

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

Public Meeting held February 20, 2025

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Kathryn L. Zerfuss, Dissenting
John F. Coleman, Jr.
Ralph V. Yanora

Joint Application of Deer Haven, L.L.C. and PL Utilities, LLC for approval of: (1) PL Utilities, LLC's acquisition of certain wastewater system assets of Deer Haven, L.L.C.; (2) the abandonment by Deer Haven, L.L.C. of wastewater service to the public in Palmyra Township, Pike County, Pennsylvania; and (3) authorization of PL Utilities, LLC to offer, render, furnish, or supply wastewater service to the public in a portion of Palmyra Township, Pike County, Pennsylvania

Docket Numbers
A-2024-3049591
A-2024-3049587

OPINION AND ORDER

BY THE COMMISSION:

By the joint application (Joint Application) filed on June 18, 2024, Deer Haven, L.L.C (Deer Haven), Utility Code 230106, and PL Utilities, LLC (PL Utilities) (Deer Haven and PL Utilities, collectively Joint Applicants), Utility Code 2127226, seek certificates of public convenience (CPCs) pursuant to Sections 1101 and 1102(a)(2) and (3) of the Pennsylvania Public Utility Code (Code), 66 Pa.C.S. §§ 1101 and 1102(a)(2) and (3), evidencing Pennsylvania Public Utility Commission (Commission) approval of: (1) PL Utilities' acquisition of certain wastewater system assets of Deer Haven; (2) the abandonment by Deer Haven of wastewater service to the public in Palmyra Township, Pike County, Pennsylvania; and (3) authorization of PL Utilities to offer,

render, furnish, or supply wastewater service to the public in a portion of Palmyra Township, Pike County, Pennsylvania.

For the reasons noted below, we shall conditionally approve the Joint Application, pending the Joint Applicants' provision of the documents described herein, evidencing regulatory compliance and the completion of certain wastewater system improvements required to provide wastewater service in the requested service territory.

I. AFFECTED ENTITIES AND BACKGROUND

Deer Haven is a regulated public utility company, duly organized and existing under the laws of the State of New Jersey under the provisions of the New Jersey Limited Liability Company Act, with an address of 839 Route 507, Greentown, Pennsylvania 18426. Deer Haven provides wastewater service to approximately 61 residential customers in a portion of Palmyra Township, Pike County, pursuant to its CPC issued on March 25, 2010.¹ Deer Haven started operating its wastewater facilities and providing service to the public in or around June 2004.² The service territory is comprised of approximately 140 acres of land along the southeastern shore of Lake Wallenpaupack in Palmyra Township, Pike County.

Haven Development is a New Jersey limited liability company with a registered office address of 165 Township Line Road Suite 1500, Jenkintown, Pennsylvania 19046. Haven Development is, or was, a wholly-owned subsidiary of Deer Haven that was formed on June 8, 2004.³ Deer Haven and Haven Development owned approximately 84 acres of property in Palmyra Township, Pike County (the Property), including the land containing the Deer Haven's wastewater treatment plant (Deer Haven WWTP) and most of its wastewater collection system (the Deer Haven Collection System, and together with the Deer Haven WWTP, the Deer Haven Wastewater System).

¹ See, CPC at Docket A-230106.

² See, *Complete Amended Application* of Deer Haven filed on April 18, 2008, at Docket A-230106, Page 7.

³ *Id.*, Pages 1-2.

PL Utilities is a Pennsylvania limited liability company formed in 2015 whose sole member is Jacob Goren (Goren).⁴ PL Utilities has a mailing address of 61 West 62nd Street, #22E, New York, New York 10023. In the Joint Application, PL Utilities noted that it is the owner of a new wastewater treatment plant (PL Utilities WWTP), which was funded through a loan from Goren and is discussed in Section II below. PL Utilities also noted that the construction of the PL Utilities WWTP was substantially completed in 2023.

