



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

IN REPLY PLEASE  
REFER TO OUR FILE

April 4, 2025

Docket No. A-2025-3053794  
Utility Code 230087

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RE: Application of The York Water Company - Wastewater for approval of the right to begin to offer, render, furnish or supply wastewater service to the public in an additional portion of West Manheim Township, York County, Pennsylvania at Docket No. A-2025-3053794

Dear Attorneys Ryan, Hassel and Rulli:

On March 5, 2025, The York Water Company – Wastewater (York Water-WW) filed the above-captioned document (Application) with the Pennsylvania Public Utility Commission (Commission). For the Commission to complete its analysis of the filing, please respond with the information requested in the attached document.

Please forward the information to the Secretary of the Commission at the address listed below **within fifteen (15) business days** from the date of this letter. All documents requiring notary stamps must have original signatures. The Commission strongly encourages submission through efilings with the Secretary of the Commission by opening an efilings account through the Commission website and accepting eservice at <https://efiling.puc.pa.gov>. The Commission is accepting all public documents through our efilings system at this time.

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

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

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

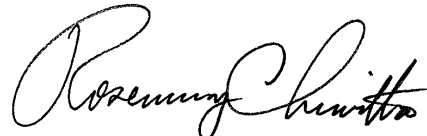
*I, [print name of appropriate company representative], hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made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

Signature \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_

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

In addition, to expedite completion of the review, please send a copy of the response to James Kennedy, in the Water/Wastewater Section of the Bureau of Technical Utility Services via e-mail at [jameskenne@pa.gov](mailto:jameskenne@pa.gov). Please also direct any questions to James Kennedy at telephone number (717) 783-3971. Please note that failure to provide complete responses may result in rejection of the Application. 52 Pa. Code § 3.501(a). Thank you in advance for your cooperation.

Sincerely,



Rosemary Chiavetta  
Secretary

Enclosure: TUS Data Request Set 1

cc: Darryl Lawrence, Office of Consumer Advocate (w/enclosure), [ra-oca@paoca.org](mailto:ra-oca@paoca.org)  
Melanie El Atieh, Office of Consumer Advocate (w/enclosure), [melatieh@paoca.org](mailto:melatieh@paoca.org)  
NazAarah Sabree, Office of Small Business Advocate (w/enclosure), [ra-sba@pa.gov](mailto:ra-sba@pa.gov)  
Allison Kaster, Bureau of Investigation & Enforcement (w/enclosure), [akaster@pa.gov](mailto:akaster@pa.gov)

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

- A-1. The Application did not include a detailed description of the planned facilities for furnishing service. 52 Pa. Code § 3.501(a)(1)(i)(A) requires that utilities provide a full description of the proposed wastewater collection, treatment, and disposal facilities. Please provide a detailed description of the proposed facilities for furnishing service including the wastewater treatment plant (WWTP), Werner Pump Station, and collection system by plant accounts, pipe sizes and material types.
- A-2. 52 Pa. Code § 3.501(a)(1)(i)(B) requires that utilities provide a breakdown of the cost of construction, by major plant category, including the sources of funds used to construct the facilities. Please provide a detailed a breakdown of the projected total construction cost for the requested territory that includes material type descriptions, material quantities, unit costs and extended costs for the WWTP(s), pumping stations, manholes and the wastewater conveyance system delineated by development phase. This breakdown should include the material type and pipe size of the York Water-WW-owned portion of service laterals and should include the cost of appurtenances (e.g., clean-outs, etc.).
- A-3. 52 Pa. Code § 3.501(a)(2)(ii) requires applicants to identify the location or route of proposed wastewater facilities. However, the Application does not identify the location or route of proposed wastewater facilities. Please provide a copy of a map of suitable scale that identifies the location or route of proposed wastewater facilities, including the WWTP, pump stations, manholes, etc.
- A-4. The Application's Section 3(b). indicated that the proposed Joshua Hill Farm Development (Development) will consist of 132 dwelling units and will be constructed in five phases. 52 Pa. Code § 3.501(a)(3)(i) requires that utilities provide an estimate of the number of customer connections in the first, fifth, and tenth years, and when the Development is completed. Please provide responses to the following:
  - a. Provide an estimate of the number of customer connections in the first, fifth, and tenth years; and
  - b. Provide an estimate of the number of customer connections by Development phase.
- A-5. 52 Pa. Code § 3.501(a)(3)(i) requires that utilities provide an estimate of the gallons of wastewater to be treated in the first, fifth, and tenth years, and at the completion of the Development. Please provide responses to the following:
  - a. Quantify the estimated wastewater flows in the first, fifth, and tenth years; and
  - b. Quantify the estimated wastewater flows by Development phase.

