



VIA E-FILING

July 14, 2025

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

**Re: Application of Aqua Pennsylvania Wastewater, Inc. pursuant to Section 1102 of the Public Utility Code for Approval of its Acquisition of the Wastewater System Assets of Breyer Master Association, Breyer Court Condominium Association, Breyer Woods Condominium Association, One Breyer Estates Condominium Association, and Salus University
Docket No. A-2025-3054123**

Dear Secretary Homsher:

Enclosed please find Aqua Pennsylvania Wastewater, Inc.'s ("Aqua") responses to the Pennsylvania Public Utility Commission's ("PUC" or the "Commission") Bureau of Technical Utility Services ("TUS") Data Request Set 3.

If you have any questions regarding this filing, please contact me at 610-645-1130 or by email at astahl@aquaaamerica.com.

Sincerely,


Alexander R. Stahl
Regulatory Counsel

cc: Certificate of Service
Susan Johnson, Bureau of Technical Utility Services (via email, suejohnso@pa.gov)

Enclosures

APPLICATION OF AQUA PENNSYLVANIA WASTEWATER, INC.

DOCKET NO. A-2025-3054123

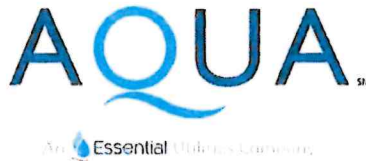
BUREAU OF TECHNICAL UTILITY SERVICES

SET III DATA REQUESTS

- TUS-A-18** Data Request A-7 asked that APW provide a statement confirming that the Application does or does not meet all the applicable requirements or mandates of Cheltenham Township's officially adopted comprehensive plan and applicable zoning designations, including any necessary amendments and Montgomery County's officially adopted comprehensive plans, including any necessary amendments. APW's response to Data Request A-7 provided land use compliance verification request letters from APW to Cheltenham Township and Montgomery and that indicated that APW is waiting for responses as Attachment 1. Please provide either:
- a. Copies of responses to APW's land use compliance verification form letters from Cheltenham Township and Montgomery County; or
 - b. A verified statement from APW confirming that the Application does or does not meet all the applicable requirements or mandates of the following:
 - i. Cheltenham Township's officially adopted comprehensive plan and applicable zoning designations, including any necessary amendments; and
 - ii. Montgomery County's officially adopted comprehensive plan, including any necessary amendments.

RESPONSE

Please see TUS-A-18 Attachment 1 and 2.



VIA U.S. MAIL

May 22, 2025

Thom Cross, Chair
Cheltenham Township Planning Commission
8230 Old York Road
Elkins Park, PA 19027

Re: Aqua Pennsylvania Wastewater, Inc. Application to Acquire Wastewater System Assets in Cheltenham Township

Dear Mr. Cross:

Aqua Pennsylvania Wastewater, Inc. ("Aqua") has submitted an Application with the Pennsylvania Public Utility Commission ("PUC") to approve Aqua's acquisition of the wastewater system assets of Breyer Master Association, Breyer Court Condominium Association, Breyer Woods Condominium Association, One Breyer Estates Condominium Association, and Salus University, and the right to offer, render, furnish, or provide wastewater service to the public in Cheltenham Township, Montgomery County, Pennsylvania, at PUC Docket No. A-2025-3054123. Attached is a map showing the area of the system to be acquired in Cheltenham Township.

As part of the application process, Aqua is seeking the Township's input for the purpose of determining if Aqua's Requested Service Territory complies with this Township's land use and Act 537 planning.

Specifically, Aqua requests that the Township reviews the following questions:

- 1. Are there adopted comprehensive plans for the municipality involved? (Y/N) Y
- 2. Is there an adopted County comprehensive plan? (Y/N) Y
- 3. Is there an adopted multi-municipal or multi-county comprehensive plan? (Y/N) Y
- 4. Is there an adopted County or municipal zoning ordinance or joint municipal zoning ordinance? (Y/N) Y
- 5. Is the acquisition of this system consistent with these comprehensive plans and/or zoning ordinances? (Y/N) Y
- 6. Is the acquisition of this system consistent with the municipality's Act 537 Plan? (Y/N) Y

Please fill out the above and sign below, or submit a letter, indicating your responses.