Pocono Lakefront, LLC (Pocono Lakefront) is a Pennsylvania limited liability company with a registered office address of 865 Route 507, Greentown, Pennsylvania 18426.⁵ Pocono Lakefront was formed in 2010 to develop property within the requested territory. The sole member of Pocono Lakefront is a trust (the Trust) formed by Goren. In 2015, the Pennsylvania Department of Environmental Protection (DEP) issued Water Quality Management Permit No. 5215401, allowing Pocono Lakefront to construct/operate the PL Utilities WWTP and associated wastewater lines and connections. However, DEP approval of the PL Utilities Wastewater Treatment Plant (PL Utilities WWTP) by PL Utilities is conditional on terms discussed in Section II below.

Empire Industries, Inc. (Empire) is a corporation with a principal place of business located at 40 Warren Street, Paterson, New Jersey 07524. Empire is a multinational corporation with more than 50 employees and it is averred that Empire is equipped with the necessary personnel to handle PL Utilities' business needs. Empire manufactures and sells vanities, closets, and cabinets to meet the needs of showrooms and construction projects. Goren is Empire's President. In supplemental information filed with the Commission, PL Utilities provided a copy of an organizational chart that depicted Goren

⁴ Supplemental information filed with the Commission appears to reflect that an individual named Bonnie Goren may have interests related to PL Utilities, the Trust, and conveyances pursuant to the Assignment AIA discussed in Section VI, below.

⁵ See Pennsylvania Department of State Corporation Search at <https://file.dos.pa.gov/search/business>. Retrieved August 13, 2024.

and his relevant business interests connected to PL Utilities' public utility operations, including Pocono Lakefront, the Trust, Goren, and Empire (collectively, the Goren Affiliates).

The Joint Applicants submitted proof of publication and service to the appropriate entities. Notice of the Joint Application was published in the *Pennsylvania Bulletin*, 54 *Pa.B.* 3766, on Saturday, June 29, 2024. The protest period ended July 15, 2024. No protests were filed, and no hearings were held.

On August 1, 2024, Deer Haven filed a Petition with the Commission that requested the issuance of an *ex parte* emergency order appointing Aqua Pennsylvania, Inc. (Aqua) to act as a temporary receiver to operate its Water System and its Wastewater System.⁶ On August 7, 2024, the Commission issued a Secretarial Letter, at Docket No. P-2024-3050549, denying Deer Haven's request for an *ex parte* emergency order with respect to its Wastewater System and declining to impose a receivership for the Wastewater System.⁷ Subsequently, on August 13, 2024, Deer Haven filed a letter (Letter), at Docket No. P-2024-3050549, informing the Commission that, on August 7, 2024, Environmental Services Corporation of Pennsylvania (ESC) informed Deer Haven that it would terminate service as operator of Deer Haven's Wastewater System effective August 9, 2024, due to a past due balance on the account. Deer Haven indicated that, notwithstanding recent payments toward the outstanding balance, ESC terminated service on August 9, 2024, leaving Deer Haven without a certified operator. Deer Haven also indicated that its financials continue to deteriorate to the point where it is considering declaring bankruptcy. Thus, Deer Haven requested that the Commission reconsider its disposition to appointing a receiver for its Wastewater System. Under the circumstances,

⁶ With respect to the Wastewater System, in its Petition Deer Haven requested the issuance of an *ex parte* emergency order directing Aqua to take temporary receivership of the Wastewater System until Pocono Lakefront has secured all regulatory approvals to consummate the transfer of the wastewater utility assets to PL Utilities.

⁷ On August 7, 2024, the Commission entered an *ex parte* emergency order that granted, in part, and denied, in part, Deer Haven's Petition, with respect to Deer Haven's Water System only, as modified by the Commission, at Docket No. P-2024-3050545.

Chairman Stephen M. DeFrank (Chairman) treated Deer Haven’s Letter as a renewed request for *ex parte* emergency relief.

