



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

IN REPLY PLEASE
REFER TO OUR FILE

June 9, 2025

Docket Nos. A-2025-3053636 &
A-2025-3053635
Utility Codes 2327765 &
230001

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RE: Joint Application of Hurlbut Family Partnership d/b/a High Meadows Mobile Home Park and PWF | High Meadows, LLC d/b/a High Meadows, for approval, *nunc pro tunc*, of the rights of: (1) Hurlbut Family Partnership to transfer certain public wastewater facilities and rights to PWF | High Meadows, LLC; (2) Hurlbut Family Partnership to abandon wastewater service to the public in Allegheny Township, Westmoreland County; and (3) PWF | High Meadows, LLC to begin to offer, render, furnish or supply wastewater service to the public in a portion of Allegheny Township, Westmoreland County, Pennsylvania at Docket Nos. A-2025-3053636 & A-2025-3053635

Dear Attorney Dunlap:

On February 27, 2025, Hurlbut Family Partnership (High Meadows MHP) and PWF | High Meadows, LLC; (PWF) filed the above-referenced document (Joint Application) with the Pennsylvania Public Utility Commission (Commission). To assist the Commission in conducting the review of the Joint Application, please respond with the information requested in the attached "TUS Data Request Set 1".

Please forward the information to the Secretary of the Commission at the address listed below **within ten (10) business days** from the date of this letter. Make sure to reference the docket number listed above when filing your response. Please note that some responses may be e-filed to your case, <http://www.puc.pa.gov/efiling/default.aspx>. A list of document types allowed to be e-filed can be found at <http://www.puc.pa.gov/efiling/DocTypes.aspx>. All documents requiring notary stamps must have original signatures.

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

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 _____

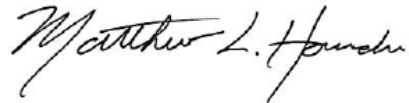
Title _____

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 your response to Clinton McKinley in the Water/Wastewater Section of the Bureau of Technical Utility Services via e-mail at cmckinley@pa.gov. Thank you in advance for your cooperation.

Sincerely,



Matthew L. Homsher
Secretary

Enclosure: TUS Data Request Set 1

cc: Darryl Lawrence, Office of Consumer Advocate, (w/enclosure), ra-oca@pa.gov
Melanie El Atieh, Office of Consumer Advocate, (w/enclosure) melatieh@paoca.org
NazAarah Sabree, Office of Small Business Advocate, (w/enclosure), ra-sba@pa.gov
Allison Kaster, Bureau of Investigation and Enforcement, (w/enclosure) 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 Please provide evidence that the \$350 application filing fee has been paid to the Commission, pursuant to Subchapter 1.43 of the Commission regulations at 52 Pa. Code § 1.43.
- A-2 In Section 16 of the Joint Application, the Joint Applicants indicated that the wastewater treatment plant (WWTP) treated 3,439,672 gallons of wastewater in 2024. Please provide responses to the following:
- a. Quantify the average daily flow, in million gallons per day, of the WWTP for 2024 by month;
 - b. Quantify the permitted organic loading of the WWTP;
 - c. Quantify the average and peak organic loading of the WWTP in 2024 by month; and
 - d. Provide a statement as to whether the WWTP is projected to be hydraulically or organically overloaded within the next five years.
- A-3 Please quantify the projected average daily hydraulic and organic loading of the wastewater system, by year, for the next five years, and clarify if the WWTP and collection system (High Meadows System) has adequate capacity to meet the current and future needs of the customers within the requested service territory.
- A-4 In Section 16 of the Joint Application, the Joint Applicants indicated that the wastewater collection system included eight-inch-diameter concrete and polyvinyl chloride (PVC) mains, as well as four-inch-diameter concrete and PVC lateral lines, and concrete block manholes. Please provide a detailed breakdown of all the wastewater system assets, by major plant category, that includes a description of each asset and identifies the size, material type, and quantity of each asset.
- A-5 Please quantify PWF's projected capital improvement expenses for the first five years of its ownership of the High Meadows System broken down by major plant accounts and by year.
- A-6 Please identify the anticipated source of funding PWF plans to use for any projected capital improvements.

