completed, Aqua will offer water sampling materials to Customers or residents, and if Customer or resident wants to have samples taken, Aqua will collect, test, and provide the results from those samples.

## **Reimbursement for Customers that Have Already Replaced a Lead or Galvanized Service Line**

As part of Aqua's Replacement Program, Aqua will, subject to certain requirements discussed below, provide a reimbursement to those Customers that have replaced their Customer-owned lead or galvanized service line at their own cost within one year before or after a lead service line replacement project commencement and within one mile of the project area. If a Customer or property owner refuses or fails to accept the Company replacement of the lead or galvanized customer service line, the Customer or property owner will only be eligible for reimbursement if they replace their Customer lead or galvanized service line at the customer or property owner's expense, within one year of the lead service line project commencement.

Reimbursement will occur for those Customers that provide documentation sufficient, in Aqua's sole discretion, to verify that the Customer replaced the Customer-owned lead or galvanized service line within one year before or after the start of a planned lead service line replacement project main replacement and as long as the Customer is within one mile of the main replacement project or focused replacement area. Customers will be eligible for reimbursement up to 125% of the average cost of Aqua's lead and galvanized replacements. Average cost used to determine reimbursement amounts during a calendar year will be based on Aqua's prior calendar year average costs for lead and galvanized service line replacements. Examples of documentation required by Aqua for a Customer to be eligible for reimbursement include, but are not limited to, detailed estimates from a licensed plumber and paid invoices or statements. A verified statement may also be submitted from the licensed plumber.

Aqua shall make reasonable best efforts to assist a Customer or property owner, if the Customer is not the property owner, through the reimbursement process and, to the extent possible, make determinations in favor of the Customer or property owner where the Customer or property owner has provided reasonable evidence of a customer lead or galvanized service line replacement to Aqua. However, the documentation provided to Aqua must be sufficient in the Aqua's opinion that a customer lead or galvanized service line replacement occurred.

### **Partial Replacements Prohibited**

Under the Pennsylvania Public Utility Commission's ("PUC") regulations, Aqua cannot perform a partial replacement of a lead or galvanized service line. If a Customer causes a partial replacement, by replacing the Customer portion of a lead or galvanized service line without notifying Aqua, Aqua is required to terminate service until a full replacement of the lead or galvanized service line can be completed.

In addition, any Customer that refuses to allow Aqua (or its contractor) to replace the lead or galvanized service line, or refuses to employ its own licensed plumber to replace the lead or galvanized service line, will result in termination of service to the property until the entire lead or galvanized service line is replaced.

Aqua shall use Step In Rights as described in Aqua's tariff to perform a replacement if the customer or occupier of the property is not the owner, and the customer or occupier provides a medical certificate or a Protection From Abuse order (or other court order issued by a court of competent jurisdiction in this Commonwealth which provides clear evidence of domestic violence), subject to the requirements in Aqua's tariff. Aqua may use Step In Rights where the customer or occupier is not the property owner if Aqua has attempted to contact the property owner with an offer to replace the Customer lead service line and has not received a response or the property owner cannot be identified.

### **CONCLUSION**

Aqua recognizes the importance of removing lead from water systems across Pennsylvania both on Aqua owned and Customer-owned assets. Aqua looks forward to working with Customers to achieve this goal.

# EXHIBIT P

Public Education Materials – 40 C.F.R. §  
141.85(a)

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## IMPORTANT INFORMATION ABOUT LEAD IN YOUR DRINKING WATER\*

[INSERT NAME OF WATER SYSTEM] found elevated levels of lead in drinking water in some homes/buildings. Lead can cause serious health problems, especially for pregnant women and young children. Please read this information closely to see what you can do to reduce lead in your drinking water.

### Health Effects of Lead

Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney, or nervous system problems.

### Sources of Lead

Lead is a common metal found in the environment. Drinking water is one possible source of lead exposure. Brass faucets, fittings, and valves, including those advertised as “low lead” or “lead-free,” may contribute lead to drinking water. Regulations previously allowed “low lead” fixtures containing up to 8 percent lead. Current regulations only allow “lead-free” fixtures with up to 0.25 percent lead. When water is in contact with pipes, service lines, or plumbing that contains lead for several hours, the lead may enter drinking water. Homes built before 1990 are more likely to have lead pipes or lead solder.

The main sources of lead exposure are lead-based paint, lead-contaminated dust or soil, and some plumbing materials. In addition, lead can be found in certain types of pottery, pewter, brass fixtures, food, and cosmetics. Other sources include exposure in the workplace and exposure from certain hobbies (lead can be carried on clothing or shoes). Lead is found in some toys, some playground equipment, and some children’s metal jewelry.

### Steps You Can Take to Reduce Your Exposure to Lead in Your Water

- **Run your tap to flush out lead.** If your water has not been used for several hours, run your water for a few minutes or until it becomes cold or reaches a steady temperature before drinking or cooking. The amount of time to run the water will depend on the length and diameter of the service line and the amount of plumbing in your home.

- **Use cold water to cook or prepare baby formula.** Do not boil water to reduce lead. Lead dissolves more easily in hot water and boiling water will concentrate the lead.
- **If you buy a water filter for lead removal, make sure it is approved to reduce lead.** The filter should be certified for lead removal by NSF. For more information, contact NSF International, [www.NSF.org](http://www.NSF.org).
- Be sure to maintain and replace a filter device in accordance with the manufacturer's instructions to protect water quality.
- **Test your water for lead.** Call us at [NUMBER] to find out how to get your water tested for lead.
- **Get your child's blood tested.** Contact your local health department or healthcare provider to find out how you can get your child tested for lead if you are concerned about exposure.

### **What happened? What is being done?**

[Notice Specific Information: Explain why there are elevated levels of lead in the system's drinking water (if known) and what the water system is doing to reduce the lead levels in homes/buildings in this area.]

### **[Aqua's lead and galvanized service line replacement program**

At Aqua, we are conducting a replacement program that involves replacing lead and some galvanized service lines in our drinking water systems at no direct cost to our customers. Galvanized service lines are replaced if they could potentially be a source of lead to your tap water. We will notify you if we need to arrange your service line replacement once we know the replacement schedule for your area. Note that if you proceed with replacement of your service line using your own plumber, please contact us as soon as possible since we are required to replace the company-owned service line, if lead or galvanized, to minimize the risk of lead being released into your water. You can find out your service line material by visiting the customer service line material map at [www.aquawater.com/leadmap](http://www.aquawater.com/leadmap).

For more information, call us at [NUMBER], or visit our website at [www.aquawater.com/lead](http://www.aquawater.com/lead). For more information on reducing lead exposure around your home/building and the health effects of lead, visit EPA's website at <http://www.epa.gov/lead> or contact your health care provider.

\*This information contains regulatory or recommended language, and nothing herein is intended as, nor should be construed as, a promise of or contract for payment or reimbursement of expenses incurred for any action you take on account of this information sheet.

# EXHIBIT Q

Lead and Copper Monitoring Results – 40  
C.F.R. § 141.85(d)



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[DATE]

Dear Customer:

We would like to thank you for your participation in the lead tap monitoring program. Below are the results of the water samples you collected from your property at **ADDRESS** on **DATE**, following the sampling instructions provided to you.

	Immediate Sample	USEPA Action Level
<b>Lead</b>	ug/L	15 ug/L
<b>Copper</b>	mg/L	1.3 mg/L

ug/L = micrograms per liter or parts per billion  
mg/L = milligrams per liter or parts per million  
ND = Not detected

- Lead was **NOT DETECTED** at this sample location.
- Lead was detected **BELOW** the action level of 15 ug/L (ppb).
- Lead was detected **ABOVE** the action level of 15 ug/L (ppb).

Under the authority of the Safe Drinking Water Act, the EPA set the action level for lead in drinking water at 15 ug/L. The action level is the concentration of a contaminant which, if exceeded, triggers treatment or other requirements that Aqua must follow. This means Aqua must ensure that water from the customer's tap does not exceed this level in at least 90 percent of the homes sampled (90th percentile value). Because lead may pose serious health risks, the EPA set a Maximum Contaminant Level Goal (MCLG) of zero for lead. The MCLG is the level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney, or nervous system problems.

Lead is more likely to accumulate when water is in contact with a lead source for longer periods of time. There are steps you can take to minimize exposure to lead in drinking water:<sup>1</sup>

- **Run your tap to flush out lead.** If your water hasn't been used for several hours, run your water for a few minutes or until it becomes cold or reaches a steady temperature before drinking or cooking.
- **Use cold water to cook or prepare baby formula.** Do not boil water to reduce lead. Lead dissolves more easily in hot water and boiling water will concentrate the lead.
- **Do not boil water to remove lead.** Boiling water will not reduce lead.
- **Consider alternative sources or treatment of water.** You may want to consider purchasing bottled water or a water filter. Read the package to be sure the filter is approved to reduce lead or contact NSF International ([www.nsf.org](http://www.nsf.org)) for information on performance standards for water filters. Be sure to maintain and replace a filter device in accordance with the manufacturer's instructions to protect water quality.
- **Test your water for lead.** Call us at 610.645.4234 to find out how to get your water tested for lead.
- **Get your child's blood tested.** Contact your local health department or healthcare provider to find out how you can get your child tested for lead if you are concerned about exposure.

If you need more information concerning this result or have any questions, please contact us at 610.645.4234.

Sincerely,

Aqua Pennsylvania

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<sup>1</sup> This information contains regulatory or recommended language, and nothing herein is intended as, nor should be construed as, a promise of or contract for payment or reimbursement of expenses incurred for any action you take on account of this information sheet.

# EXHIBIT R

Notification of Known Lead / GRR /  
Unknown Service Line – 40 C.F.R. §  
141.85(e)(3)



Customer Name

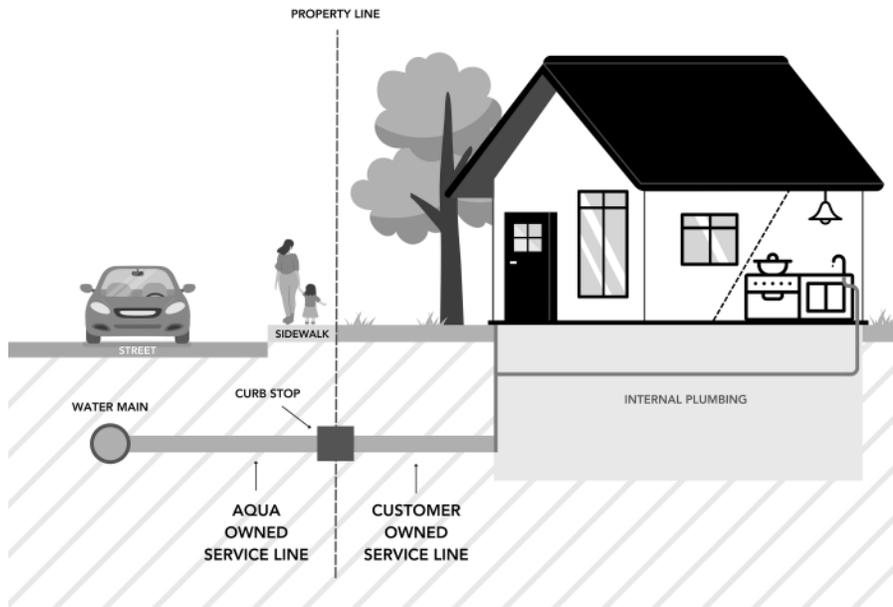
Address Line 1

Address Line 2

City, State Zip

Dear Customer:

Aqua Pennsylvania, Inc. (Aqua) is conducting a service line material inventory and replacement program to identify and replace all lead and galvanized service lines in our drinking water systems at no direct cost to our customers. Aqua supplies water to your property through a service line that runs from the water main into your building. Aqua owns the service line from the water main to the curb stop. You own the service line that runs from the curb stop into your building.



## SEE BELOW FOR YOUR SERVICE LINE CLASSIFICATION

Our records show the following information for your property:

- **Premise Number:**
- **Street Address:**
- **Aqua Side Service Line Classification:**
- **Customer Side Service Line Classification:**
- **Regulatory Classification\*:**

\*Regulatory Classification is determined based on information available for both sides of the service line.