On August 15, 2024, the Chairman entered an *ex parte* emergency order (August 15th Emergency Order) at Docket No. P-2024-3050549 that granted Deer Haven’s renewed request with respect to Deer Haven’s Wastewater System, consistent with the August 15 Emergency Order. The August 15th Emergency Order initiated an investigation into whether the Commission should order a capable public utility to acquire Deer Haven’s Wastewater System pursuant to 66 Pa.C.S. § 529 (529 Investigation). The Commission’s August 15th Emergency Order also directed Aqua Pennsylvania Wastewater, Inc. (APW) to act as the receiver (Receiver) for Deer Haven’s Wastewater System beginning August 15, 2024, and to continue during the pendency of a proceeding pursuant to Section 529(g) of the Code, 66 Pa.C.S. § 529(g).⁸

On August 22, 2024, by Motion of Commissioner Kathryn L. Zerfuss (Motion to Stay), the Commission stayed the Joint Application proceeding, pending the outcome of the Section 529 proceeding, initiated at Docket No. P-2024-3050549, and on August 26, 2024, the Commission entered an order consistent with the Motion to Stay.

On December 17, 2024, Aqua Pennsylvania Water, Inc. and APW (together, Aqua) along with Deer Haven, filed a joint motion to lift the stay of proceedings at Docket Nos. A-2024-3049591 and A-2024-3049587 (Joint Motion to Lift). In the Joint Motion to Lift, Aqua argued that as the Receiver for the Deer Haven Wastewater System it has an interest in having the Commission determine whether to grant a CPC to PL Utilities. If the Commission approves the transfer and grants the CPC, then Aqua’s responsibilities and its customers’ burdens, regarding expenses incurred related to the receivership for the Deer Haven Wastewater System, will be alleviated. On December 18, 2024, the Pennsylvania Office of Consumer Advocate (OCA) filed a letter in reply to the Joint

⁸ Wastewater operations are conducted through Aqua Pennsylvania, Inc’s subsidiary Aqua Pennsylvania Wastewater, Inc. (APW).

Motion to Lift, that indicated the OCA does not oppose the Joint Motion to Lift and submitted that the Deer Haven wastewater customers, who currently rely upon the efforts of Aqua as receiver and operator for utility service, may benefit from the Commission's evaluation and investigation of the Joint Application, pursuant to Section 1103(a) and (b). 66 Pa.C.S. § 1103(a), (b). According to the OCA, lifting the stay would allow the Commission to review and determine whether the grant of certificate of public convenience authority, as requested, is necessary or proper for the service, accommodation, convenience, or safety of the public, pursuant to Section 1103. On December 30, 2024, the Commission's Bureau of Investigation and Enforcement (BIE) filed a letter to confirm that BIE supports the Joint Motion to Lift. On February 20, 2025, the Commission lifted the stay of the proceeding by Order.⁹

II. DISCUSSION

In the Joint Motion to Lift, Aqua averred that it has discovered deficiencies in the Deer Haven WWTP's process leading to partially treated wastewater being discharged into Lake Wallenpaupack and that the Deer Haven WWTP is so unsafe that it cannot permit its employees to enter the facility. As such, Aqua has implemented a pump and haul operation for treatment of the sewage as a temporary solution. In Aqua's Initial Status Report, filed with the Commission on October 15, 2024, at Docket No. P-2024-3050549, it was noted that this continuing pumping and hauling effort requires, on average, one truckload per day at an average cost of \$26,310 per month. Aqua, in the Joint Motion to Lift, further averred that the new PL Utilities WWTP is located approximately 1,000 feet away from the existing Deer Haven WWTP with the same flow rating and is available to be put into operation. Aqua claimed that interconnecting the Deer Haven Wastewater System (System Interconnection) with the PL Utilities WWTP would provide a long-term solution to cure the significant deficiencies present in the current Deer Haven WWTP. However, the Commission notes that DEP has imposed

⁹ Order entered February 20, 2025, at Docket Nos. A-2024-3049591 and A-2024-3049587.

certain conditions that will need to be met by PL Utilities and Deer Haven prior to PL Utilities completing the System Interconnection and operating the PL Utilities WWTP. Additionally, Aqua noted that it has no interest in acquiring the Deer Haven Sewer System at this time and PL Utilities has expressed such interest, as evidenced by its construction of the PL Utilities WWTP and by filing the Joint Application. The Commission agrees with Aqua that the System Interconnection with the PL Utilities WWTP is the best path forward. However, we disagree that the System Interconnection will automatically relieve Aqua from its immediate duties as Receiver.