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- A-6. 52 Pa. Code § 3.501(a)(5)(i) requires that utilities provide a 1, 5, and 10-year estimate of the operating revenues, operation and maintenance expenses, annual depreciation and taxes. Please provide a 1, 5, and 10-year estimate of the operating revenues, operation and maintenance expenses, annual depreciation and taxes separately for the requested territory and for the Development.
- A-7. In Section 12 of the Application, York Water-WW indicated that Woodhaven Building and Development, Inc. and Joshua Investments, LLC (collectively, “Developers”) have received Pennsylvania Department of Environmental Protection (DEP) National Pollutant Discharge Elimination System (NPDES) Permit No. PA0261343. 52 Pa. Code § 3.501(a)(6)(i) requires that utilities provide a copy of the applicable NPDES permits. Please provide a copy of NPDES Permit No. PA0261343 along with a copy of the DEP approval letter. Also, separately provide evidence that the subject permit was transferred to York Water-WW.
- A-8. In Section 13, Footnote 11, of the Application, York Water-WW indicated that it plans to redesign the treatment facilities and refine the design of the collection system in accordance with its design standards, and that this will require modification of permits. 52 Pa. Code § 3.501(a)(7)(i) requires that utilities address all the applicable requirements or mandates of the DEP. Please provide responses to the following:
- a. Provide the status of the York Water-WW proposed permit modifications with DEP to include copies of any permit modification applications submitted to DEP, correspondence between DEP and York Water-WW, and any DEP-approved permits; and
  - b. Provide a list of any additional permits required to provide wastewater service to the requested territory and the status of those permits.
- A-9. 52 Pa. Code § 3.501(a)(9) requires that utilities demonstrate compliance with Pennsylvania Sewage Facilities Act (Act 537) requirements. Please provide evidence that the Application’s requested territory is compliant with West Manheim Township’s (West Manheim’s) Act 537 Plan, to include any associated plan revisions and DEP approval letters.
- A-10. As the Application’s Exhibit D, York Water-WW provided a copy of a letter from West Manheim indicating that the Application is consistent with the applicable comprehensive plans, Act 537 Plan, and/or zoning ordinances. The letter states the “Plan was consistent at the time it was submitted”. 52 Pa. Code § 3.501(b) states that the Commission will consider and may rely upon the comprehensive plans, multi-municipal plans, zoning ordinances, and joint municipal zoning ordinances, consistent with the authority in sections 619.2 and 1105 of the Municipalities Planning Code (53 P.S. § § 10619.2 and 11105), when reviewing applications for a certificate of public convenience as a wastewater collection, treatment or disposal provider. Please clarify whether the

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Application is still consistent with the adopted comprehensive plans, Act 537 Plan, and/or zoning ordinances.

- A-11. As the Application's Exhibit E, York Water-WW provided a County Land Use Letter from the York County Planning Commission (YCPC Letter). The YCPC Letter indicated that the Application is not consistent with the adopted county or multi-county comprehensive plan because the area in question is an Established Rural Area, where public sewer is discouraged unless necessary to address an existing public health hazard. The YCPC Letter further indicates that West Manheim's Draft Comprehensive Plan Update, currently pending adoption, continues to designate the subject area as Farming/Rural for future use and it is likewise outside of the West Manheim's Designated Growth Area. Please explain how the Application could be revised to comply with York County and West Manheim's comprehensive plans.
- A-12. York Water-WW did not provide evidence of preliminary/final subdivision or land development planning approval for the Development. Please provide responses to the following:
- a. Provide a copy of the municipal approval letter from West Manheim for the most recent approved preliminary subdivision plan including all conditions of approval;
  - b. Provide a complete and legible copy, in electronic format, of the most recent municipally-approved preliminary subdivision plan set for the Development;
  - c. Provide a copy of the municipal approval letters from West Manheim for any municipally-approved final subdivision plan for the Development including all conditions of approval; and
  - d. Provide a complete and legible copy, in electronic format, of any municipally-approved final subdivision plan sets for the Development.
- A-13. In Section 6 of the Application, York Water-WW indicated that the estimated cost of the wastewater facilities for all five phases of the development would be \$27,574,500, including \$21,886,000 for the WWTP, \$1,451,000 for the Werner Pump Station, and \$4,237,500 for the collection system. York Water-WW also indicated that the Developers would contribute \$420,790 for the Werner Pump Station and \$936,721 for the WWTP, for a total contribution of \$1,357,511 ( $\$420,790 + \$936,721 = \$1,357,511$ ). This brings the cost to York Water-WW to a total of \$26,216,989 ( $\$27,574,500 - \$1,357,511 = \$26,216,989$ ). York Water-WW further indicated that the Joshua Hill Farm development (Development) would consist of 132 homes. This results in a cost to York Water-WW per customer of approximately \$198,614 ( $\$26,216,989/132 \text{ customers} = \$198,614 \text{ per customer}$ ). Please explain how the Application, that includes an apparent expenditure of \$198,614 per additional customer, is in the interest of York Water-WW's existing customers.

