

April 14, 2025

**Via E-file**

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

**Re: Petition of Deer Haven, LLC Requesting an Ex Parte Emergency Order  
Allowing Aqua Pennsylvania, Inc. to Act as a Receiver to Operate the Deer  
Haven Water and Sewer Systems, Docket No. P-2024-3050549**

Dear Secretary Chiavetta:

Enclosed please find Aqua Pennsylvania Wastewater, Inc.'s ("APW") Third Status Report to the Pennsylvania Public Utility Commission (the "Commission"). This Third Status Report is in accordance with APW's Receivership duties for Deer Haven, LLC (Sewer) established by the Commission's *Ex Parte* Order entered August 15, 2024. If you have any questions, please do not hesitate to reach out.

Sincerely,

/s/ Kruti Patel  
Kruti Patel

Encls.  
cc: Service List

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**The Honorable Christopher P. Pell, Presiding**

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**Petition of Deer Haven, LLC Requesting an** : **Docket Nos. P-2024-3050545;**  
**Ex Parte Emergency Order Allowing Aqua** : **I-2024-3051540; P-2024-3050549;**  
**Pennsylvania, Inc. to Act as a Receiver to** : **I-2024-3051541**  
**Operate the Deer Haven Water and** :  
**Wastewater Systems**

**CERTIFICATE OF SERVICE**

I hereby certify that I have, this 14th day of April, 2025, served a true and correct copy of Aqua Pennsylvania Wastewater, Inc.'s Third Status Report, upon the persons and in the manner indicated below:

**VIA E-FILE AND ELECTRONIC MAIL**

**PA PUC**

**E-file Only**

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**THIRD STATUS REPORT TO THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DEER HAVEN, LLC (SEWER)  
AQUA PENNSYLVANIA WASTEWATER, INC., AS RECEIVER

DOCKET NO. P-2024-3050549

**Dated: April 14, 2025**

## A. BACKGROUND

On August 1, 2024, Deer Haven, LLC (Sewer) (“DH Sewer”) filed a Petition requesting that the Pennsylvania Public Utility Commission (“PUC” or the “Commission”) issue an *Ex Parte* Emergency Order Allowing Aqua Pennsylvania, Inc. to Act as a Receiver to Operate the Deer Haven Water and Sewer Systems.<sup>1</sup> The Commission issued a Secretarial Letter on August 7, 2024 denying DH Sewer’s request for an *Ex Parte* Emergency Order. Aqua Pennsylvania, Inc. (“AP”) filed a letter on August 13, regarding the Deer Haven, LLC (Water) (“DH Water”) system, but noted that:

Aqua would also note that while Aqua is aware the Commission denied Deer Haven’s Petition for an *Ex Parte* Emergency Order to name Aqua Pennsylvania Wastewater, Inc. as the Receiver for the Wastewater System, Aqua understands that the operator is no longer performing operations oversight for the Wastewater System as of Saturday, August 10, 2024. Aqua is informing the Commission to ensure that operations oversight is restored as soon as possible to protect the customers of Deer Haven.<sup>2</sup>

Also on August 13, 2024 DH Sewer filed a response to the Commission’s August 7, 2024 Secretarial Letter wherein DH Sewer stated that its current operator was terminating service effective August 9, 2024 due to past due balances owed. When the operator terminated service the DH Sewer wastewater plant (“WWTP”) also lost its Pennsylvania Department of Environmental Protection (“DEP”) licensed operator of record.

On August 15, 2024, the Commission issued an *Ex Parte* Emergency Order naming AP as Receiver of the DH Sewer system.<sup>3</sup> Although the Commission named AP as the Receiver for the DH Sewer system, Aqua Pennsylvania Wastewater, Inc. (“APW”) is acting as the Receiver as DH Sewer is a wastewater system (AP and APW shall be referred to as “Aqua” collectively).

The DH Sewer system serves approximately 62 customers in Palmyra Township, Pike County, Pennsylvania. The DH Sewer system abuts Lake Wallenpaupack and is near several of AP’s water systems including Tanglewood North and Tanglewood Lakes. The Receivership Order was ratified by the Commission through its Ratification Order entered on August 22, 2024. Aqua was directed to assume its Receivership role on August 15, 2024. Included within the Commission’s Receivership Order, the Company was directed to “[s]ubmit an initial status report to the Commission within 60 days of assuming operations and then quarterly thereafter to detail any relevant updates pursuant to duties and responsibilities assigned through receivership.”<sup>4</sup> APW submitted its Initial Status Report on DH Sewer on October 15, 2024. APW submitted its Second Status Report on DH Sewer on January 13, 2025.

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<sup>1</sup> *Petition of Deer Haven, LLC Requesting an Ex Parte Emergency Order Allowing Aqua Pennsylvania, Inc. to Act as a Receiver to Operate the Deer Haven Water and Sewer Systems*, Docket No. P-2024-3050549. (“DH Petition”).