Under the circumstances of this docket, the Commission notes that PL Utilities possesses the requisite technical, legal, and financial fitness to acquire the Deer Haven Wastewater System. Regarding technical and legal fitness, PL Utilities has significant experience in the wastewater industry as it has constructed, owned, and operated the PL Utilities WWTP. In the Joint Application, PL Utilities also provides that it has reached an agreement with a certified operator to operate the PL Utilities WWTP. Further, PL Utilities notes that it will utilize its affiliate, Empire, for its administrative operations. Empire has been in business since 1976 and currently has over 50 employees. Finally, PL Utilities avers that it will contract with third-party vendors to assist with day-to-day wastewater system operations in compliance with all regulatory requirements.

Regarding financial fitness, PL Utilities notes that its new WWTP cost over \$2.6 million to construct. PL Utilities states that this cost was funded by the members of PL Utilities in cash, evidencing its commitment to the success of the land development project served by PL Utilities, and ultimately, the long-term financial viability of PL Utilities itself. In contrast, Deer Haven does not have the financial, technical, or managerial wherewithal to operate the Deer Haven wastewater system. Therefore, under the facts of the Joint Application and all supplemental information provided, the Commission notes that PL Utilities possesses the requisite fitness to operate the Deer Haven Wastewater System.

As noted in Section I above, and through recent correspondence with DEP's Northeast Regional Office (NRO), Commission staff determined that DEP has imposed conditions that PL Utilities must meet prior to interconnecting the Deer Haven Collection System and beginning the operation of the PL Utilities WWTP. PL Utilities and Deer Haven have not completed the following: an Act 537 Official Sewage Facilities Plan Update; Water Quality Management Permit certification for the PL Utilities WWTP; National Pollutant Discharge Elimination System Permit transfer; decommissioning of the existing Deer Haven WWTP per the decommissioning plan; and, *inter alia*, a Consent Order and Agreement (COA) between Deer Haven, PL Utilities, and DEP must be finalized. As such, the Commission's approval of the Joint Application should be conditioned upon PL Utilities' compliance with aforementioned DEP requirements.

In addition to the DEP issues noted above, there is also a concern related to the land on which the Deer Haven WWTP, and now the PL Utilities WWTP, are situated. On October 25, 2010, Deer Haven, Haven Development, and Pocono Lakefront entered into a Purchase and Sale Agreement (APA) for Pocono Lakefront to purchase the Property, consisting of approximately 84 acres of land, which included the land on which the Deer Haven WWTP and PL Utilities WWTP are situated, from Deer Haven and Haven Development for \$2,500,000. An executed copy of the APA was provided in supplemental information filed with the Commission as the Joint Application's Attachment U. The Joint Applicants assert that per the APA, Pocono Lakefront completed the purchase of the Property and is the current owner of the Property. While avoiding conflation of the sale of non-jurisdictional assets with those under Commission oversight, the Commission notes that, under the APA, Deer Haven sold utility plant-in-service without prior Commission approval. Pursuant to Section 1102(a)(3) of the Code, 66 Pa.C.S. § 1102(a)(3) (relating to acts requiring CPCs), public utilities are required to obtain Commission approval, evidenced by a CPC, of an application for a proposed transfer of the title, possession or use of any property used or useful in service to the public. However, Commission records indicate that Deer Haven has neither applied for

nor received Commission approval for this transfer of the Property.¹⁰ Thus, approval of the Joint Application should also be conditioned on Deer Haven applying for Commission approval of the proposed transfer of jurisdictional utility assets to Pocono Lakefront.

As required by Section 1103(a) of the Code, 66 Pa.C.S. § 1103(a), (relating to procedures to obtain certificates of public convenience), a CPC shall be granted by order of the Commission, only if the Commission shall find or determine that the granting of the CPC is necessary or proper for the service, accommodation, convenience, or safety of the public. The “substantial public interest” standard is satisfied by a simple preponderance of the evidence of benefits. *Popowsky v. Pa. Pub. Util. Comm’n*, 594 Pa. 583, 611, 937 A.2d 1040, 1057 (2007). Further, in granting CPCs, the Commission may impose such conditions as it may deem to be just and reasonable.