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- A-7 Section 17 of the Joint Application and the Pro Forma Tariff, provided as the Joint Application's Exhibit E, indicated that PWF intends to increase rates applicable to residential customers and the High Meadows Mobile Home Park. However, the Joint Application does not include the information required to be furnished with the filing of a rate change. Please revise the Joint Application and Pro Forma Tariff to either adopt the existing rates of High Meadows MHP or to meet the applicable requirements of Chapter 53 of Commission regulations at 52 Pa. Code §§ 53.31 through 53.54.
- A-8 By Commission Order entered February 8, 1990, at Docket No. A-230001 (1990 Order), the Commission permitted High Meadows MHP's Tariff Sewer-Pa. P.U.C. No 1 to become effective February 9, 1990 (Effective Tariff). The Effective Tariff appears to provide a rate for all non-metered customers of High Meadows MHP but does not provide a "Bulk Customer" rate. Likewise, the map of the requested service territory provided at Docket No. A-230001 and approved by the 1990 Order encapsulates the High Meadows Mobile Home Park and the High Meadows Residential Development. However, in Section 25 of the Joint Application, the Joint Applicants stated that only a portion of the High Meadows System is subject to Commission jurisdiction and the Pro Forma Tariff indicated that the High Meadows Mobile Home Park is not subject to PUC jurisdiction. However, the Commission notes that High Meadows MHP appears to have been charging the rate in its Effective Tariff to all customers within the requested service territory. As such, please provide a revised Pro Forma Tariff that conforms to Commission regulations and the 1990 Order.
- A-9 The Joint Application's Exhibit E consisted of a *pro forma* initial tariff (Pro Forma Tariff) for PWF. The Pro Forma Tariff does not match the format of a wastewater public utility tariff required by Chapter 53 of Commission regulations at 52 Pa. Code § 53. The Commission notes that sample tariffs for wastewater companies can be found at <https://www.puc.pa.gov/filing-resources/forms/waterwastewater-forms/>. Please provide a revised Pro Forma Tariff that meets the requirements of 52 Pa. Code § 53.
- A-10 In Section 17.b. of the Joint Application, the Joint Applicants indicated that under the effective tariff for High Meadows MHP, each residential customer in the High Meadows RD is charged a flat rate of \$15.05 per month for wastewater service and the High Meadows MHP is charged a flat \$1,068.55 per month. However, High Meadows MHP's effective tariff on file with the Commission indicates that all customers are charged \$15.05 per month and does not identify the referenced \$1,068.55 per month. Please provide responses to the following:

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- a. Confirm that prior to the transaction identified in the Joint Application, High Meadows RD customers were charged a rate of \$15.05 per month, and High Meadows MHP was charged a flat rate of \$1,068.55 per month (71 customers x \$15.05 per month per customer = \$1,068.55 per month);
 - b. Identify the rates that PWF currently bills customers, by customer class, for wastewater service within the requested service territory; and
 - c. If PWF has billed customers at rates other than the rates identified in High Meadows MHP's effective tariff, identify the date upon which PWF began charging these rates, the rates charged, and the total revenue collected by PWF.
- A-11 The Joint Application's Exhibit B included a copy of a recorded deed and legal description (High Meadows Deed) for five parcels of land, Westmoreland County Parcel IDs 42-01635-00000, 42-01651-00000, 42-01640-00000, 42-01644-00000, and 42-01637-00000, being transferred from High Meadows MHP to PWF. Additionally, the Joint Application's List of Exhibits indicated that Exhibit C included a map of the requested service territory and legal description. However, Exhibit C did not include a legal description and Exhibit B does not meet the requirements of Commission regulations. Pursuant to 52 Pa. Code § 3.501(a)(2)(i), an application must include a written description of the requested service territory by bearing angles and distances. Please provide a revised Exhibit B that includes a written description of the requested service territory by bearing angles and distances that also quantifies the total area of land, in acres.
- A-12 The Joint Application's Exhibit C included a copy of a map that is not legible and does not meet the requirements of Commission regulations at 52 Pa. Code § 3.501(a)(2)(ii) through (iv). Please provide a revised Exhibit C that includes a legible map which depicts the boundaries of the area of land for the requested service territory and meets the requirements of 52 Pa. Code § 3.501(a)(2)(ii) through (iv).
- A-13 Please verify that PWF maintains a copy of all maps, plans, and records at an office located in the territory served by it, open for examination by the Commission or representative of the Commission.
- A-14 Please provide evidence that the Joint Application meets the requirements of any officially adopted county comprehensive plans, municipal comprehensive plans, and applicable zoning designations, including any necessary amendments.