Currently, no action is required of you. Please understand that inventorying and replacement efforts will take many years. We are developing detailed plans to meet these objectives. We will notify you if we require more information or need to arrange your service line replacement once we know the schedule for your area. Note that if you proceed with replacement of your service line using your own plumber, please contact us as soon as possible since we are required to replace the company-owned service line, if lead or galvanized, to minimize the risk of lead being released into your water.

### **HEALTH EFFECTS OF LEAD**

Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney, or nervous system problems.

### **STEPS TO REDUCE LEAD IN YOUR DRINKING WATER**

Lead is more likely to accumulate when water is in contact with a lead source for longer periods of time. There are steps you can take to minimize exposure to lead in drinking water:

- **Run your tap to flush out lead.** If your water has not been used for several hours, run your water for a few minutes or until it becomes cold or reaches a steady temperature before drinking or cooking. The amount of time to run the water will depend on the length and diameter of the service line and the amount of plumbing in your home.
- **Use cold water to cook or prepare baby formula.** Do not boil water to reduce lead. Lead dissolves more easily in hot water and boiling water will concentrate the lead.
- **If you buy a water filter for lead removal, make sure it is approved to reduce lead.** The filter should be certified for lead removal by NSF. For more information, contact NSF International, [www.NSF.org](http://www.NSF.org).

For more information on lead and our replacement program, please visit [www.aquawater.com/lead](http://www.aquawater.com/lead).

Please note that when we begin working in your area, we will contact you to arrange inspections and service line replacements. This will provide you with the opportunity to verify your service line material. If you have other questions, please call our dedicated service line material call center hub at 1-866-SLM-AQUA (1-866-756-2782).

Sincerely,

Aqua Pennsylvania, Inc.

# EXHIBIT S

Held For Future Use

# EXHIBIT T

Held For Future Use

# EXHIBIT U

Notification of a Disturbance to a Lead,  
GRR, or Lead Status Unknown Service Line  
that Results in the Service Line Being Shut  
Off or Bypassed – 40 C.F.R. § 141.85(f)(1)



ESTE DOCUMENTO CONTIENE INFORMACIÓN IMPORTANTE ACERCA DE SU AGUA POTABLE. HAGA QUE ALGUIEN LO TRADUZCA PARA USTED, O HABLE CON ALGUIEN QUE LO ENTIENDA.

## An Important Health Notice From Aqua\*



Aqua Pennsylvania is completing work on our water system that requires shutting off or bypassing your service line that may cause a disturbance to your service line. Our records indicate that your water service line is lead, galvanized requiring replacement, or lead status unknown. Due to the nature of your service line material, we must inform you that disturbing a service line that contains lead could result in elevated lead levels in your drinking water.

**Before using your water, please review and follow the flushing instructions<sup>1</sup> below to minimize your exposure to lead and to remove particulate lead that may have been stirred up during the disturbance.**

1



If possible, remove faucet aerators from all water faucets in the home.

4

Turn off each faucet starting with the faucets in the highest level of the home. Be sure to run water in bathtubs and showers as well as faucets.

2

Beginning in the lowest level of the home, fully open the cold water faucets throughout the home.

5

Clean and reinstall any aerators you might have removed in Step 1.

3

Let the water run for at least 30 minutes at the last faucet you opened (which was on your top floor).

6

Do not consume tap water, open hot water faucets, or use icemaker or filtered water dispenser until after flushing is complete.

<sup>1</sup>Based on the American Water Works Association-recommended safety procedures ([awwa.org](http://awwa.org)).

Please visit Aqua's website for more information concerning Aqua's Replacement program at [www.aquawater.com/lead](http://www.aquawater.com/lead). Thank you for letting Aqua serve you! For questions and concerns please contact Aqua's lead call center hub at 1-866-SLM-AQUA (1-866-756-2782).

*\*This information sheet contains regulatorily required or recommended language and nothing herein is intended as, nor should be construed as, a promise of or a contract for payment or reimbursement of expenses incurred for any action you take on account of this information sheet.*

# EXHIBIT V

Notification of a Disturbance to a Lead,  
GRR, or Lead Status Unknown Service Line  
From the Replacement of an Inline Water  
Meter, a Water Meter Setter, or Gooseneck,  
Pigtail, or Connector – 40 C.F.R. §  
141.85(f)(2)



An  Essential Utilities Company

ESTE DOCUMENTO CONTIENE INFORMACIÓN IMPORTANTE ACERCA DE SU AGUA POTABLE. HAGA QUE ALGUIEN LO TRADUZCA PARA USTED, O HABLE CON ALGUIEN QUE LO ENTIENDA.

# An Important Health Notice From Aqua\*



Aqua Pennsylvania is completing work on our water system including replacing an inline water meter, a water meter setter, or gooseneck, pigtail, or connector that may cause a disturbance to your service line. Our records indicate that your water service line is lead, galvanized requiring replacement, or lead status unknown. Due to the nature of your service line material, we must inform you that disturbing a service line that contains lead could result in elevated lead levels in your drinking water.

**Before using your water, please review and follow the flushing instructions<sup>1</sup> below to minimize your exposure to lead and to remove particulate lead that may have been stirred up during the disturbance. Please use the provided pitcher filter prior to using water for drinking and cooking. Please refer to the instructions provided with the pitcher filter.**

-  **1** If possible, remove faucet aerators from all water faucets in the home.
- 2** Beginning in the lowest level of the home, fully open the cold water faucets throughout the home.
- 3** Let the water run for at least 30 minutes at the last faucet you opened (which was on your top floor).
- 4** Turn off each faucet starting with the faucets in the highest level of the home. Be sure to run water in bathtubs and showers as well as faucets.
- 5** Clean and reinstall any aerators you might have removed in Step 1.
- 6** Do not consume tap water, open hot water faucets, or use icemaker or filtered water dispenser until after flushing is complete.

<sup>1</sup>Based on the American Water Works Association-recommended safety procedures ([awwa.org](http://awwa.org)).

Please visit Aqua's website for more information concerning Aqua's Replacement program at [www.aquawater.com/lead](http://www.aquawater.com/lead). Thank you for letting Aqua serve you! For questions and concerns please contact Aqua customer service at 1-866-SLM-AQUA (1-866-756-2782).

*\*This information sheet contains regulatorily required or recommended language and nothing herein is intended as, nor should be construed as, a promise of or a contract for payment or reimbursement of expenses incurred for any action you take on account of this information sheet.*

# Customer Lead Service Line Replacement Program Information Sheet



Para acceder al documento traducido al español, visite el sitio web de Aqua en <https://www.aquawater.com/aqua-pa-lead-spanish.php>

如果需要查看本文件的中文简体字译本，请访问 Aqua 网站：  
<https://www.aquawater.com/aqua-pa-lead-chinese.php>

Die deutsche Übersetzung dieses Dokuments finden Sie auf der Website von Aqua unter <https://www.aquawater.com/aqua-pa-lead-german.php>

## **BACKGROUND – AQUA CUSTOMER LEAD SERVICE LINE REPLACEMENT PROGRAM**

Lead is a naturally occurring metal that can cause a variety of adverse health effects. While the most common sources of lead exposure are soil, paint chips and dust, drinking water is another route of lead exposure, primarily as a result of corrosion of lead pipes and plumbing materials. The Pennsylvania General Assembly determined it is in the public interest for water utilities to assist customers in the replacement of customer-owned lead, or galvanized requiring replacement (“galvanized”), service lines throughout Pennsylvania.

The service line that provides water service to a property is made up of two parts: a Company-owned portion (which connects from the Company’s main to the curb line) and a customer-owned portion (which connects from the curb line to a customer’s structure). Customers, or property owners if the customer is not the property owner (“Customer”) are required to maintain and repair the Customer-owned portion of the service line.

Aqua Pennsylvania, Inc. (“Aqua” or the “Company”) now has been granted the authority to assist Customers in replacing the Customer-owned portion of the service line if that service line is identified as lead or galvanized.

## **CUSTOMER-OWNED LEAD SERVICE LINE REPLACEMENT PROGRAM**

Under the Customer Lead Service Line Replacement Program (“Replacement Program”), Aqua will identify customer-owned service lines that are lead or galvanized, enter into an agreement with the Customer to replace the Customer-owned portion of the service line and restore the Customer’s property at no direct cost to the customer, dedicate the newly installed customer portion of the service line back to the Customer, and provide a warranty on the work completed to replace the Customer-owned lead or galvanized service line.

Aqua’s Replacement Program is made up of two parts: (1) replacements in connection with a main replacement project, and (2) replacements per Customer request not associated with a main replacement project.

## **Cap on Replacements Per Year**

Aqua can perform up to 1,500 customer-owned lead or galvanized service line replacements per year.

## **Customer Agreement and Replacement**

In order for Aqua to complete a replacement, the Customer must enter into an agreement with Aqua to replace the Customer-owned lead or galvanized service line. Aqua cannot replace the Customer portion of a lead or galvanized service line without first entering into an agreement. The agreement provides that the Customer will give access to Aqua, or Aqua's contractor, to complete the replacement. Following replacement, Aqua, or Aqua's contractor, will restore the property as reasonably as practicable to its former condition prior to the replacement of the Customer-owned lead or galvanized service line.

## **Dedication of Newly Installed Customer Portion of Service Line and Warranty**

After the new Customer-owned portion of the service line is installed, the Customer-owned portion will be dedicated to the Customer and ownership and responsibility for repair and maintenance of the Customer-owned portion of the service line will remain with the Customer as was the case prior to the replacement. A two-year warranty on the workmanship and materials of the installation and the restoration of surfaces shall be provided.

## **Coordination of Replacements**

Aqua will strive to group customer requested replacements within its operating divisions to create efficiencies. However, Aqua may replace a Customer's lead or galvanized service line if projects cannot be grouped together in its discretion.

## **Filters, Sampling and Testing**

Upon identification of a customer lead or galvanized service line, Aqua will provide a National Sanitation Foundation approved water filter (pitcher or tap filter) and six months of replacement filters. At approximately 3-6 months after replacement is completed, Aqua will offer water sampling materials to Customers or residents, and if Customer or resident wants to have samples taken, Aqua will collect, test, and provide the results from those samples.

## **Reimbursement for Customers that Have Already Replaced a Lead or Galvanized Service Line**

As part of Aqua's Replacement Program, Aqua will, subject to certain requirements discussed below, provide a reimbursement to those Customers that have replaced their Customer-owned lead or galvanized service line at their own cost within one year before or after a lead service line replacement project commencement and within one mile of the project area. If a Customer or property owner refuses or fails to accept the Company replacement of the lead or galvanized customer service line, the Customer or property owner will only be eligible for reimbursement if they replace their Customer lead or galvanized service line at the customer or property owner's expense, within one year of the lead service line project commencement.

Reimbursement will occur for those Customers that provide documentation sufficient, in Aqua's sole discretion, to verify that the Customer replaced the Customer-owned lead or galvanized service line within one year before or after the start of a planned lead service line replacement project main replacement and as long as the Customer is within one mile of the main replacement project or focused replacement area. Customers will be eligible for reimbursement up to 125% of the average cost of Aqua's lead and galvanized replacements. Average cost used to determine reimbursement amounts during a calendar year will be based on Aqua's prior calendar year average costs for lead and galvanized service line replacements. Examples of documentation required by Aqua for a Customer to be eligible for reimbursement include, but are not limited to, detailed estimates from a licensed plumber and paid invoices or statements. A verified statement may also be submitted from the licensed plumber.

Aqua shall make reasonable best efforts to assist a Customer or property owner, if the Customer is not the property owner, through the reimbursement process and, to the extent possible, make determinations in favor of the Customer or property owner where the Customer or property owner has provided reasonable evidence of a customer lead or galvanized service line replacement to Aqua. However, the documentation provided to Aqua must be sufficient in the Aqua's opinion that a customer lead or galvanized service line replacement occurred.

### **Partial Replacements Prohibited**

Under the Pennsylvania Public Utility Commission's ("PUC") regulations, Aqua cannot perform a partial replacement of a lead or galvanized service line. If a Customer causes a partial replacement, by replacing the Customer portion of a lead or galvanized service line without notifying Aqua, Aqua is required to terminate service until a full replacement of the lead or galvanized service line can be completed.

In addition, any Customer that refuses to allow Aqua (or its contractor) to replace the lead or galvanized service line, or refuses to employ its own licensed plumber to replace the lead or galvanized service line, will result in termination of service to the property until the entire lead or galvanized service line is replaced.