Therefore, through this Opinion and Order we will conditionally approve the Joint Application, to act in a timely manner and in the immediate public interest but also to ensure the long term viability of the wastewater public utility being created and its ability to furnish and maintain adequate, efficient, safe, and reasonable service and facilities. As such, the following conditions must be met:

1) Land Transfer

Deer Haven must file an application for Commission approval, *nunc pro tunc*, for the transfer of jurisdictional utility assets to Pocono Lakefront.¹¹

¹⁰ The Commission has previously advised Deer Haven of its statutory responsibility to file a *nunc pro tunc* Section 1102 Application seeking Commission approval of the proposed transfer of its Property to Pocono Lakefront. *See generally, Pennsylvania Public Utility Commission v. Deer Haven, LLC d/b/a Deer Haven Sewer Company*, Order entered May 19, 2011, at Docket Nos. R-2010-2194577, et al.

¹¹ *See*, Ordering Paragraph 1.a.

2) **Water Quality Management Permits**

The Joint Application's Attachment S consisted of a copy of Water Quality Management (WQM) Permit No. 5215401, issued to Pocono Lakefront, approving the construction/operation of sewage facilities including a wastewater treatment plant, sewage conveyance system, and three pump stations. Permit Condition 14 indicated that before the facility is placed into operation, a Pennsylvania licensed professional engineer shall certify that the construction of the permitted facilities was completed in accordance with the application and design materials submitted to DEP using a Post Construction Certification Form. In supplemental information filed with the Commission, the Joint Applicants indicated that the certification had not been completed. The Joint Applicants have not provided a copy of the Post Construction Certification Form, or any verification that the Post Construction Certification Form was submitted to DEP. Further, the Joint Applicants did not provide copies of any WQM permits for Deer Haven's Existing Facilities. We note here that PL Utilities, not Pocono Lakefront, is the entity requesting a certificate to provide wastewater service in the requested service territory. As such, PL Utilities should be the holder of all permits necessary for the operation of all utility plant in service. Therefore, the Joint Applicants must file a copy of the completed Post Construction Certification Form submitted to DEP along with evidence that all necessary WQM permits have been transferred to PL Utilities from Deer Haven and Pocono Lakefront.¹²

3) **National Pollutant Discharge Elimination System Permit (NPDES)**

In supplemental information filed with the Commission, the Joint Applicants provided a copy of NPDES Permit No. PA-0041912. The permit provided expired June 30, 2017, and is held by Deer Haven, L.L.C. For PL Utilities to operate the PL Utilities WWTP, the NPDES permit must be updated, renewed, and transferred to PL Utilities. Therefore, the Joint Applicants must provide evidence that NPDES Permit No.

¹² See, Ordering Paragraph 1.b.

PA-0041912 was updated, renewed and transferred to PL Utilities, all with DEP approval.¹³

4) **Act 537 Official Sewage Facilities Plan Approval**

The Joint Application's Attachment B consisted of a letter dated December 8, 2014, from DEP to Palmyra Township, approving Pocono Lakefront's Act 537 Official Sewage Facilities Plan Revision to construct a new wastewater treatment plant to provide service to all existing connections, 218 proposed townhouses, and a proposed clubhouse. This plan revision did not transfer the provision of wastewater service from Deer Haven to any other entity. As such, the Joint Applicants noted that an additional Act 537 Plan amendment is required to transfer wastewater service from Deer Haven to PL Utilities. In supplemental information filed with the Commission, PL Utilities provided a proposed revision to Palmyra Township's Act 537 Plan (Act 537 Plan Revision) to transfer wastewater service for the requested service territory from Deer Haven to PL Utilities. DEP's NRO indicated that the Act 537 Plan Revision was deemed incomplete and returned to Palmyra Township. Further, DEP indicated that it has not received a complete and revised plan from PL Utilities. Therefore, the Joint Applicants must provide evidence that DEP approved the Act 537 Plan Revision.¹⁴

5) **Decommissioning the Deer Haven WWTP**

DEP's NRO also indicated that to transition wastewater service from the Deer Haven WWTP to the PL Utilities WWTP, the Deer Haven WWTP must be decommissioned so that it is rendered unable to continue discharging. While a decommissioning plan was submitted to DEP, no decommissioning activities have taken place. Once the Deer Haven WWTP is decommissioned, a Notice of Termination must be submitted to DEP for the WQM permit associated with the Deer Haven WWTP. In supplemental information filed with the Commission, PL Utilities indicated that it will be

¹³ See, Ordering Paragraph 1.d.

