



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

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

DOCKET NO. P-2024-3050549

Dated: July 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.¹ 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.²

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.³ 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.”⁴ 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. APW submitted its Third Status Report on April 14, 2025. APW submitted an Updated Third Status Report on June 17, 2025.

¹ *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”).

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

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

⁴ *Id.* Ordering Paragraph No. 5, Appendix A, Paragraph 1.o.

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

B. FOURTH 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 Third Status Report, APW has made the following improvements to the DH Sewer system:

- i. Installed a RSG35 for totalizer to monitor tank levels and discharge flow.
- ii. APW also opened manholes during and after rain events to review inflow and infiltration.

The DH Sewer system experienced discharges to Lake Wallenpaupack during the months of May and June due to heavy rain events which contributes to substantial inflow and infiltration that overloads the treatment plant and the pumping and hauling operation. A summary of the discharges to Lake Wallenpaupack are included in this Status Report as **Attachment A**. Aqua has been directed by DEP to collect samples and perform daily testing for any 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”).⁵ 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.

PLU has provided two updates to the progress on the PUC’s requirements in the March 7, 2025 Order. The first update was provided on May 30, 2025 (which was included in Aqua’s

⁵ *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”).*

Updated Third Status Report) and the second update was provided on June 27, 2025 which is included here in this Status Report as **Attachment B**.

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.⁶

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.⁷ 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.⁸

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 October 13, 2025.

⁶ *Receivership Order*, Ordering Paragraph 5, Appendix A, Paragraph 1.c.

⁷ *Id.* Ordering Paragraph 5, Appendix A Paragraph 1.r.

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

Attachment A

Deer Haven Sewer
Discharges

Attachment A

Date	Tank Level	# of Loads Hauled	Gallons Hauled	Precip.	Effluent Meter Read	Effluent to Lake (gal.)
5/7/2025	9.1'	9	63,000	2.25"	319,799	42,226
5/9/2025	9.5'	4	27,200	3.0"	378,637	58,838
5/10/2025	9.2'	6	30,000	0"	461,097	82,460
5/11/2025	9.0'	0	-	0"	526,367	65,270
5/12/2025	8.4'	5	23,000	0"	545,534	19,167
5/15/2025	9.0'	1	4,500	0.75"R	579,581	34,047
5/16/2025	8.1'	3	14,000	0.15"R	615,897	36,316
5/17/2025	8.9'	0		0.50"R	668,351	52,418
5/18/2025	8.4'	0		0"	695,560	27,209
5/20/2025	8.0'	3	13,500	0"	727,425	31,865
5/21/2025	7.9'	2	9,000	0"	736,618	9,193
5/22/2025	8.4'	2	8,000	0.75"R	752,380	15,762
5/23/2025	8.8'	3	12,000	0.50"R	779,208	26,828
5/24/2025	8.1'	5	21,000	0.25"R	798,677	19,469
5/25/2025	7.9'	4	17,000	0.35"	808,248	9,571
5/26/2025	7.8'	4	19,000	0.20"	817,128	8,880
5/27/2025	8.6'	2	8,000	0.15"	822,371	5,243
5/28/2025	8.0'	3	12,000	0.25"	827,407	5,036
5/29/2025	8.1'	2	8,000	0"	831,747	4,340
5/30/2025	8.1'	3	15,000	0"	835,740	3,993
5/31/2025	8.4'	4	20,000	1.75"R	853,776	57,968
6/1/2025	8.5'	4	19,000	0.20"	911,744	60,272
6/2/2025	8.7'	3	14,000	0.30"R	927,016	9,995
6/3/2025	8.1'	2	9,500	0.10"R	937,011	10,593
6/4/2025	7.3'	4	13,000	0.10R	947,604	4,095
6/5/2025	8.3'	3	12,000	0.15"R	951,699	4,492
6/6/2025	8.1'	3	11,600	0.10"	956,191	3,695
6/7/2025	8.1'	2	8,000	0"	959,886	60,647
6/8/2025	8.8'	3	12,000	0"	1,020,533	29,893
6/9/2025	8.7'	3	12,000	0.50"R	1,050,426	23,997
6/10/2025	8.8'	3	13,000	0.25"R	1,074,423	22,395
6/11/2025	7.7'	10	45,500	0.15"R	1,096,818	740
6/14/2025	3.8'	7	33,500	0.75"R	1,097,558	6,362
6/15/2025	4.3'	7	32,500	0.10"R	1,103,920	1,553
6/16/2025	5.0'	7	28,500	0.10"R	1,105,473	850
6/18/2025	5.4'	7	34,000	0.10"R	1,106,323	5,502
6/19/2025	7.4'	9	43,500	0.25"R	1,111,825	1
6/21/2025	4.8'	6	28,000	0"	1,111,826	37
6/22/2025	4.6'	6	28,000	trace	1,130,863	26,970
6/25/2025	6.4'	2	8,000	0"	1,157,833	4,105

Attachment B

From: Mark J. Shaw <mshaw@mijb.com>

Sent: Friday, June 27, 2025 3:51 PM

To: Schultz, Courtney L. <courtney.schultz@saul.com>

Cc: Patel, Kruti B. <kruti.patel@saul.com>; Bakare, Adeolu <abakare@mcneeslaw.com>; Granger, Scott <sgranger@pa.gov>; Gray, Steven <sgray@pa.gov>; El Atieh, Melanie J. <melatieh@paoca.org>; Block, Ryan <RBlock@mcneeslaw.com>; Sheridan, Barrett <BSHERIDAN@PAOCA.ORG>; Stahl, Alexander R <astahl@aquaamerica.com>; Joyce, Kimberly A <kajoyce@essential.co>; McCaulley, Errin <EMccaulley@mcneeslaw.com>

Subject: [EXTERNAL] RE: Deer Haven Section 529 - PLU 30-Day Update

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

All,

Here is the June Status Report:

1. Act 537 Plan - PLU has directed its engineer create an as-built for the plant and execute a certificate of completion. The engineer has inspected the plant and is preparing the as-built. The plan is to submit the complete Act 537 package, including the permit applications, as-builts and the Certification, to DEP either at the end of next week or beginning of the following week.
2. PLU and Deer Haven have executed the NPDES permit transfer application documents, which will be submitted with the Act 537 Plan submission.
3. PLU and Pocono have executed the WQM permit transfer application, which will be submitted with the Act 537 Plan submission.
4. PLU, Deer Haven and Pocono have exchanged further drafts of the Consent Order and Agreement and expect the document to be executed shortly.
5. PADEP has approved the decommissioning plan for the existing wastewater treatment plan.
6. See #1 above.
7. Deer Haven has advised that it expects to file the Application for nunc pro tunc approval of the 2010 sale of land to Pocono Lakefront shortly.
8. Between June 4, 2025 and June 26, 2025, PLU/Pocono has had several email communications with the Delaware River Basin Commission answering miscellaneous questions.

Thanks.

Mark