Aqua shall use Step In Rights as described in Aqua's tariff to perform a replacement if the customer or occupier of the property is not the owner, and the customer or occupier provides a medical certificate or a Protection From Abuse order (or other court order issued by a court of competent jurisdiction in this Commonwealth which provides clear evidence of domestic violence), subject to the requirements in Aqua's tariff. Aqua may use Step In Rights where the customer or occupier is not the property owner if Aqua has attempted to contact the property owner with an offer to replace the Customer lead service line and has not received a response or the property owner cannot be identified.

### **CONCLUSION**

Aqua recognizes the importance of removing lead from water systems across Pennsylvania both on Aqua owned and Customer-owned assets. Aqua looks forward to working with Customers to achieve this goal.

# EXHIBIT W

Press Release Regarding Action Level  
Exceedance – 40 C.F.R. § 141.85(b)(2)(v)

**Contact:** [INSERT]**For release:** [DATE]

## **IMPORTANT INFORMATION ABOUT LEAD IN YOUR DRINKING WATER<sup>1</sup>**

**BRYN MAWR, Pa.** – [INSERT NAME OF WATER SYSTEM] found elevated levels of lead in drinking water in some homes/buildings. Lead can cause serious health problems, especially for pregnant women and young children. Please read this information closely to see what you can do to reduce lead in your drinking water.

### **Health Effects of Lead**

Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney, or nervous system problems.

### **Sources of Lead**

Lead is a common metal found in the environment. Drinking water is one possible source of lead exposure. Lead Service lines, brass faucets, fittings, and valves, including those advertised as “low lead” or “lead-free,” may contribute lead to drinking water. Regulations previously allowed “low lead” fixtures containing up to 8 percent lead. Current regulations only allow “lead-free” fixtures with up to 0.25 percent lead. When water is in contact with pipes, service lines, or plumbing that contains lead for several hours, the lead may enter drinking water. Homes built before 1990 are more likely to have lead pipes or lead solder.

The main sources of lead exposure are lead-based paint, lead-contaminated dust or soil, and some plumbing materials. In addition, lead can be found in certain types of pottery, pewter, brass fixtures, food, and cosmetics. Other sources include exposure in the workplace and exposure from certain hobbies (lead can be carried on clothing or shoes). Lead is found in some toys, some playground equipment, and some children’s metal jewelry.

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<sup>1</sup> This information contains regulatory or recommended language, and nothing herein is intended as, nor should be construed as, a promise of or contract for payment or reimbursement of expenses incurred for any action you take on account of this information sheet.

## Steps You Can Take to Reduce Your Exposure to Lead in Your Water

- **Run your tap to flush out lead.** If your water hasn't been used for several hours, run your water for a few minutes or until it becomes cold or reaches a steady temperature before drinking or cooking.
- **Use cold water to cook or prepare baby formula.** Do not boil water to reduce lead. Lead dissolves more easily in hot water and boiling water will concentrate the lead.
- **Do not boil water to remove lead.** Boiling water will not reduce lead.
- **Consider alternative sources or treatment of water.** You may want to consider purchasing bottled water or a water filter. Read the package to be sure the filter is approved to reduce lead or contact NSF International ([www.nsf.org](http://www.nsf.org)) for information on performance standards for water filters. Be sure to maintain and replace a filter device in accordance with the manufacturer's instructions to protect water quality.
- **Test your water for lead.** Call us at 1-877-987-2782 to find out how to get your water tested for lead.
- **Get your child's blood tested.** Contact your local health department or healthcare provider to find out how you can get your child tested for lead if you are concerned about exposure.

## What happened? What is being done?

[Notice Specific Information: Explain why there are elevated levels of lead in the system's drinking water (if known) and what the water system is doing to reduce the lead levels in homes/buildings in this area.]

## Aqua's lead and galvanized service line replacement program

At Aqua, we are implementing a program that involves replacing all lead and galvanized service lines in our drinking water systems at no direct cost to our customers. Information about our lead and galvanized service line replacement program is attached. For more information, call us at 1-866-SLM-AQUA (1-866-756-2782), or visit our website at [www.aquawater.com/lead](http://www.aquawater.com/lead).

"We take seriously our responsibility to sustain life by safely delivering Earth's most essential resource, and our mission is exemplified by our commitment to remove lead service lines from drinking water systems across Pennsylvania," said Aqua Pennsylvania President Marc Lucca. "Our lead service line replacement program enables our team to ensure safe drinking water for our customers without unnecessarily burdening them with the direct cost of replacement."

For more information on reducing lead exposure around your home/building and the health effects of lead, visit EPA's website at <http://www.epa.gov/lead> or contact your health care provider.

Aqua Pennsylvania serves approximately 1.5 million people in 32 counties throughout the Commonwealth of Pennsylvania. Visit [AquaWater.com](http://AquaWater.com) for more information or follow Aqua on Facebook at [facebook.com/AquaWater](https://facebook.com/AquaWater) and on Twitter at [@AquaWater](https://twitter.com/AquaWater).

This release contains forward-looking statements within the meaning of the Private Securities Litigation Reform Act of 1995, including, among others: the Company's ability to replace all lead and galvanized requiring replacement service lines in its drinking water systems and to do this at no direct cost to its customers. There are important factors that could cause actual results to differ materially from those expressed or implied by such forward-looking statements including: general economic business conditions; the receipt of governmental approvals; and other factors discussed in our Annual Report on Form 10-K, our Quarterly Reports on Form 10-Q, and other filings with the Securities and Exchange Commission. For more information regarding risks and uncertainties associated with Essential Utilities' business, please refer to Essential Utilities' annual, quarterly and other SEC filings. Essential Utilities is not under any obligation — and expressly disclaims any such obligation — to update or alter its forward-looking statements whether as a result of new information, future events or otherwise.

# # #

# **Exhibit B**

AQUA PENNSYLVANIA, INC.  
(hereinafter referred to as the "Company")

RATES, RULES, AND REGULATIONS

GOVERNING THE DISTRIBUTION AND SALE OF

WATER SERVICE

IN PORTIONS OF

ADAMS, BERKS, BRADFORD, BUCKS, CARBON, CHESTER, CLARION, CLEARFIELD,  
COLUMBIA, CRAWFORD, CUMBERLAND, DELAWARE, FOREST, JUNIATA,  
LACKAWANNA, LAWRENCE, LEHIGH, LUZERNE, MERCER, MCKEAN, MONROE,  
MONTGOMERY, NORTHHAMPTON, NORTHUMBERLAND, PIKE, SCHUYLKILL,  
SUSQUEHANNA, SNYDER, VENANGO, WARREN, WAYNE, AND WYOMING COUNTIES

IN THE COMMONWEALTH OF PENNSYLVANIA

ISSUED: xxxx xx, 202x

EFFECTIVE: xxxx xx, 202x

By:

Marc Lucca, President  
Aqua Pennsylvania, Inc.  
762 Lancaster Avenue  
Bryn Mawr, Pennsylvania 19010

## **NOTICE**

THIS TARIFF SUPPLEMENT MODIFIES THE EXISTING LEAD SERVICE LINE  
RULES IN COMPLIANCE WITH 52 PA. CODE § 65.51 ET SEQ.

LIST OF CHANGES MADE BY THIS TARIFF

Changes: Supplement No. XX to Tariff Water-PA P.U.C. No. 3 modifies the lead service line rules (Rules 20.1 and 20.2) in compliance with 52 Pa. Code § 65.51 et seq. and in accordance with the Settlement at Docket No. P-2023-3044459. Refer to pages 1, 2, 3, 4, 48, 49, 50, and 51.

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RULES AND REGULATIONS**SERVICE CONNECTIONS****19. Company's Service Lines:**

Except for service connections made in accordance with Rule 65, the Company will make all connections to its mains and furnish, install and maintain the Company's service main to and including the Curb Stop, which under normal circumstances will be placed inside the curb-line. The Company's service line will be the property of the Company and under its control. The point of delivery and sale for any water service furnished to the Customer shall be at the Curb Stop.

The maximum Company investment per Company service line shall be calculated using the same formula set forth in the definition of Company Contribution in Rule 62.

The cost of any Company service line in excess of the applicable maximum Company investment shall be paid by the Customer, plus all applicable taxes including income taxes occasioned by the contract. The Company may require payment of the estimated amount of such excess cost in advance of the installation and will make a partial repayment of the extent the actual cost is determined to be less than the estimate.

Whenever it is necessary to install a service line in advance of the date on which the premises are occupied and a meter is set, a deposit may be required in an amount not to exceed the estimated cost of installation, which deposit will be refunded to the depositor when the service becomes active (i.e., the meter has been set and the premises occupied), provided that event occurs within five years from the date of deposit.

**20.1. Customer Service Line:** The Customer's service line shall extend from the Property to the Curb Stop or curb line or such point as designated by the Company. All connections, service lines and fixtures owned by the Customer shall be maintained by the Customer in good order, and all meters and appurtenances owned by the Company and located on the Property of the Customer shall be protected properly by the Customer. All leaks in or other deteriorated condition of the Customer's service line or any other pipe or fixture in or upon the premises supplied must be repaired immediately by the owner or occupant of the premises.

(C)

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RULES AND REGULATIONS**SERVICE CONNECTIONS (cont'd)****20.2. Customer Owned Lead Service Line Replacements:****(C)**

Notwithstanding Rules 20.1, 21, and 25, the Company (or contractors employed by the Company) shall replace Customer Owned Lead Service Lines ("COLSLs") pursuant to the Company's Lead Service Line Replacement Program ("Replacement Program"), provided the customer (or the property owner if the customer is not the property owner) provides consent through a signed agreement.

Lead Service Line – LSL – shall be defined as a service line made of lead that connects the water main to a building inlet and a lead pigtail, gooseneck or other fitting that is connected to the lead line. A galvanized service line (iron or steel piping that has been dipped in zinc to prevent corrosion and rusting) is considered a Lead Service Line if it ever was or is currently downstream of any lead service line or service line of unknown material.

Customer Owned Lead Service Line – COLSL – shall be defined as the portion of the lead service line extending from the curb, property line or Company connection to the Company's water meter or, if the Company's water meter is located outside of the structure or water is not metered by the Company, at the first shutoff valve located within the interior of the structure.

The Company will replace up to 1,500 COLSLs per year under the Company's Replacement Program. If reimbursements would cause the Company to exceed its current annual cap, the Company shall increase its current annual cap by the amount of the reimbursement and decrease its next annual cap by this amount.

If no shutoff valve exists along the pipe within 5 feet of the Customer's structure wall, the Company may install a shutoff valve which will serve as the point of demarcation between the property's service line and the property's interior water distribution piping.

No customer or property owner may install a partial LSL. A partial LSL shall result in termination of service until such time as the Company can replace the Company-owned LSL. A customer, or property owner where the customer is not the property owner, that elects to replace the COLSL themselves, shall replace the COLSL concurrent with the Company replacing the Company-owned LSL, provided that the customer or property owner shall provide the Company at least 90 days' notice prior to replacing the COLSL.

The Company shall refuse to establish service to a property where a customer or property owner (if the customer is not the property owner) has previously refused or failed to accept the Company's offer to replace the COLSL until the applicant verifies the replacement of the COLSL by providing a paid invoice from a licensed contractor or verified statement from a licensed contractor attesting to the completion of the COLSL replacement. The customer or property owner may also request Aqua (or its contractor) complete the COLSL replacement. Upon completion, service will be established or restored to the property.

Through the Replacement Program the Company will perfect any ownership discrepancies regarding the Company Service Line and the Customer Service Line, so that the Customer will own the Customer Service Line and the Company will own the Company Service Line. This will occur by the Customer and the Company executing the Customer Lead/Galvanized Service Line Replacement License Agreement which establishes the Customer's and Company's respective ownership and responsibilities regarding the Customer Service Line and Company Service Line.

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RULES AND REGULATIONS**SERVICE CONNECTIONS (cont'd)****20.2. Customer Owned Lead Service Line Replacements (cont'd):****(C)**Step In Rights

A. Step In Rights Defined. In reference to 52 Pa. Code § 65.58(c)(3), Step-In Rights means the right of the Company to avoid termination of service to a property where the resident of the Property is not the property owner, and the property owner is nonresponsive to the Company's offer to replace a COLSL.

The Company can utilize Step-In Rights in the following circumstances where a Customer or occupier of a premise is not the property owner.