¹⁴ See, Ordering Paragraph 1.e.

responsible for the decommissioning of the Deer Haven WWTP at an estimated cost of \$68,000. Therefore, the Joint Applicants must provide documentation of the decommissioning of the Deer Haven WWTP, as evidenced by the submission of a Notice of Termination submitted to DEP for the Deer Haven WWTP's WQM permit.¹⁵

6) **Consent Order and Agreement**

DEP's NRO further indicated that to resolve Deer Haven's open violations and transfer the NPDES permit, a COA between DEP, Deer Haven, and PL Utilities must be signed. Violations to be resolved via the COA include late Discharge Monitoring Report (DMR) submissions, incomplete DMR submissions, permit effluent limit exceedances, incorrect sample types taken, no samples taken, missing supplemental forms, nonpayment of annual fees, incomplete NPDES permit renewal application submission, failure to maintain the Deer Haven WWTP, and discharging without a valid NPDES permit. Therefore, the Joint Applicants must file a copy of an executed COA between DEP, PL Utilities, and Deer Haven resolving Deer Haven's open violations.¹⁶

III. CONCLUSION

Based on the foregoing facts, we find that the conditional approval of the Joint Application is necessary or proper for the service, accommodation, convenience and safety of the public. We note here that this Order makes no determination or change to the status of Aqua as Receiver of the Deer Haven Wastewater System and that any determination or change to Aqua's status as Receiver of the Deer Haven Wastewater System will be made at the pending Section 529 proceeding at Docket No.

¹⁵ See, Ordering Paragraph 1.f.

¹⁶ See, Ordering Paragraph 1.g.

P-2024-3050549. As such, the Joint Application shall be conditionally approved consistent with this Opinion and Order; **THEREFORE,**

IT IS ORDERED:

1. That the Joint Application of Deer Haven, L.L.C. and PL Utilities, LLC at Docket Nos. A-2024-3049591 and A-2024-3049587, as supplemented, is hereby approved consistent with this Opinion and Order, conditioned upon Deer Haven, L.L.C. and PL Utilities, LLC satisfactorily filing the following documentation with the Secretary's Bureau at Docket Nos. A-2024-3049591 and A-2024-3049587:

- a. An application filed by Deer Haven, L.L.C. for Commission approval, *nunc pro tunc*, for the transfer of jurisdictional utility assets to Pocono Lakefront;
- b. Evidence that the Pennsylvania Department of Environmental Protection issued PL Utilities, LLC a water quality management permit to operate the wastewater treatment plant constructed under Water Quality Management Permit No. 5215401, that includes a copy of the signed and stamped water quality management Post Construction Certification Form;
- c. Evidence that all other water quality management permits necessary for the operation of wastewater facilities in the requested service territory have been transferred to PL Utilities, LLC, that includes a copy of said permits;
- d. Evidence that the Pennsylvania Department of Environmental Protection transferred National Pollutant Discharge Elimination System Permit No. PA-0041912 from Deer Haven, L.L.C. to PL Utilities, LLC;
- e. Evidence of the Pennsylvania Department of Environmental Protection's approval of an Official Sewage Facilities Act 537 Plan Revision that transfers wastewater service from Deer Haven to PL Utilities and identifies

PL Utilities, LLC as the sole provider of wastewater service within the requested service territory;

- f. A copy of the Notice of Termination filed with the Pennsylvania Department of Environmental Protection indicating that the Deer Haven, L.L.C. Wastewater Treatment Plant was decommissioned.
- g. A copy of an executed Consent Order and Agreement between the Pennsylvania Department of Environmental Protection, PL Utilities, LLC, and Deer Haven, L.L.C., resolving Deer Haven, L.L.C.'s open violations.

