

MARK J. SHAW, ESQ.
ADMITTED IN PA AND OH
DIRECT DIAL 814-870-7607
E-MAIL MSHAW@MIJB.COM

April 28, 2025

VIA ELECTRONIC FILING

Matthew Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Pennsylvania Public Utility Commission v. Deer Haven, L.L.C. (Water
Docket Nos. P-2024-3050545 and I-2024-3051540

Pennsylvania Public Utility Commission v. Deer Haven, L.L.C. (Wastewater)
Docket Nos. P-2024-3050549 and I-2024-3051541

Dear Secretary Homsher:

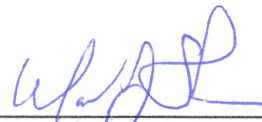
Attached please find the Joint Stipulation of Facts, in the above-captioned matter.

Copies have been served on the parties listed on the attached Certificate of Service.

Very truly yours,

MacDONALD, ILLIG, JONES & BRITTON LLP

By _____



Mark J. Shaw

MJS/nes/1927859.1

Attachments as stated

cc w/attachments: All Parties of Record
The Honorable Chistopher P. Pell (*Via electronic mail*)

4. PLU Exhibits 5 through 9 are true and correct copies of documents reflecting the efforts made thus far by PLU on the Act 537 Plan Update condition.
5. PLU expects to submit the Act 537 Plan Update to DEP for its review and approval imminently.
6. PLU will seek transfer of the Deer Haven wastewater system permits, including the Deer Haven NPDES permit, after approval of the Act 537 Plan Update.
7. PLU will seek transfer of the Water Quality Management Permit held by Pocono relating to the construction of the new treatment plant to PLU, after approval of the Act 537 Plan Update.
8. PLU has been negotiating the Consent Order and Agreement with DEP and Deer Haven, and the parties have exchanged drafts.
9. PLU will decommission the Deer Haven treatment plant after PLU obtained the various required approvals and completes the connection of the new plant to the system.
10. There are two issues before the Delaware River Basin Commission. First, PLU needs to replace Pocono Lakefront as a party with PLU as the party. Second, PLU needs to extend the date on the current Commission permit, which is currently effective pending the DRBC's decision on the request for extension. These two issues will come before the Commission in August and September, 2025 and PLU does not expect any issues.
11. These two issues will not prevent PLU from satisfying the conditions contained in the PUC's Order.
12. PLU currently is not aware of any issues that will prevent it from completing the conditions by the PUC's August 31, 2025 deadline.
13. Deer Haven will file the Application for nunc pro tunc approval of the 2010 sale of land to Pocono Lakefront as per the Commission's Order conditionally approving the PLU/Deer Haven Application
14. PLU will provide progress updates on all the items within this stipulation to the parties every 30 days.
15. PLU will also update the parties on any issues that may affect the timing of approvals from the DEP as soon as reasonably practical, if it would be projected to extend approval timelines past the PUC's August 31, 2025 deadline. For example, any delays in the Act 537 Update approval process from DEP.

16. Deer Haven currently serves 60 customers, including 20 residential customers situated within the White Pines on the Lake HOA.
17. The 20 housing units in the White Pines HOA is included in Deer Haven's PUC-certificated service area at Docket No. A-230106.
18. The 20 customers residing in White Pines are individually billed by Deer Haven (and individually billed by Aqua as receiver) on a quarterly basis under the residential rate set forth in the Deer Haven tariff effective June 1, 2011 (2011 Tariff), which is currently available on Aqua's website as receiver, and which is currently a monthly flat rate of \$46.60.
19. The White Pines HOA currently owns and bears the responsibility to operate, maintain, and repair a collection system comprised of two pump houses containing two pump stations, a collection main line, and related appurtenances (Collection Facilities) that connect to and pump the sewage of the 20 housing units into the facilities owned by Deer Haven.
20. The White Pines HOA Collection Facilities are located approximately 200 feet from Lake Wallenpaupack.
21. The White Pines HOA has previously requested Deer Haven to take ownership of and assume responsibility for operation, maintenance, and repair of the Collection Facilities, and Deer Haven has not agreed.

Dated: April 28, 2025

Respectfully submitted,

/s/ Mark J. Shaw

Mark J. Shaw, Esq. (I.D. No.)
MacDONALD, ILLIG, JONES & BRITTON LLP
100 State Street, Suite 700
Erie, Pennsylvania 16507-1459
(814) 870-7607
FAX (814) 454-4647
mshaw@mijb.com

/s/ Scott B. Granger

Allison C. Kaster, Esq.
Scott B. Granger, Esq.
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105
akaster@pa.gov
sgranger@pa.gov
Counsel for I&E

/s/ Adeolu A. Bakare

Adeolu A. Bakare, Esq.
Harrison R. Block, Esq.
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17101
abakare@mcneeslaw.com
rblock@mcneeslaw.com
Counsel for Deer Haven, LLC

/s/ Melanie Joy El Atieh

Melanie Joy El Atieh, Deputy Consumer
Advocate
Barrett C. Sheridan, Asst. Consumer
Advocate
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101
melatieh@paoca.org
bsheridan@paoca.org
ocadeerhaven@paoca.org
*Counsel for Darryl A. Lawrence
Consumer Advocate*

/s/ Kruti B. Patel

Courtney L. Schultz, Esq.
Kruti B. Patel, Esq.
Saul Ewing, LLP
1500 Market Street, 38th Floor
Philadelphia, PA 19102
courtney.schultz@saulewing.com
kruti.patel@saulewing.com
Counsel for Aqua Pennsylvania, Inc.

/s/ Steven C. Gray

Steven C. Gray, Esq.
Office of Small Business Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101
sgray@pa.gov
Counsel for Office of Small Business Advocate