1. The Company has attempted to contact the property owner with an offer to replace the COLSL in accordance with the Company's LSLR Plan;
2. The Customer or the occupier of the Property is not the property owner; and
3. The Company has attempted to get authorization to replace the COLSL, the property owner cannot be identified, or the property owner has been notified and has not responded to the Company's offer to replace the COLSL.

B. Circumstances Where the Company Must Use Step-In Rights.

1. The Company shall use Step-In Rights to avoid the termination of water service and replace a COLSL when the Customer or occupant of the Property provides a medical certification signed by a licensed physician, nurse practitioner or physician's assistant to the Company by fax, email or mail (providing the contact information).
2. The Company shall use Step-In Rights to avoid the termination of water service and replace a COLSL when the Customer or occupant provides a Protection From Abuse (PFA) order, or other court order issued by a court of competent jurisdiction in this Commonwealth which provides clear evidence of domestic violence.
3. The Company shall use Step-In Rights to avoid the termination of water service to the Customer or the occupant of the Property except when, in the Company's reasonable judgement, replacement would place its workers or utility facilities at a safety risk and in such instance, the Company may use Step-In Rights at its discretion.

C. After the replacement is complete, the Company will restore roadways and public sidewalks, backfill any trenches excavated as part of the replacement process and will fill and seal any wall or floor penetrations caused by the service line replacement in the structure at the Property (Company Restoration Work). No other restoration will be conducted for the Customer side replacement. The Company will not replace any landscaping, interior finishes, paving, seeding, or walkways (Private Side Restoration Work), and all restoration costs for such Private Side Restoration Work shall be borne by the property owner.

D. When the Company exercises Step-In Rights, the Company's liability shall be limited to the amount in Section 51 of its Water Tariff for any action brought against the Company, its officers, directors, employees and agents for damages arising from any and all liability, including liability to third parties and the property owner, for personal injury, including death, property damage, or other actions, damages, fines, penalties, claims, demands, judgments, losses, costs, expenses, suit and actions (including reasonable attorney's fees), for personal injury, including death, property damage or other injury, to the extent caused by or arising out of the work performed by the Company or its agents in replacing the customer-owned LSL and/or the Company Restoration Work that the Company is responsible for under subsection C above.

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RULES AND REGULATIONS**SERVICE CONNECTIONS (cont'd)****20.2. Customer Owned Lead Service Line Replacements (cont'd):****(C)**Reimbursements

The Company shall provide a reimbursement to an eligible customer or property owner, if the customer is not the property owner, who replaced their LSL within 1 year before or after the commencement of a Lead Service Line Replacement (“LSLR”) Project. A LSLR Project shall be defined as a Company scheduled lead service line replacement activity either in conjunction with main replacements, or a specific delineated project area to replace LSLs. LSLR Project Commencement shall be defined as installation of the first lead service line replacement within a lead service line project area. LSLR Project Area shall be defined as the area encompassing the Company’s scheduled lead service line replacement activities, which includes the area within a 1-mile radius of a LSLR Project, if that area is served by the Company.

Reimbursements to customers or property owners, if the customer is not the property owner, require that the customer or property owner provides the Company with a paid invoice, a certification or verified statement from a certified plumber, and other documentation required by the Company, in its sole discretion, to verify the replacement. Failure to provide sufficient information will result in no reimbursement being paid. The Company shall reimburse eligible customers or property owners up to 125% of the average costs of Aqua’s LSLRs, not to exceed the actual cost incurred by the customer to replace their LSL. The average cost of Aqua’s LSLRs in any year will be determined by the average cost of Aqua LSLRs in the prior calendar year. Reimbursements will be provided to customers or property owners through check mailed to the customer or property owner within 90 days of the request; provided that all documentation is sufficient and received by the Company. Customers or property owners that are outside the LSLR Project Area or seek reimbursement for a replacement that occurred greater than one year before or after the LSLR Project Commencement will be ineligible for reimbursement.

Warranty

The Company (or its contractor) shall provide a warranty to the customer or property owner, if the customer is not the property owner, for a period of two years on the workmanship and materials of the LSLR and the restoration of surfaces. The two year warranty shall commence upon the re-establishment of water service to the property after the LSLR has occurred.

The maximum coverage under the warranty shall be only to repair or replace the Customer side service line if the failure was due to the workmanship or materials of the LSLR, and restoration of surfaces which shall mean restoration as reasonably as practicable to the condition that existed prior to the LSLR. The maximum coverage amount for replacing or repairing the Customer side service line if the failure was due to the workmanship or materials of the LSLR, and restoration of surfaces shall be an amount up to Twenty Thousand Dollars (\$20,000.00).

The Company will not be liable for any damages beyond the maximum coverage of the two year warranty as described in this warranty section.

If a repair is required and qualifies under the warranty, the customer or property owner consents and grants license to Aqua or its contractor to access the property and complete the repair as needed.

# Appendix A

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Aqua Pennsylvania, Inc.	:	
For Approval of its Lead Service Line Replacement Program	:	Docket No. P-2023-3044459

**AQUA PENNSYLVANIA, INC.’S  
STATEMENT IN SUPPORT OF THE SETTLEMENT**

**TO THE HONORABLE ADMINISTRATIVE LAW JUDGES GAIL M. CHIDO AND ALPHONSO ARNOLD III:**

**I. INTRODUCTION**

Aqua Pennsylvania, Inc. (“Aqua” or the “Company”) hereby submits this Statement in Support of the Joint Petition for Settlement (“Settlement”) entered into by Aqua, the Office of Consumer Advocate (“OCA”), the Office of Small Business Advocate (“OSBA”), and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”) (collectively, “Joint Petitioners”). The Settlement, if approved, resolves all issues in the above-captioned proceeding, which concerns Aqua’s Lead Service Line Replacement (“LSLR”) Plan.

The Settlement reflects a carefully balanced compromise of the interests of the Joint Petitioners, who represent a broad array of residential, commercial, and low income customer interests. As discussed in the Settlement, the Joint Petitioners have worked cooperatively to develop settlement terms that enhance the customer protections proposed in the Company’s LSLR Plan as originally filed and increase the transparency of the Company’s LSLR progress throughout the LSLR Plan period. The Settlement, if approved, will provide substantial public benefits through the implementation of Aqua’s LSLR Plan, as modified by the terms of the Settlement, which details the Company’s LSLR efforts and contains all the requirements for LSLR plans set forth in the Public Utility Code and the Public Utility Commission’s (“Commission”) regulations.

For these reasons and the reasons set forth below, the Settlement is fair, just and reasonable. Therefore, the Honorable Administrative Law Judges Gail M. Chiodo and Alphonso Arnold III (collectively the “ALJs”) and the Commission should approve the Settlement without modification.

## **II. COMMISSION POLICY FAVORS SETTLEMENT**

Commission policy promotes settlements. *See* 52 Pa. Code § 5.231(a). Settlements lessen the time and expense the parties must expend litigating a case and, at the same time, conserve administrative resources. The Commission has indicated that settlement results are often preferable to those achieved at the conclusion of a fully litigated proceeding. *See* 52 Pa. Code § 69.401. The Commission has explained that parties to settled cases are afforded flexibility in reaching amicable resolutions, so long as the settlement is in the public interest. *Pa. PUC v. MXenergy Electric Inc.*, Docket No. M-2012-2201861, 2013 Pa. PUC LEXIS 789, 310 P.U.R.4th 58 (Opinion and Order entered Dec. 5, 2013). In order to accept a settlement, the Commission must first determine that the proposed terms and conditions are in the public interest. *Pa. PUC v. Windstream Pennsylvania, LLC*, Docket No. M-2012-2227108, 2012 Pa. PUC LEXIS 1535 (Opinion and Order entered Sept. 27, 2012); *Pa. PUC v. C.S. Water and Sewer Assoc.*, Docket No. R-881147, 74 Pa. PUC 767 (Opinion entered Jul. 22, 1991). As explained in the next section of this Statement in Support, Aqua believes that the Settlement is just, reasonable, in the public interest, and should be approved without modification.

## **III. THE SETTLEMENT IS IN THE PUBLIC INTEREST**

### **A. SUMMARY**

The Settlement reflects a carefully balanced compromise of the competing interests of the Joint Petitioners. The Joint Petitioners unanimously agree that the Settlement is in the public interest, which in and of itself provides strong evidence that the Settlement is reasonable and in

the public interest. Aqua responded to formal and informal discovery requests from the parties related to the Company's proposed LSLR Plan. Further, the Joint Petitioners participated in multiple settlement discussions and negotiations that ultimately led to the Settlement.

For these reasons and as more fully explained below, the Commission should approve the Settlement without modification because the Settlement's terms and conditions are just and reasonable and in the public interest.

**B. GENERAL – THE LSLR PROGRAM, AS MODIFIED BY THE TERMS AND CONDITIONS OF THE SETTLEMENT, IS IN THE PUBLIC INTEREST**

The Settlement initially provides that, subject to the terms and conditions of the Settlement, the proposals set forth in Aqua's LSLR Plan are acceptable and should be adopted by the Commission. (Settlement ¶ 30.)

The requirements for a LSLR Plan are contained in Section 1311(b) of the Pennsylvania Public Utility Code ("Public Utility Code" or the "Code"), 66 Pa. C.S. § 1311(b), Chapter 65 of the Commission's regulations, 52 Pa. Code §§ 65.51, et seq., and the Commission's Final Rulemaking Order regarding Act 120 of 2018 ("Act 120") entered on March 14, 2022 at Docket No. L-2020-301952 ("Rulemaking Order"). Aqua submits that the proposed LSLR Plan, as modified by the terms and conditions of the Settlement, is in the public interest because it includes and/or addresses all of the elements prescribed by Section 1311(b) of the Public Utility Code, the applicable Commission regulations, and the Commission's Rulemaking Order.

Pursuant to Section 65.55(b) of the Commission's regulations, an LSLR program must include: (1) an LSLR plan as described in § 65.56 (relating to LSLR plan requirements); (2) a pro forma tariff or tariff supplement containing the proposed changes necessary to implement the entity's LSLR program as described in § 65.58 (relating to pro forma tariff or tariff supplement requirements); and (3) information required by the Commission for filings under 66 Pa.C.S. § 1308

(relating to voluntary changes in rates), including statements required by § 53.52(a) (relating to applicability; public utilities other than canal, turnpike, tunnel, bridge and wharf companies).

**1. The LSLR Plan’s Lead Service Line Inventory Meets the Requirements of 52 Pa. Code § 65.56(a)**

Under Section 65.56(a) of the Commission’s regulations, an entity’s LSLR plan must contain a service line inventory that complies with the U.S. Environmental Protection Agency’s (“U.S. EPA”) regulations at 40 CFR 141.1-143.20 as enforced by the Department of Environmental Protection (“DEP”). *See* 52 Pa. Code § 65.56(a). Consistent with these requirements, Aqua has and is continuing to develop its Service Line Inventory, as detailed in the LSLR Plan (Settlement Exhibit A), using all available sources of information to establish service line material designations for both Company and customer owned service lines, with 92% of Company service line material and 83% of customer service line material identified to date. (*See* Settlement Exhibit A, pp. 4-5.) Through the Company’s LSLR Plan, the Company has committed to updating its Service Line Inventory as progress is made on completing the inventory and as new water systems are acquired. (*See* Settlement Exhibit A, p. 5.)

**2. The LSLR Plan Details the Company’s Planning and Replacement Procedures as Required by 52 Pa. Code § 65.56(b)**

Section 65.56(b) of the Commission’s regulations requires that an entity’s LSLR plan must contain a section addressing LSLR planning and replacements, and details the specific planning and replacement requirements that must be included within LSLR plans. *See* 52 Pa. Code § 65.56(b). Pursuant to these requirements, the Company has detailed in its LSLR Plan its projected annual investment and sources of financing for the LSLR Plan, as well as its projected LSLRs per calendar year and a description of how the projection was developed. *See* 52 Pa. Code § 65.56(b)(1)-(2). The Company proposed a cap of up to 500 replacements in 2023, 1,200 replacements in 2024, and 1,500 replacements from 2025 through 2027. Anticipated sources of

financing for the replacements include short term debt of the Company converted at a later time into long term debt and equity. The Company is also exploring low-cost/no cost financing through the Pennsylvania Infrastructure Investment Authority (“PENNVEST”) and other sources as they become available. (*See* Settlement Exhibit A, p. 6.) The Company’s projection of LSLRs per year is consistent with its estimation that 11,452 customer owned lead service lines (“COLSL”) will need to be replaced overall, *i.e.* COLSLs that the Company believes are potentially lead or galvanized service line requiring replacement (“GRR”), as well as the annual cap proposed in the LSLR Plan. (*See id.*) At a cap of 1,500 replacements per year, the Company should be able to complete replacements within the time period established by U.S. EPA and DEP.