2. That upon the Commission's receipt of the documentation required by Ordering Paragraph 1, the Commission's Bureau of Technical Utility Services shall complete a review of the documentation, and upon determination that all conditions have been satisfied by August 31, 2025, the Commission's Secretary's Bureau shall issue a Secretarial Letter noting the compliance with the directives of Ordering Paragraph 1 to the parties identified in Ordering Paragraph 9.

3. That if the documentation required by Ordering Paragraph 1 is not filed with the Commission and determined to be satisfactory by the Commission's Bureau of Technical Utility Services by August 31, 2025, the Joint Application shall be automatically consolidated with the pending 66 Pa.C.S. § 529 proceeding such that the Commission may investigate and address these issues along with whether the Commission should order a capable public utility to acquire Deer Haven, L.L.C.'s Wastewater System pursuant to 66 Pa.C.S. § 529, at Docket No. P-2024-3050549.

4. That following the Commission's issuance of the Secretarial Letter pursuant to Ordering Paragraph 2, a Certificate of Public Convenience shall be issued pursuant to Section 1101(a)(1) of the Public Utility Code, 66 Pa.C.S. § 1101(a)(1), authorizing PL Utilities, LLC to begin to offer, render, furnish, or supply wastewater

service in a portion of Palmyra Township, Pike County, previously served by Deer Haven, L.L.C., consistent with this Order.

5. That within ten (10) days following the Commission's issuance Secretarial Letter pursuant to Ordering Paragraph 2, PL Utilities, LLC shall file an initial tariff with the Secretary's Bureau at Docket No. A-2024-3049591, consistent with the *pro forma* tariff supplement provided in the Joint Application's supplemental information filed with the Commission on July 22, 2024, to become effective on one day's notice.

6. That upon the issuance of the Certificate of Public Convenience pursuant to Ordering Paragraph 4, a Certificate of Public Convenience shall be issued pursuant to 66 Pa.C.S. § 1102(a)(2), evidencing Commission approval of the right of Deer Haven, L.L.C. to abandon wastewater service to the public in Palmyra Township, Pike County, consistent with this Order.

7. That upon the issuance of the Certificate of Public Convenience pursuant to Ordering Paragraph 6, Deer Haven, L.L.C. shall return all copies of previously issued Certificates of Public Convenience to the Commission's Secretary's Bureau; be removed from all active utility lists maintained by the Commission's Secretary's Bureau and the Bureau of Administrative Services; and Deer Haven, L.L.C.'s tariff shall become null and void and will be removed from the Commission's active files.

8. That nothing herein shall be construed as an approval or determination of costs or expenses for the purposes of just or reasonable rates or to exempt PL Utilities, LLC from obtaining all necessary permits, licenses, and approvals from other federal, state, and local government agencies having jurisdiction.

9. That a copy of this Order be served upon Deer Haven, L.L.C., PL Utilities, LLC, Pocono Lakefront, LLC, Aqua Pennsylvania Wastewater, Inc., Aqua Pennsylvania, Inc., the Commission's Bureau of Investigation and Enforcement, the Commission's Bureau of Administrative Services, the Office of Consumer Advocate, the Office of

Small Business Advocate, the Palmyra Township Board of Supervisors, the Palmyra Township Planning Commission, the Pike County Commissioners, the Pike County Planning Commission and the Pennsylvania Department of Environmental Protection – Northeast Regional Office and its Bureau of Regulatory Counsel.

10. That upon the issuance of the Certificates of Public Convenience as outlined in Ordering Paragraphs 4 and 6, or upon the automatic consolidation of the Joint Application with the pending 66 Pa.C.S. § 529 proceeding at Docket No. P-2024-3050549 as outlined in Ordering Paragraph 3, the proceedings at Docket Nos. A-2024-3049591 and A-2024-3049587 shall be closed.

BY THE COMMISSION,



Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: February 20, 2024

ORDER ENTERED: March 7, 2025