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- A-14. The Application indicated that the requested territory includes an area of land of approximately 0.62 square miles, which consists of the entire Development and limited parcels (Additional Parcels) between the current boundary of York Water-WW's existing territory and the Development. However, most of the Additional Parcels are located south of the Development, and York Water-WW's existing territory is located northwest of the Development. Please provide responses to the following:
- a. Quantify the area of land for the Development, in acres;
  - b. Quantify the area of land for the Additional Parcels, in acres;
  - c. Quantify the number of potential customers in the Additional Parcels by customer class;
  - d. Provide a copy of any requests for service from potential customers in the Additional Parcels; and
  - e. Provide a map that separately identifies the Development and the Additional Parcels.
- A-15. The Application's Exhibit B included a copy of map (Requested Territory Map) entitled "Exhibit B-2: Proposed Territory Expansion," dated February 12, 2024. The Application's Exhibit C included a written description by bearing angles and distances of the requested service territory's boundaries. However, the boundary line segment labels indicated in Exhibit C are not noted on the Requested Territory Map. Please provide a revised Requested Territory Map that includes the line segment labels noted in Exhibit C next to the associated line segments on the Requested Territory Map and quantify the proposed territory's total area, in acres.
- A-16. Please clarify if West Manheim has a mandatory connection ordinance for wastewater service and, if so, summarize the ordinance's requirements or provide a copy of the subject ordinance.
- A-17. Please indicate whether York Water-WW will require the installation of grinder pumps by customers in the requested service territory. If so, identify the parcels that will be required to install grinder pumps.
- A-18. As the Application's Exhibit N, York Water-WW provided a copy of the Assignment and Assumption Agreement (Assignment Agreement) between West Manheim, Woodhaven Building and Development, Inc. and York Water-WW. However, the Assignment Agreement does not have an effective date and has not been signed by York Water-WW. The Assignment Agreement's Background indicates that the Developers agreed to accept up to 100 equivalent dwelling units (EDUs) equating to approximately 26,000 GPD from outside York Water-WW's existing service territory and the Development from

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properties in West Manheim with failing septic system. The Assignment Agreement appears to define an EDU as 260 GPD (26,000 gallons/day ÷ 100 EDU). Please provide responses to the following:

- a. Clarify the Assignment Agreement's meaning of an EDU in gallons per day;
  - b. Provide a copy of any map or written correspondence from West Manheim to the Developers or York Water-WW that depicts or describes the specific area intended to replace failing on-lot septic systems with wastewater treatment service at the WWTP as intended in the 2005 Agreement between West Manheim and the Developers; and
  - c. Provide an executed copy of the Assignment Agreement that has been signed by York Water-WW.
- A-19. In Section 9 of the Application, Future Capacity, York Water-WW indicated that the proposed WWTP for the Development will be planned with an ultimate design capacity of 3,083 EDUs to be constructed in phases (WWTP Phases) as needed for future development and in case Penn Township either declines or is unable to continue to provide or sell more treatment capacity. Further, in Section 9, Footnote 10, York Water-WW averred that Penn Township has expressed no interest in selling any additional capacity to York Water-WW for existing West Manheim customers beyond the current contracted flow. Please provide responses to the following:
- a. Provide a summary of York Water-WW's WWTP Phases that includes, at a minimum, the design hydraulic and organic capacities, permitted hydraulic and organic capacities, and anticipated average and peak daily hydraulic and organic loadings by phase with the projected start of construction and in service dates by month and year;
  - b. Provide a summary of York Water-WW's planned treatment method and major process components by WWTP Phase; and
  - c. Provide the design details of York Water-WW's planned Werner Pump station along with anticipated capacity including the projected start of construction and in service dates by month and year.
- A-20. By Commission Order entered December 16, 2021, at Docket No. A-2021-3025720 (2021 WMT Order), the Commission approved of the rights of York Water-WW to acquire the wastewater system assets owned by West Manheim and to begin to offer, render, furnish and supply wastewater service to the public in a portion of West Manheim. As noted in the 2021 WMT Order's Section V. Penn Township Bulk Sewer Agreement, York Water-WW provided with the application an executed copy of a Bulk Sewer Agreement (Sewer Agreement), dated April 22, 2021, between York Water-WW

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and Penn Township for the conveyance and treatment of wastewater flows from West Manheim to the Penn Township WWTP. The Sewer Agreement identified the previous agreements and addenda whereby West Manheim had purchased wastewater treatment capacity totaling 550,940 gallons per day (GPD) in the Penn Township WWTP (Purchased Capacity) and acknowledged that York Water-WW would be assigned West Manheim's Purchased Capacity. Specifically, the Sewer Agreement stated that York Water-WW shall be permitted to discharge wastewater flows up to 883 gallons per minute or 1,200,000 GPD to Penn Township's wastewater facilities. Further, in Section III of the 2021 WMT Order, West Manheim's Chapter 94 Municipal Wasteload Management Annual Report for the 2020 calendar year indicated the West Manheim wastewater system conveyed 274,260 GPD for the approximately 2000 residential customers to Penn Township in 2020. Please provide responses to the following:

- a. Quantify the average daily amount of wastewater conveyed by York Water-WW's existing West Manheim certificated service territory to Penn Township; and
- b. Provide a copy of the most recent Chapter 94 Municipal Wasteload Management Annual Report for West Manheim submitted to DEP.