The LSLR Plan also details the Company’s prioritization criteria for LSLRs. *See* 52 Pa. Code § 65.56(b)(3). Specifically, for individual properties, Aqua considered the following prioritization criteria when developing the LSLR Plan: (1) emergency repairs revealing LSLs; (2) homes with elevated lead concentrations in tap samples; (3) schools and licensed day care facilities; (4) homeowners that request replacements; and (5) homeowners in systems that do not have widespread LSLs. For systems, Aqua considered the following prioritization criteria when developing the LSLR Plan: (1) systems with higher projected lead or GRR replacements; (2) systems where PENNVEST or other funding is available; and (3) systems with aging water mains that require replacement. (*See* Settlement Exhibit A, pp. 6-7.)

The Company’s LSLR Plan contains processes and procedures to address emergency repairs and replacements which reveal LSLs, for both customer-owned and Company-owned LSLs. *See* 52 Pa. Code § 56.65(b)(4). When the Company uncovers a COLSL while completing emergency repairs to its system, the Company contacts the customer/owner and provides them with the information and materials in Section II.B.6 of the LSLR Plan and prioritizes the

replacement of the entire service line, both Company and customer side. (*See* Settlement Exhibit A, p. 7.) When the Company uncovers a Company-owned LSL while completing emergency repairs to its system, the Company will replace its service line up to the curb stop, which will reveal the customer-side material. Upon verification that the customer's service line is not lead, the Company will complete the Company-side replacement and restore service to the property. The Company will provide the customer with information regarding lead, pitcher filters, and flushing instructions. If the customer's service line material is lead or GRR, the Company will neither make the connection nor restore service, and the Company will provide the resident with the information and materials in Section II.B.6. and immediately coordinate and prioritize replacement of the COLSL. (*See id.*)

Further, the Company's LSLR Plan details the processes and procedures to obtain acceptance of a LSLR prior to project commencement when the customer is and is not the property owner. *See* 52 Pa. Code § 65.56(b)(5). For areas deemed high-risk, the Company or its third-party representatives will send pre-investigative letters to customers in preparation for the commencement of a main replacement project, requesting access to review the material type of the customer's service line. Aqua personnel or Aqua's third-party vendor will visit each customer premise within the scope of the project with an unknown service line material to identify material type of the customer service line. (*See* Settlement Exhibit A, pp. 7-8.) If the Company uncovers a Company-owned LSL or a COLSL during maintenance or construction activities, the Company will provide a form to the customer, if the customer is at the premise, or will post the form if the customer is not at the premise and attempt to contact the customer via phone to follow up with further information. (*See id.*, p. 8.) If there is no response to the pre-investigation letter or form, Aqua personnel or its third-party vendor will follow up by visiting the premises, leaving a door

hanger, or calling the customer, as necessary. (*See id.*) If the Company still does not receive a response to any of the above measures, it will initiate the 10-day shut-off procedures to gain access to review the service line material. (*See id.*) After making contact with the resident and identifying the presence of a COLSL, Aqua personnel will ask whether the resident is the owner or renter of the building. (*See id.*) If the customer is the owner, and they agree to participate in the replacement, then the Company will provide the information and materials in Section II.B.6 of the LSLR Plan. If the customer is the owner and refuses to participate in the replacement the Company will follow the provisions of Section II.B.10 of the LSLR Plan. (*See id.*) If the customer is not the property owner, the Company will obtain the owner's contact information from the customer and attempt to reach the owner first via telephone call, next via letter, and finally by exploring all options to encourage property owners to participate, such as contacting the municipality and the local code enforcement in which the property is located. In instances where the customer is not the owner of the property, the Company will use, as needed, "Step In Rights" described in Section II.B.10 of the LSLR Plan and defined in the pro forma tariff supplement attached as Exhibit B to the Settlement. (*See id.*)

The Company's LSLR Plan contains the processes and procedures it will follow based on the acceptance of a LSLR. *See* 52 Pa. Code § 65.56(b)(5). Initially, Aqua will provide pertinent information to the customer including: (1) the Customer Lead/Galvanized Service Line Replacement Agreement ("Replacement Agreement"); (2) the Lead Fact Sheet providing educational information about lead in drinking water; (3) the Information Sheet explaining Aqua's Lead Service Line Replacement Program; (4) post-COLSL replacement flushing instructions; and (5) a pitcher filter with six months of replacement cartridges. (*See* Settlement Exhibit A, p. 9.) The Replacement Agreement allows a third-party licensed professional to enter the property and

complete the LSLR, confirms the ownership of the service line following installation, provides a warranty on the work completed, and requires that the contractor install the replacement service line and restore the property as reasonably as practicable to the condition that existed prior to the LSLR. (*See id.*) Following replacement, Aqua personnel will visit the customer's property within 5 business days after the COLSL replacement to reinstall or exchange the meter and remind the customer to follow the post-replacement instructions. In closing out the project, the Company provides a letter to the customer 3-6 months post-replacement confirming that the newly installed customer service line has been transferred back to the customer/property owner, confirming the warranty for the completed work, and offering post-replacement 5<sup>th</sup> liter lead sampling and testing. (*See id.*, p. 10.)

Consistent with the Commission's regulations, Aqua's LSLR Plan details the Company's lead and material recycling and disposal efforts. *See* 52 Pa. Code § 65.56(b)(7). In most replacements of COLSLs, the Company does not excavate and remove the existing LSL. It is abandoned in place and a new service line is installed. Aqua's third party vendors who complete the replacements will dispose of any lead material removed at recycling centers. When third-party plumbers complete the service line replacement, and if the line is removable and removed, the third-party plumbers dispose of any lead materials they excavate. Any lead material removed during a Company side LSL replacement will be brought back to the division office and put in recycling containers to be taken to the recycling center. The scrap metal that is recycled is booked into a removal and salvage account and amortized over 5 years. (*See* Settlement Exhibit A, p. 10.)

Aqua's LSLR Plan also contains its commitment to adhere to industry accepted practices in the replacement of service lines. *See* 52 Pa. Code § 65.56(b)(8). The Company will adhere to the provisions of its tariff regarding replacement of company-side service lines. In addition, the

Company will require Company personnel and its contractors to comply with any applicable plumbing codes related to customer-side service line replacement. The Company will follow Commission regulations regarding LSLRs, including prevention of partial service line replacements and termination of service provisions, as needed to prevent partial LSL replacements. (*See Settlement Exhibit A, p. 10.*)

The Company's LSLR Plan details how its acquisition of water systems will be integrated into its LSL replacement efforts. *See 52 Pa. Code § 65.56(b)(9)*. Where the Company acquires a water system prior to the deadline for water systems to complete their Service Line Inventories, the Company will take over the water system's efforts, if any, to identify and incorporate the service line materials of the system into Aqua's overall Service Line Inventory. (*See Settlement Exhibit A, p. 10.*) For water systems acquired after the deadline for complete Service Line Inventories, the Company will incorporate the system's completed inventory into the Company's Service Line Inventory. (*See id.*) Some systems may not have completed a Service Line Inventory to the standards that the DEP and Commission regulations require, either due to lack of resources or other reasons. In these instances, during the acquisition process, the Company, to the extent feasible, will work with the selling entity to begin the steps necessary to develop a Service Line Inventory and will continue those efforts after closing on the system. (*See id.*, pp. 10-11.)

The Company's LSLR Plan explains the procedure regarding refusal of the offer to replace a COLSL. *See 52 Pa. Code § 65.56(b)(10)*. During a LSLR project connected to a main replacement or where the Company service line needs to be replaced, and the Company has either made contact with the resident/property owner and they refuse, or where the resident/property owner is non-responsive to the Company's requests as described in Section II.B.5 of the LSLR Plan to replace the COLSL, Aqua will initiate termination procedures. (*See Settlement Exhibit A,*

p. 11.) Termination procedures include posting of 10-day shut off notices, and other required contacts under the Commission's regulations. When the Company provides the 10-day shut off notice to the customer (either through delivery or posting at the customer's premises), the Company will also provide the Customer Refusal Letter for not allowing access to identify service line material or for failing to allow Aqua to replace the COLSL, the Lead Fact Sheet describing the health hazards of lead service lines, and the Lead Service Line Program Information Sheet that explains the requirements for reimbursement and the potential for termination of service. (*See id.*) In certain circumstances, the Company may use Step-In Rights to perform a replacement where it will avoid termination of service to an occupant that is not the customer or property owner. (*See id.*) The Company's representatives will include notes within its customer information system documenting the refusal or non-response and complete any termination procedures as needed if the customer/property owner continues to refuse to replace the COLSL or does not respond. (*See id.*, p. 12.)

**3. The LSLR Plan Includes the Company's Communications, Outreach, and Education That Comply With the U.S. EPA's Regulations at 40 CFR 141.85**

Pursuant to Section 65.56(c) of the Commission's regulations, the Company's LSLR Plan contains a section addressing communications, outreach, and education that complies with the U.S. EPA's regulations at 40 CFR 141.85 (relating to public education and supplemental monitoring and mitigation requirements). 52 Pa. Code § 65.56(c). A full list of all printed and broadcast materials the Company plans on distributing to further its COLSL replacement efforts is included in the LSLR Plan, and copies of the materials are attached as Exhibits to the LSLR Plan. These materials may change, be updated from time to time, or new materials added as the LSLR Program evolves. (*See Settlement Exhibit A*, pp. 12-13.) The LSLR Plan also includes information regarding the portion of the Company's website housing information related to its LSLR Plan.

(*See id.*, pp. 13-14.) Aqua's website<sup>1</sup> provides information on sources of lead, the health effects of lead, the Company's compliance with lead requirements, how customers can protect against lead exposure, and a help line for customers requiring assistance in determining their service line material. The website also includes information on Aqua's LSLR Program including the status of current efforts to replace LSLs, flushing instructions post-replacement, a video showing how to take a sample with the sample bottles provided by Aqua, and reimbursement requirements. (*See id.*, p. 13.) Aqua has developed an online tool<sup>2</sup> to show service line material that is available on Aqua's publicly facing website. (*See id.*, p. 14.) The Company is currently developing an online tool to show the replacement schedule by geographical location, six months into the future, and allow customers to determine if they are within the required radius of a project and within the required time of the commencement of a project, thereby allowing customers to determine their eligibility for reimbursement for replacements undertaken by the customer. This tool will be completed in accordance with the timeline set forth in the Commission's regulations. (*See id.*)

#### **4. The Company's Pro Forma Tariff Supplement Conforms to the Requirements of 52 Pa. Code § 65.58**

Aqua's pro forma tariff supplement containing the proposed changes necessary to implement the LSLR Program includes the elements required by Section 65.58 of the Commission's regulations, 52 Pa. C.S. § 65.58, and is attached to the Settlement as Exhibit B. Aqua's pro forma tariff supplement states that Company will replace up to 1,500 COLSLs per year under the Company's LSLR Program. (*See* Settlement Exhibit B, p. 6.) Aqua's pro forma tariff supplement also specifies that the Customer's service line extends from the customer's property to the curb stop or curb line or such point as designated by the Company. (*See id.*, p. 5.) The pro

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<sup>1</sup> Available at [www.aquawater.com/lead](http://www.aquawater.com/lead).

<sup>2</sup> Available at [www.aquawater.com/leadmap](http://www.aquawater.com/leadmap).

forma tariff supplement states that no customer or property owner may install a partial LSL and that a partial LSL will result in termination of service until such time as the Company can replace the Company-owned LSL. (*See id.*, p. 6.) In addition, the supplement requires that a customer, or property owner where the customer is not the property owner, who elects to replace the COLSL themselves, must replace the COLSL concurrent with the Company replacing the Company-owned LSL, provided that the customer or property owner shall provide the Company at least 90 days' notice prior to replacing the COLSL. (*See id.*) Aqua's pro forma tariff supplement provides for the reimbursement of eligible customers or property owners, if the customer is not the property owner, who replaced their LSL within 1 year before or after the commencement of a LSLR Project. (*See id.*, p. 8.) Finally, the supplement provides a two-year warranty to the customer or property owner, if the customer is not the property owner, on the workmanship and materials of the LSLR and the restoration of surfaces. The two-year warranty begins upon the re-establishment of water service to the property after the LSLR has occurred. (*See id.*)

**4. The Company Has Supplied the Information Required Under 52 Pa. Code § 53.52(a)**

In addition to its LSLR Plan, the Company has provided the information and supporting data required by 52 Pa. Code § 53.52(a), related to revisions and supplements to a utility's tariff, which was attached as Exhibit B to the Company's Petition for Approval of its Lead Service Line Replacement Program.