<sup>2</sup> Letter of AP Re: DH Petition, Docket No. P-2024-3050545 (Aug. 13, 2024).

<sup>3</sup> DH Petition, Docket No. P-2024-3050549, *Ex Parte* Emergency Order, Ordering Paragraph No. 5 (Aug. 15, 2024) (“Receivership Order”).

<sup>4</sup> *Id.* Ordering Paragraph No. 5, Appendix A, Paragraph 1.o.

APW now submits its Third Status Report (“Status Report”) on the operations of DH Sewer as directed by the Commission.

## **B. THIRD STATUS REPORT**

### **1. Operations and Capital Expenditures**

On August 15, 2024, APW began its Receivership duties for the DH Sewer system. As discussed in the Initial Status Report, APW has continued to pump and haul wastewater that enters the DH Sewer wastewater treatment plant (“WWTP”).

Since the Second Status Report, APW has made the following improvements to the DH Sewer system:

- i. APW conducted an abbreviated inflow and infiltration (“I&I”) study and a more detailed investigation will need to be completed.

The DH Sewer system experienced one sanitary sewer overflow (“SSO”) on March 12, 2025. APW informed DEP of the SSO on March 13, 2025. A manhole overflowed due to a plug in the 8-inch sewer main. APW was able to contain the wastewater until a vac truck arrived. No wastewater made it to the waters of the Commonwealth.

On March 17, 2025, the DH wastewater treatment plant discharged 5,021 gallons of partially treated wastewater through its outfall. This discharge occurred due to 1.95 inches of precipitation within a 24-hour period from March 16 to 17, 2025, which exceeded the capacity for pumping and hauling. Aqua promptly notified the DEP about the discharge.

As discussed in the Initial Status Report, PL Utilities, LLC (“PLU”) owns a new wastewater treatment plant (“PLU WWTP”) that was designed and constructed to connect to the DH Sewer system upon approval of the joint application to transfer the DH Sewer assets to PLU (“Joint Application”).<sup>5</sup> APW and DH Sewer filed a Joint Motion to Lift the Stay of Proceedings (“Joint Motion”) in the Joint Application proceeding as APW and DH Sewer believed that “the best path forward for the parties and customers, is through approval of the Joint Application.” Joint Motion at 4. On December 18, 2024, the Office of Consumer Advocate (“OCA”) filed a letter indicating that they did not oppose the Joint Motion to lift the stay. The Commission’s Bureau of Investigation and Enforcement (“I&E”) filed a Letter in Support of the Joint Motion on December 30, 2024. The Commission lifted the stay of the Joint Application proceeding through its Order issued February 20, 2025. The Commission then entered an Opinion and Order March 7, 2025 conditionally approving the Joint Application.

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<sup>5</sup> *Joint Application of Deer Haven, LLC and PL Utilities, LLC for the approval of: (1) PL Utilities, LLC’s acquisition of certain wastewater system assets of Deer Haven, LLC; (2) the abandonment by Deer Haven, LLC of wastewater service to the public in Palmyra Township, Pike County, Pennsylvania; and (3) authorization of PL Utilities, LLC to offer, render, furnish, and supply wastewater service to the public in a portion of Palmyra Township, Pike County, Pennsylvania, Docket Nos. A-2024-3049587 and A-2024-3049591 (Jun. 17, 2024). (“Joint Application”).*

APW established a website to provide information to customers concerning the DH Sewer system: <https://www.aquawater.com/deerhaven>. APW initially sent a letter to customers informing them that APW was now acting as Receiver of the DH Sewer system and provided a second notice of how customers could participate in the Section 529 Proceeding.

APW is developing a recommended capital plan for the DH Sewer system and will provide recommendations on capital improvements in a subsequent status report.<sup>6</sup>

As APW continues to operate the system to ensure compliance with the Receivership Order, APW will make improvements necessary to provide quality and reliable service. APW will have further information on operational issues in later reports.

## **2. Financial**

The Receivership Order directed APW to establish the financial position of DH Sewer at the time Aqua assumed its Receivership role.<sup>7</sup> APW is working to establish the financial position of DH Sewer as of the start of APW's Receivership. APW does note that the current revenue for the DH Sewer system does not meet the current costs of operation. APW will continue to track expenses and capital improvements related to the DH Sewer system through deferred accounting treatment via establishment of a regulatory asset in accordance with APW's Receivership duties.<sup>8</sup>

## **C. CONCLUSION**

APW will continue to investigate the system's operations and financial status and will make necessary improvements to operate the DH Sewer system to ensure quality service to the DH Sewer customers for the period of its Receivership duties during the 529 proceeding. APW will provide an update to this Status Report on or before July 14, 2025.

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<sup>6</sup> *Receivership Order*, Ordering Paragraph 5, Appendix A, Paragraph 1.c.

<sup>7</sup> *Id.* Ordering Paragraph 5, Appendix A Paragraph 1.r.

<sup>8</sup> *Id.* Ordering Paragraph 5, Appendix A, Paragraphs 1.s and 2.b.