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- A-15 Please provide evidence that the Joint Application complies with the Department of Environmental Protection (DEP)-approved Act 537 Sewerage Facilities Official Plan for Allegheny Township, Westmoreland County (Allegheny Township Act 537 Plan), including any related revisions (i.e., special studies, planning modules, etc.) and exemptions.
- A-16 Please provide a copy of the DEP-approved Allegheny Township Act 537 Plan, including any related revisions (i.e., special studies, planning modules, etc.) and exemptions.
- A-17 The Joint Application's Exhibit G included a copy of the DEP-approved National Pollutant Discharge Elimination System (NPDES) Permit No. PA0034815 for the WWTP. However, no copies of any DEP water quality management permits were included in the Joint Application. Please provide responses to the following:
 - a. Submit copies of all water quality management permits (WQM Permits) issued by DEP for the construction and operation of the High Meadows System;
 - b. Provide evidence that all WQM and NPDES permits required to operate the High Meadows System have been transferred from High Meadows MHP to PWF by DEP; and
 - c. If the WQM and NPDES permits have not been transferred to PWF, provide copies of all DEP transfer applications and indicate the projected date PWF expects to receive DEP approval.
- A-18 Please provide copies of the DEP Discharge Monitoring Reports for the WWTP for the preceding twelve-month period commencing December 2024.
- A-19 Please provide a 5-year compliance history with DEP for the WWTP and collection system with an explanation of each violation.
- A-20 Please verify that PWF has received and maintains, in its name, all necessary easements and rights-of-way necessary to maintain and operate the wastewater treatment facilities necessary to provide wastewater service within the requested service territory.
- A-21 Please provide a copy of a current organizational chart for PWF that depicts PWF's parent, subsidiary(s), and affiliate companies.
- A-22 Please state if High Meadows MHP and PWF are or were affiliated with one another.

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- A-23 Please clarify whether this transaction was conducted at arm's length.
- A-24 If PWF is requesting Commission consideration of any affiliated interest agreement, as described in Chapter 21 of the Public Utility Code, 66 Pa.C.S. § 2102, please provide copies of any affiliated interest agreements and revise the Joint Application to identify this request.
- A-25 In Section 10 of the Joint Application, the Joint Applicants indicated that PWF calculated the loans, held by Five Star Bank in California, associated with the wastewater system total \$196,000. Please provide a copy of the loan agreement with Five Star Bank and detail the basis of how PWF calculated that \$196,000 of the total loan was an appropriate allocation to the wastewater system.
- A-26 Please provide copies of PWF's two most recent Federal Income Tax Return filings.
- A-27 If PWF's tax returns reflect an operating loss, describe in detail how the operating losses are subsidized, supported by an analysis of the future viability of PWF and its ability to operate the wastewater system assets.
- A-28 Please provide a description of the tentative journal entries that PWF intends to record in its books to record the purchase of the wastewater system.
- A-29 Please identify the current water service provider for customers within the requested service territory.
- A-30 Please explain how approval of the Joint Application would benefit High Meadows MHP's existing customers.
- A-31 The verification statement (Hurlbut Verification) by Dean Hurlbut provided in the Joint Application is not legible. Provide a legible copy of the Hurlbut Verification.
- A-32 Please verify that PWF intends to keep its accounts in conformity with the most recent *Uniform System of Accounts for Class C Wastewater Companies* prescribed by the National Association of Regulatory Utility Commissioners.
- A-33 Please provide evidence that the required noticing detailed in the Secretarial Letter dated February 27, 2025 (February Sec. Letter), at Docket Nos. A-2025-3053635 and A-2025-3053636 has been published once a week for two consecutive weeks in a newspaper having a general circulation in the area involved.

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A-34 Please provide evidence that copies of the Joint Application have been served upon the parties identified in the February Sec. Letter pursuant to 52 Pa. Code §§ 1.57 and 1.58.