As summarized above, Aqua's LSLR Plan, as modified by the terms and conditions of the Settlement, includes and/or addresses all of the elements prescribed by Section 1311(b) of the Public Utility Code, the Commission's regulations, and the Commission's Rulemaking Order regarding LSLR plans. Approval of the LSLR Plan, as modified by the Settlement, is in the public interest.

### **C. DESCRIPTION OF THE SETTLEMENT TERMS**

Through settlement discussions, the Parties negotiated the addition of specific requirements into the LSLR Plan to address the Parties' concerns related to increasing the accessibility of customer communications, confirming transparency in reporting the Company's LSLR efforts during the Plan period, and clarifying the Company's use of Step-In Rights to address replacement of a COLSL to avoid termination. These additional terms enhance the customer protections provided for in the LSLR Plan as originally proposed and further advance the Commission's efforts to identify and replace lead service lines throughout the Commonwealth.

#### **1. The Settlement Increases the Accessibility of the Company's Outreach Materials**

Under Paragraph 36 of the Settlement, Aqua will make written communications to consumers – Exhibits A through Q of the LSLR Plan – available in English with a notation in Spanish as to how to request the documents in Spanish and an additional notation as to how to request the documents in the other top two non-English languages spoken in the service territory. (Settlement ¶ 36.) In addition, Aqua will create a notification letter to the consumer for Exhibit K – Pitcher Filter – with notations to request instructions for use of pitcher filter in Spanish and the other top two non-English languages spoken in the service territory. The top two non-English languages spoken, other than Spanish, will be determined by reviewing each county that Aqua serves and determining the top two most spoken languages throughout the Company's entire footprint. (Settlement ¶ 36.) In addition, Paragraph 35 of the Settlement requires Aqua to share with the OCA, CAUSE-PA, and the OSBA the communications, outreach, and education materials referenced in the Company's LSLR Plan and developed by the Company in compliance with 52 Pa. Code § 65.56(c) promptly after such materials are finalized or updated by the Company and used by the Company in connection with the Plan. (Settlement ¶ 35.)

By making the Company's LSL outreach materials available to customers in Spanish and the other top two non-English languages spoken in the Company's service territory, Aqua's efforts to replace LSLs will be more accessible to its customers, allow for greater understanding of the Company's LSLR Plan, and increase the education of customers surrounding the dangers of lead, the importance of replacement, and the resources available. In addition, by providing the Parties to this proceeding access to the Company's outreach materials in a timely manner, additional input from representatives of different customer classes is available to the Company and will help ensure that the Company's outreach materials address the needs of all its customers. For these reasons, these Settlement provisions are in the public interest and should be approved.

**2. The Settlement Confirms Transparency in Reporting the Company's LSLR Efforts During the Plan Period**

Paragraphs 34 and 37 through 40 of the Settlement require the Company to detail and make public certain details of its LSLR efforts throughout the period of the LSLR Plan. Initially, Paragraph 34 of the Settlement clarifies that the Company will complete replacement of all lead service lines identified through its Service Line Inventory by December 31, 2037, in accordance with the U.S. EPA's Lead and Copper Rule Improvements. (Settlement ¶ 34.) Paragraphs 37 through 39 specify that the Company will include the following information related to LSLRs in its Annual Asset Optimization Plan ("AAOP"): (1) after completion of LSLR projects in a project area, if the Company finds lead in a Company or customer owned service line in the completed project area, the Company will report on the location, number of affected pipes, and replacement date of LSL; and (2) reporting, by zip code, the number of COLSL replaced in the preceding year. (Settlement ¶¶ 37, 39.) The Company will also include in its Service Line Inventory zip code information which can be used to identify service lines that have been inventoried and those identified as LSL or GRR. (Settlement ¶ 38.) Finally, the Settlement requires Aqua to use tools

available, such as the Pennsylvania Department of Environmental Protection's PennEnviroScreen tool or Justice40 Initiative, to identify environmental justice areas and high levels of children's lead risk for targeting of inventory and replacement. (Settlement ¶ 40.)

These provisions of the Settlement increase transparency of both the progress of the Company's LSLR Plan efforts as well as the locations of LSLs identified in the Company's service territory. Incorporating zip code information related to LSL projects will provide the Commission, the statutory advocates and other interested parties, as well as the general public important information regarding the location of LSLs within the Company's service territory. Finally, the use of advanced tools to identify high risk communities will enable the Company to identify and prioritize these areas for replacement of LSLs. For these reasons, these Settlement provisions are in the public interest and should be approved.

### **3. The Settlement Clarifies the Company's Use of Step-In Rights to Address Replacement of a COLSL to Avoid Termination**

Settlement Paragraphs 41 and 42 clarify the Company's use of Step-In Rights to address replacement of a COLSL to avoid termination of service when a property owner who is not the Customer or occupier is not responsive to the Company's offer to replace a COLSL. Paragraph 41 of the Settlement contains the tariff language defining Step-In Rights and detailing the instances in which Step-In Rights can be utilized if a customer or occupier of a premise is not the property owner. (Settlement ¶ 41.) Importantly, the tariff language also specifies that the Company must use Step-In rights to avoid termination when a valid medical certification or Protection From Abuse order (or other court order issued by a court of competent jurisdiction in this Commonwealth which provides clear evidence of domestic violence) is provided by the customer or occupant of the service address. Relatedly, Paragraph 42 of the Settlement requires the Company to provide in the Company's AAOP a list of any terminations performed at the discretion

of the Company in compliance with the new tariff language, which details the affected location, the reason for the termination, and the service termination date to the Commission, CAUSE-PA, and the statutory advocates. (Settlement ¶ 42.)

The addition of language clarifying and setting forth the Company's duties in exercising Step-In Rights related to the discovery of COLSLs was reached through considered negotiations by the Parties. The tariff language explains the Company's duties and alerts customers of their rights under to provide eligible documentation to avoid termination in the context of COLSL replacements. The Company's reservation of its Step-In Rights in this manner balances the interests of the Company and its customers by ensuring that replacement of LSLs can be carried out while also providing protections for customers who do not own the subject property. For these reasons, these Settlement provisions are in the public interest and should be approved.

#### **D. PUBLIC BENEFITS**

If approved, the Settlement will provide benefits to the customers and communities served by Aqua, including through the implementation of the Company's detailed LSLR Plan and the incorporation of additional measures designed to enhance customer protections while ensuring LSLs are replaced in a timely and efficient manner. As explained above, the Settlement was reached through productive settlement discussions among the Parties that considered a broad range of customer interests. These commitments further the LSL efforts of the Company, meet the requirements of the Public Utility Code and the Commission's regulations, and benefit the health and safety of the public.

Based on the foregoing, the Settlement should be considered just and reasonable and in the public interest, and the ALJs and the Commission should approve it without modification.

**IV. CONCLUSION**

WHEREFORE, for the reasons explained above, and those set forth in the Settlement, the terms and conditions of the Settlement are just and reasonable and in the public interest, and the Administrative Law Judges Gail M. Chiodo and Alphonso Arnold III and the Pennsylvania Public Utility Commission should approve the Settlement without modification.

Respectfully submitted,



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Date: December 20, 2024

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# Appendix B

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of Aqua Pennsylvania, Inc. for	:	Docket No. P-2023-3044459
Approval of its Lead Service Line	:	
Replacement Program	:	
	:	

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STATEMENT OF SUPPORT  
OF THE  
OFFICE OF CONSUMER ADVOCATE

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**I. INTRODUCTION**

On October 23, 2023, Aqua Pennsylvania, Inc. (Aqua or Company) filed with the Pennsylvania Public Utility Commission (Commission) a Petition for Approval of its Third Long-Term Infrastructure Improvement Plan (LTIP), which included a Lead Service Line Replacement (LSLR) Program as a separate and distinct part of its LTIP under Docket No. P-2023-3043755. The Commission’s Bureau of Technical Utility Services (TUS) expressed a concern that the LSLR Program should be filed at a separate docket. As such, on November 27, 2023, Aqua filed with the Commission in the instant docket a Petition For Approval of its LSLR Program (Petition) and tariff revisions that will allow it to replace lead service lines, and to recover those costs as provided in Section 1311(b)(2) of the Public Utility Code, which was added to the Public Utility Code pursuant to Act 120 of 2018. 66 Pa. C.S. § 1311(b)(2).

On December 15, 2023, the Office of Small Business Advocate (OSBA) filed a Notice of Intervention and Public Statement. On December 18, 2023, the Coalition for Affordable Utility

Services and Energy Efficiency in Pennsylvania (CAUSE-PA) filed a Petition to Intervene and Answer.

On January 18, 2024, the Office of Consumer Advocate (OCA) filed a Notice of Intervention and Public Statement.

On February 8, 2024, a telephonic prehearing conference was held before Administrative Law Judge (ALJ) Charece Z. Collins and the parties were granted 90 days to discuss settlement before establishing litigation schedule. The parties were also ordered to e-mail monthly status reports to the ALJ. Also on February 8, 2024, ALJ Collins issued a Prehearing Order confirming the matters discussed at the prehearing conference. On March 11, 2024, April 10, 2024, and May 10, 2024 the parties submitted joint status reports to the ALJ. On May 10, 2024, ALJ Collins issued a Prehearing Order granting the parties an additional 30 days to discuss settlement and directing the filing of a status report in 30 days. On June 10, 2024, the parties submitted a status report and requested an additional 30 days for settlement negotiations. On July 1, 2024, ALJ Collins issued a Prehearing Order and granted the parties an additional 30 days to discuss settlement and directed the filing of an additional status report in 30 days. On August 12, 2024, the parties submitted a status report and requested an additional 30 days to discuss settlement. On August 16, 2024, ALJ Collins issued a Prehearing Order granting the party an additional 30 days to discuss settlement and directed the filing of an additional status report in 30 days.

On August 19, 2024, the Commission issued a Judge Change Notice and reassigned this matter from ALJ Collins to ALJs Chiodo and Arnold. On September 11, 2024, the parties submitted a status report and requested an additional 30 days for settlement negotiations. On September 13, 2024, the ALJs issued a Prehearing Order granting the parties an additional 30 days to discuss settlement and directing the filing of a further status report no later than October 11, 2024. On

October 11, 2024, the parties submitted a status report and requested an additional thirty days to negotiate settlement. On October 16, 2024, the ALJs issued a Prehearing Order granting the parties an additional 30 days to negotiate settlement and directing the filing of a status report by November 11, 2024. On November 11, 2024, the parties submitted a status report and requested an additional thirty days to negotiate settlement. On November 13, the ALJs issued a Prehearing Order granting the parties an additional thirty days to discuss settlement and directing a further status report no later than December 11, 2024.

On November 26, 2024, the parties informed the ALJs that a unanimous settlement in principle had been reached and noted that the parties would submit a Joint Petition for Settlement on December 20, 2024.

The OCA, one of the signatory parties to the Joint Petition for Settlement (Settlement), finds the terms and conditions of the Settlement to be in the public interest.

## **II. STATEMENT IN SUPPORT**

In its prehearing memorandum, the OCA specified the following issues under investigation for Aqua's LSLR program: (1) service line inventory; (2) prioritizing lead service line replacements; (3) emergency repairs and replacements; (4) process and procedures to obtain acceptance of a lead service line replacement; (5) publicly accessible website; (6) Aqua's proposed monetary annual cap to limit lead service line replacements; (7) reimbursement to customers; and (8) customer outreach. OCA Prehearing Memorandum at 2.

The proposed LSLR program and plan will allow the Company to recover the costs for LSL replacements, both Company-owned and customer-owned, through its base rates and DSIC. 66 Pa. C.S. § 1311(b)(2). For customers, the LSLR plan has the potential to provide both financial and public health benefits.

Section 1311(b)(2) of the Public Utility Code provides a process to eliminate the individual financial burden for replacing customer-owned LSLs by recovering those costs over the Company's entire customer base. If a customer could not have otherwise afforded the replacement of the line, the customer will be able to maintain essential water service. The lead service line also poses a direct health risk to customers. An LSLR program can protect public health by helping to ensure the timely removal of the customer-owned LSL.

**A. Language Access**

Aqua initially planned to provide all written materials regarding LSLR solely in English. Aqua Response to OCA-I-8. If a customer or resident required a document in another language, it would only be provided upon request. *Id.* Aqua noted that the Company would include a statement in its written materials as to where the customer or resident could request the information. *Id.* Aqua's discovery responses did not specify where the customer or resident could request information about LSLRs.

Under the Settlement, Aqua will make written communications to consumers – Exhibits A through Q of the Plan, available in English with a notation in Spanish as to how to request the documents in Spanish and an additional notation as to how to request the documents in the other top two non-English languages spoken in the service territory. Settlement ¶ 36. The top two non-English languages spoken, other than Spanish, will be determined by reviewing each county that Aqua serves and determining the two most spoken languages throughout the Company's entire footprint. *Id.* Moreover, Aqua will create a notification letter to the consumer for Exhibit K – Pitcher Filter – with notations to request instructions for use of pitcher filter in Spanish and the other top two non-English languages spoken in the service territory. *Id.* Additionally, Aqua will share with the OCA, CAUSE-PA, and the OSBA the communications, outreach, and education

materials referenced in the Company's Plan and developed by the Company in compliance with 52 Pa. Code §65.56(c) promptly after such materials are finalized or updated by the Company and used by the Company in connection with the Plan. Settlement ¶ 35.

These Settlement provisions go beyond Aqua's discovery responses regarding the Company's outreach to ratepayers who do not understand English. Ensuring that Aqua's customers can understand Aqua's written communication material on this important public health issue was a serious concern of the OCA in negotiating this Settlement. Moreover, sharing important communications materials regarding public health with the statutory advocates ensures review by interested parties. The Settlement's language access provisions enhance the Company's communication efforts regarding this important public health issue.

**B. Annual Asset Optimization Plan Data**

The terms of the Settlement require the Company to provide additional data regarding the LSLR Plan in their Annual Asset Optimization Plan (AAOP) and lead service line inventory. Under the Settlement, following the completion of the Company's LSL projects in a project area set forth in the LSLR Plan, in the event the Company finds lead in a company or customer owned service line in said completed project area, the Company will provide a report detailing the location, number of affected pipes, and the replacement date to the Commission, CAUSE-PA. and the statutory advocates in the Company's AAOP. Settlement ¶ 37. Aqua's AAOP will report, by zip code, the number of COLSLs replaced in the preceding year. Settlement ¶ 39. Additionally, Aqua's Service Line Inventory will provide zip code information which can be used to identify service lines that have been inventoried and those identified as LSL or Galvanized Requiring Replacement (GRR). Settlement ¶ 38.

Providing data regarding LSLRs to the Commission, the statutory advocates, and CAUSE-PA enhances transparency and accountability. Importantly, data organized by zip code can identify patterns and assess the effectiveness of LSLR efforts. Requiring Aqua to provide detailed information regarding water service termination helps interested stakeholders monitor service terminations. Moreover, this Settlement provision helps ensure that service terminations are conducted in compliance with Aqua's tariff language. Enhanced transparency and accountability for vital water service terminations is in the public interest.

**C. Identification of Environmental Justice Areas and Children's Lead Risk**

Under the Settlement, Aqua will utilize tools available (e.g., the Pennsylvania Department of Environmental Protection's PennEnviroScreen tool or Justice40 Initiative) to identify environmental justice areas and high levels of children's lead risk for targeting of inventory and replacement. Settlement ¶ 40. Using these tools will help Aqua prioritize LSLRs within vulnerable populations. Focusing on areas with high children's lead risk can significantly reduce lead-related health issues for developing children. This provision is in the public interest.

**D. Step-In Rights**

Section 65.58(c)(3) of the Commission's Regulations provides:

An entity may establish a process to address replacement of a customer-owned LSL to avoid termination of service when a property owner who is not the customer is nonresponsive to an entity's offer to replace a customer-owned LSL.

52 Pa. Code § 65.58(c)(3).

In accordance with Section 65.58(c)(3) of the Commission's Regulations, under the terms of the Settlement, the Company will include a section in its tariff providing Step-In Rights to address replacement of a COLSL to avoid termination of service when a property owner who is

not the Customer is nonresponsive to an entity's offer to replace a Customer Owned Lead Service Line (COLSL). Settlement ¶ 41.

The agreed-upon tariff language provides specifically as follows:

A. Step In Rights Defined. In reference to 52 Pa. Code § 65.58(c)(3), Step-In Rights means the right of the Company to avoid termination of service to a property where the resident of the Property is not the property owner, and the property owner is nonresponsive to the Company's offer to replace a COLSL.

The Company can utilize Step-In Rights in the following circumstances where a Customer or occupier of a premise is not the property owner.

1. The Company has attempted to contact the property owner with an offer to replace the COLSL in accordance with the Company's LSLR Plan;
2. The Customer or the occupier of the Property is not the property owner; and
3. The Company has attempted to get authorization to replace the COLSL, the property owner cannot be identified, or the property owner has been notified and has not responded to the Company's offer to replace the COLSL.

B. Circumstances Where the Company Must Use Step-In Rights.

1. The Company shall use Step-In Rights to avoid the termination of water service and replace a COLSL when the Customer or occupant of the Property provides a medical certification signed by a licensed physician, nurse practitioner or physician's assistant to the Company by fax, email or mail (providing the contact information).
2. The Company shall use Step-In Rights to avoid the termination of water service and replace a COLSL when the Customer provides a Protection From Abuse (PFA) order.
3. The Company shall use Step-In Rights to avoid the termination of water service to the Customer or the occupant of the Property except when, in the Company's reasonable judgement, replacement would place its workers or utility facilities at a safety risk and in such instance, the Company may use Step-In Rights at its discretion.

C. After the replacement is complete, the Company will restore roadways and public sidewalks, backfill any trenches excavated as part of the replacement process and will fill and seal any wall or floor penetrations caused by the service line replacement in the structure at the Property (Company Restoration Work). No other restoration will be conducted for the Customer side replacement. The Company will not replace any landscaping, interior finishes, paving, seeding, or walkways (Private Side Restoration Work), and all restoration costs for such Private Side Restoration Work shall be borne by the property owner.

D. When the Company exercises Step-In Rights, the Company's liability shall be limited to the amount in Section 51 of its Water Tariff for any action brought against the Company, its officers, directors, employees and agents for damages arising from any and all liability, including liability to third parties and the property owner, for personal injury, including death, property damage, or other actions, damages, fines, penalties, claims, demands, judgments, losses, costs, expenses, suit and actions (including reasonable attorney's fees), for personal injury, including death, property damage or other injury, to the extent caused by or arising out of the work performed by the Company or its agents in replacing the customer-owned LSL and/or the Company Restoration Work that the Company is responsible for under subsection C above.

Settlement ¶ 41.

Additionally, the Settlement requires that, for any service termination performed at the discretion of the Company in compliance with the above tariff language, the Company shall provide a list of terminations of service detailing the affected location, the reason for the termination, and the service termination date to the Commission, CAUSE-PA, and the statutory advocates in the Company's AAOP. Settlement ¶ 42.

Including Step-In Rights in Aqua's tariff for COLSL replacements benefits Aqua, its customers, and residents affected by COLSL replacements. For customers and residents, Step-In Rights helps prevent the termination of vital water service, which can be harmful for customers. With the tariff language in the Settlement, if a property owner is nonresponsive, the COLSL replacement can still be performed without termination of water service. Moreover, specific Step-In Rights provisions related medical certification and Protection From Abuse (PFA) orders helps

ensure that vulnerable customers receive continued water service. At the same time, the Step-In Rights in the Settlement provide Aqua the necessary discretion it needs to decide to not step-in and to not perform a replacement where doing the replacement would, in the Company's reasonable judgement, place its workers or utility facilities at a safety risk.

For Aqua, the Settlement specifies clear and limited restoration work responsibilities for both Aqua and property owners and provides clear limitation of liability for Aqua relating to the replacement and restoration work. It serves the public interest to limit Aqua's liability when exercising Step-In Rights so that Aqua can be motivated to complete necessary replacements without exposing the Company to unreasonable litigation risk.

Given the public health concerns related to lead, the Settlement's Step-In Rights permit Aqua to take proactive measures to replace COLSLs. Ensuring that all customers and residents do not face prolonged exposure to lead, regardless of the responsiveness of the property owner, promotes equity and the operational efficiency of Aqua. The Step-In Rights contained in the Settlement serve the public interest, and serve and protect the interests of consumers and the utility alike, and thus should be adopted by the Commission.

### III. CONCLUSION

The adoption of the Settlement results in an LSLR Plan with enhanced communications, greater transparency, and a clearer delineation of responsibilities compared to what was originally proposed by the Company. In consideration of the various elements of the Settlement, the OCA finds the Settlement to be in the public interest and in the interest of Aqua's customers. For these reasons and the reasons discussed above, the terms and conditions of the Settlement should be approved by the Commission.

Respectfully submitted,

/s/ Harrison W. Breitman

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Date: December 20, 2024

# Appendix C

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Petition of Aqua Pennsylvania, Inc.** : **Docket No. P-2023-3044459**  
**For Approval of its Lead Service Line** :  
**Replacement Program** :  
:

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**STATEMENT OF  
THE OFFICE OF SMALL BUSINESS ADVOCATE  
IN SUPPORT OF THE  
JOINT PETITION FOR SETTLEMENT**

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**I. Introduction**

The Small Business Advocate is authorized and directed to represent the interests of the small business consumers of utility services in the Commonwealth of Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50. Pursuant to that statutory authority, the Office of Small Business Advocate (“OSBA”) filed a notice of intervention in response to the Petition of Aqua Pennsylvania, Inc. (“Aqua,” or the “Company”) for Approval of its Lead Service Line Replacement (“LSLR”) Program (“Petition”) that was filed with the Pennsylvania Public Utility Commission (“Commission”) on October 23, 2023, and re-filed in response to a request from Technical Utility Services (“TUS”) on November 27, 2023.

The OSBA participated in the negotiations that led to the proposed settlement and is a signatory to the Joint Petition for Settlement (“*Joint Petition*”). The *Joint Petition* addresses the issue raised by this office in this proceeding. Therefore, the OSBA submits this statement in support of the *Joint Petition*.

## **II. The Commission’s Policy on Settlements**

Section 5.231(a) of the Commission’s regulations, 52 Pa. Code § 5.231(a) (Formal Proceedings; Hearings; Settlement and Stipulations; Offers of Settlement) states, as follows:

It is the policy of the Commission to encourage settlements.

Similarly, Section 69.401 of the Commission’s regulations, 52 Pa. Code § 69.104 (Settlement Guidelines and Procedures for Major Rate Cases – Statement of Policy; General) states, as follows:

In the Commission’s judgment, the results achieved from a negotiated settlement or stipulation, or both, in which the interested parties have had an opportunity to participate are often preferable to those achieved at the conclusion of a fully litigated proceeding.

## **III. The Joint Petition is in the Public Interest of Aqua’s Small Business Customers**

The OSBA, the Office of Administrative Law Judge (“ALJ”), and the Commission are aware of the rising costs of utility service for all Commonwealth ratepayers, whether they are residential, small business, or industrial customers. The OSBA’s primary focus in this proceeding has been to make certain that LSLRs proceed at a prudent pace, so as to limit the rate impact of LSLRs on Aqua’s ratepayers, including small business customers.

The *Joint Petition* proposes that Aqua will replace all existing Company-owned and customer-owned lead service lines by December 31, 2027, or sooner if a new deadline is established by the Environmental Protection Agency or the Pennsylvania Department of Environmental Protection. *Joint Petition*, Paragraph 34. The OSBA submits that even if an accelerated 10-year deadline is implemented, the expected rate impact upon Aqua’s small business customers will be *de minimis*.

Therefore, the OSBA has concluded that the *Joint Petition* has addressed the issue of a prudent replacement rate in a just and reasonable manner.

**IV Conclusion**

Therefore, for the reasons set forth in the *Joint Petition*, as well as the factor enumerated in this statement, the OSBA supports the proposed *Joint Petition* and respectfully requests that the ALJ and the Commission approve the *Joint Petition* in its entirety.

Respectfully submitted,

/s/ Steven C. Gray

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Dated: December 20, 2024

# Appendix D

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Aqua Pennsylvania, Inc. : P-2023-3044459  
For Approval of its Lead Service Line :  
Replacement Program :

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**STATEMENT OF THE COALITION FOR AFFORDABLE UTILITY SERVICES  
AND ENERGY EFFICIENCY IN PENNSYLVANIA IN SUPPORT OF THE JOINT  
PETITION FOR SETTLEMENT**

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**Date: December 20, 2024**

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## **I. INTRODUCTION**

The Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA), a signatory party to the Joint Petition for Settlement (Joint Petition or proposed Settlement), by and through its counsel at the Pennsylvania Utility Law Project, respectfully requests that the terms and conditions contained therein be approved without modification by the Honorable Administrative Law Judges (ALJs) Gail M. Chiodo and Alphonso Arnold III, and the Pennsylvania Public Utility Commission (Commission). For the reasons stated more fully below, CAUSE-PA believes that the terms and conditions of the proposed Settlement are in the public interest and should be approved.

CAUSE-PA intervened in this proceeding to ensure that Aqua Pennsylvania, Inc.'s (Aqua or the Company) proposed Lead Service Line Replacement (LSLR) Program is appropriately designed and implemented in a manner which protects low income and other vulnerable consumers in Aqua's service territory from the dangers of lead exposure in their homes, regardless of income level and housing status. CAUSE-PA also sought to ensure that tenants were not unduly placed at risk of termination of water service due to their landlord's failure to participate in Aqua's LSLR Program. CAUSE-PA also shares OCA's concerns about ensuring that non-English speaking households are adequately informed about the dangers of lead exposure and the details of Aqua's LSLR Program in an understandable manner.

CAUSE-PA and the other parties engaged in informal discovery and extensive negotiation to reach an agreement that would ensure that Aqua's propose LSLR program adequately protects low income customers and other vulnerable customer groups from the dangers of lead exposure and service termination to tenants due to unresponsive landlords.

The proposed Settlement reasonably addresses a range of issues raised in CAUSE-PA's petition to intervene and those raised by other parties. While CAUSE-PA's positions were not fully adopted, the resolution of these issues represents a fair and balanced approach which satisfies the many and varied interests of the Settling parties in a reasonable and just manner. As such, and for the specific reasons discussed in further depth below, CAUSE-PA asserts that the proposed Settlement is in the public interest and should be approved without modification.

## **II. BACKGROUND**

For the purposes of this Statement in Support, CAUSE-PA adopts the background and procedural history set forth in Paragraphs 1-31 of the proposed Settlement.

## **III. TERMS AND CONDITIONS OF SETTLEMENT**

For the reasons discussed below, CAUSE-PA asserts that the proposed Settlement presents a reasonably balanced resolution to the issues raised in this proceeding. CAUSE-PA urges the ALJs and the Commission to approve the proposed Settlement as a whole and without modification.

### **A. Communication and Outreach**

CAUSE-PA intervened in this proceeding to help ensure that low income and other vulnerable customers are adequately protected from the dangers of lead exposure and service termination. CAUSE-PA Pet. to Intervene at ¶ 15-19. CAUSE-PA pointed out that the impacts of lead in drinking water disproportionately affect marginalized communities, who have fewer resources to remove lead from their home and face other barriers to accessing programming to assist. *Id.* at ¶ 18. CAUSE-PA shares the concerns raised by the OCA in its comments and prehearing memorandum regarding non-English speakers and the need for printed and broadcast materials

attached to the LSLR plan should be available in Spanish and other commonly used non-English languages in Aqua’s service territories. OCA Comments at 1-2.

Under the terms of the Settlement, Aqua will make written communications to consumers available in English with a notation in Spanish as to how to request the documents in Spanish. Settlement at ¶ 36. Aqua will also include an additional notation as to how to request the documents in the other top two non-English languages spoken in its service territory. *Id.* In addition, Aqua will create a notification letter to the consumer for its Pitcher Filters with notations to request instructions for use of pitcher filter in Spanish and the other top two non-English languages spoken in the service territory. *Id.*<sup>1</sup> Aqua will share with the OCA, CAUSE-PA, and the OSBA the communications, outreach, and education materials promptly after they are finalized or updated. *Id.* at ¶ 35.

These provisions of the Settlement will help ensure that vulnerable customers with limited English proficiency are adequately informed of the dangers of lead exposure and are able to understand the necessary steps to obtaining lead service line replacements through Aqua’s LSLR program. Thus, these terms are just, reasonable, and in the public interest and should be approved by the Commission.

### **B. Reporting**

Under the terms of the Settlement, if Aqua finds lead in a company or customer owned service line in a completed project area, the Company will provide a report detailing the location, number of affected pipes, and the replacement date in the Company’s Annual Asset Optimization Plan (“AAOP”), which will be provided to the Commission, the statutory advocates, and CAUSE-PA. Settlement at ¶ 37. Aqua’s Service Line Inventory will provide zip code information which

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<sup>1</sup> The top two non-English languages spoken, other than Spanish, will be determined by reviewing each county that Aqua serves and determining the two most spoken languages throughout the Company’s entire footprint.

can be used to identify service lines that have been inventoried and those identified as LSL or GRR and Aqua's AAOP will report, by zip code, the number of COLSLs replaced in the preceding year. *Id.* at ¶ 38.

CAUSE-PA supports these provisions of the Settlement, which will improve the ability of the parties to track and evaluate the progress of Aqua's LSLR program and help ensure that LSLRs in Aqua's service territory are conducted in a just and equitable manner. Thus, CAUSE-PA submits that these terms regarding improved reporting are just, reasonable, and in the public interest and should be approved by the Commission.

### **C. High Risk Areas**

In its Comments, Petition to Intervene, and Prehearing Memorandum, CAUSE-PA expressed its concern that Aqua's LSLR program must adequately protect vulnerable populations from the dangers of lead exposure. CAUSE-PA Comments at 1-2, CAUSE-PA Pet. to Intervene at ¶ 18, CAUSE-PA Prehearing Memo at 2-3. In doing so, it is critical that LSLR replacements are prioritized in environmental justice areas, where residents have a greater risk of lead exposure and a correspondingly greater need for assistance.

Under the terms of the Settlement, Aqua will utilize tools available (e.g., the Pennsylvania Department of Environmental Protection's PennEnviroScreen tool) to identify environmental justice areas and areas with high levels of children's lead risk for targeting of inventory and replacement. Settlement at ¶ 40.

Utilizing these tools will help ensure that Aqua's LSLR program conducts its replacements in a just and equitable manner by targeting areas with populations at the highest risk of lead exposure and those with the least means to afford remediation on their own. Thus, this term is just reasonable, and in the public interest and should be approved by the Commission.

#### **D. Tenant Protections**

In its Petition to Intervene and Comments, CAUSE-PA voiced its appreciation for Aqua's consideration of tenant consumers in the development of its LSLR program and the steps that it has taken to protect customers from the dangers of partial LSLR replacements. CAUSE-PA Pet. to Intervene at ¶ 15. However, CAUSE-PA also noted its concerns that Aqua's proposed step in rights, LSLR communications, and other protections for tenants were apparently limited to situations where, "the customer is not the property owner." *Id.* CAUSE-PA explained that Aqua's plan did not adequately address situations where a tenant occupant is not the customer of record but receives service through a lead service line, such as where a tenant's water service is included as a component of rent. *Id.*

In response to CAUSE-PA's concerns, Aqua has already amended its proposed plan by changing the language regarding situations where "the customer is not the property owner," to address situations where the "occupant is not the customer or property owner." *See* Aqua response to TUS Data Requests Set I, P-4 (b), Appendix A at 11.

Additionally, under the terms of the Settlement, Aqua will further strengthen its protections for tenants. Aqua will amend its tariff to provide Step-In Rights to allow it to conduct LSLR replacements to avoid the dangers of termination of service to tenants due to a landlords' non-responsiveness to Aqua's LSLR communications. Settlement at ¶ 41. Aqua will be permitted to use the Step-In Rights where the occupant of a premise is not the property owner, and the Company has tried to get authorization to conduct an LSLR, but the owner is not responsive. *Id.* Aqua will use Step-In Rights for medically vulnerable customers and victims of domestic violence where the customer or occupant of the property provides a medical certificate or has a Protection From Abuse Order or other court order evidencing domestic violence. *Id.* Aqua will use Step-In Right to prevent

the termination of water service to the Customer or the occupant of the Property, unless replacement would create a safety risk. *Id.*

These Step-In Rights are vital to protect vulnerable tenants from the dangers of partial LSL replacements and from the severe consequences of an involuntary water termination caused by the negligence or inaction of a nonresponsive landlord. When landlords fail to comply with the Company's LSLR process, tenants – through no fault of their own – are placed at risk of increased lead exposure or service termination. The inclusion of these Step-In Rights will help ensure that tenants are adequately protected from these risks. Thus, CAUSE-PA submits that these terms are just, reasonable, and in the public interest and should be approved by the Commission.

#### **IV. THE SETTLEMENT IS IN THE PUBLIC INTEREST**

The Commission's regulations lend unambiguous support for settlements and declare: "It is the policy of the Commission to encourage settlements." 52 Pa. Code § 5.231. The Commission has also set explicit policy guiding settlement of a major rate case, explaining in its codified statement of policy that "the results achieved from a negotiated settlement or stipulation, or both, in which the interested parties have had an opportunity to participate are often preferable to those achieved at the conclusion of a fully litigated proceeding." 52 Pa. Code § 69.401. Settlements are preferred, at least in part, because they "lessen the time and expense that Parties must expend litigating a case and, at the same time, conserve resources." *See Commonwealth of Pa. et al. v. IDT Energy, Inc.*, Docket No. C-2014-2427657, at 35-37 (Tentative Order entered June 30, 2016). In reviewing whether to approve a proposed settlement, the Commission must determine whether the terms and conditions are in the public interest based on a preponderance of the evidence "showing a likelihood or probability of public benefits that need not be quantified or guaranteed." *See id.* (quoting *Popowsky v. Pa. PUC*, 594 Pa. 583, 937 A.2d at 1040 (2007)). Historically, the

Commission has defined the public interest as inclusive of ratepayers, shareholders, and the regulated community at large. *See id.* (citing *Pa. PUC v. Bell Atlantic Pennsylvania, Inc.*, Docket No. R-00953409 (Order entered Sept. 29, 1995)). Of course, proposed settlement terms must also be consistent with applicable law. *See id.* (citing *Dauphin County Indus. Dev. Auth. v. Pa. PUC*, 2015 Pa. Commw. LEXIS 381 (Sept. 9, 2015)).

The proposed Settlement was achieved by the Joint Petitioners after an investigation of Aqua's filings. The Joint Petitioners engaged in discovery to investigate Aqua's filings and proposals. The proposed Settlement was developed after extensive negotiation and consideration by the Joint Petitioners.

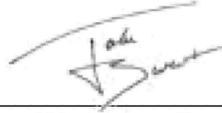
CAUSE-PA asserts that the proposed Settlement is in the public interest. The proposed Settlement represents a balanced compromise of the issues raised by the Settling parties and amicably resolves a substantial number of issues raised in this proceeding, thereby avoiding additional costly litigation on these issues. The proposed Settlement is consistent with Commission rules and practice encouraging settlements, set forth in 52 Pa. Code §§ 5.231, 69.391, 69.401-69.406, and is supported by substantial record evidence. For these reasons, and the reasons set forth throughout this Statement in Support, CAUSE-PA submits the proposed Settlement is just, reasonable, in the public interest, and should be approved without modification.

## V. CONCLUSION

The proposed Settlement was achieved by the Joint Petitioners after an investigation of Aqua's filing and extensive negotiations amongst the parties. CAUSE-PA asserts that the proposed Settlement is a reasonable resolution to a variety of complex issues, is in the public interest, and should be approved. Acceptance of the proposed Settlement avoids the necessity of further administrative and possible appellate proceedings about the settled issues – which would

have been undertaken at a substantial cost to the Joint Petitioners. Accordingly, CAUSE-PA respectfully requests that ALJ Chiodo, ALJ Arnold, and the Commission approve the proposed Settlement without modification.

Respectfully submitted,  
*Counsel for CAUSE-PA*

A handwritten signature in black ink, appearing to read "John W. Sweet", is written over a horizontal line.

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