Thom Cross, Chair
May 22, 2025
Page 2 of 2

If you have any questions, please call me at (610) 645-1130 or e-mail
astahl@aquaamerica.com.

Sincerely,



Alexander R. Stahl, Esq.
Regulatory Counsel

Enclosure

Aqua Pennsylvania Wastewater, Inc.'s application to acquire the subject system is consistent with the applicable comprehensive plans, zoning ordinances, and Act 537 Plan.

Cheltenham Township Signature _____



Printed Name / Title Thomas N. Cross, RA...Chair, Cheltenham Planning Commission

Date 6/25/2025

Please e-mail this form to: Alexander R. Stahl at astahl@aquaamerica.com.

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

NEIL K. MAKHIJA, CHAIR

JAMILA H. WINDER, VICE CHAIR

THOMAS DIBELLO, COMMISSIONER



TUS-A-18 Attachment 2

**MONTGOMERY COUNTY
PLANNING COMMISSION**

MONTGOMERY COUNTY • PO Box 311
NORRISTOWN, PA 19404-0311

610-278-3722
PLANNING@MONTGOMERYCOUNTYPA.GOV

SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

July 14, 2025

**County Comment Letter
Aqua PA Wastewater, Inc. Application to
Acquire Wastewater System Assets
Cheltenham Township**

Aqua Pennsylvania
Attn: Alexander Stahl

Mr. Stahl:

We have received a letter regarding the applicant's intent to submit for an NPDES Permit. The permit is related to plans to acquire wastewater system assets in Cheltenham Township. Our office has determined that the project is consistent with the Montgomery County Comprehensive Plan (adopted January 15, 2015) and all other county land use plans that impact this area as long as wastewater service is provided in a reliable and equitable manner.

Please contact me if you have any questions on the content of this letter.

Sincerely,

Jon A. Leshner
Environmental Planning Section Manager
Montgomery County Planning Commission
(610)278-3750
Jon.Leshner@montgomerycountypa.gov

Respondent: Fred P. Gerloff
Date: 07/14/2025

APPLICATION OF AQUA PENNSYLVANIA WASTEWATER, INC.

DOCKET NO. A-2025-3054123

BUREAU OF TECHNICAL UTILITY SERVICES

SET III DATA REQUESTS

TUS-A-19 Data Request A-10 asked APW to clarify whether APW already has been granted the requested territory depicted in the Application's Exhibit A, a map of APW's requested territory. APW's response to Data Request A-10 indicated that it is not requesting additional territory as the territory was granted in Docket No. A-2019-3008491. Please confirm that APW seeks to withdraw its request for approval of the right, *nunc pro tunc*, to begin to offer, render, furnish or supply wastewater service to the public in a portion of Cheltenham Township, Montgomery County, Pennsylvania.

RESPONSE

Aqua withdraws its request for approval *nunc pro tunc*.

APPLICATION OF AQUA PENNSYLVANIA WASTEWATER, INC.

DOCKET NO. A-2025-3054123

BUREAU OF TECHNICAL UTILITY SERVICES

SET III DATA REQUESTS

- TUS-A-20** Data Request A-11 asked that APW provide evidence or an averment from APW that the Application is consistent with Cheltenham Township's DEP-approved Act 537 Official Sewage Facilities Plan (Act 537 Plan). APW's response to Data Request A-11 referenced the response to Data Request A-7 Attachment 1, which provided a land use compliance verification request letter from APW to Cheltenham Township. Please provide either:
- a. A copy of a DEP approval letter evidencing the Application is consistent with Cheltenham Township's DEP-approved Act 537 Plan; or
 - b. A verified statement from APW confirming that the Application is consistent with Cheltenham Township's DEP-approved Act 537 Plan.

RESPONSE

Please see TUS-A-18 Attachment 1 which includes states that Aqua's application is consistent with Cheltenham Township's Act 537 Plan. Please also see TUS-A-20 Attachment 1 which is a letter from the Department of Environmental Resources regarding consistency with the Cheltenham Township Act 537 Plan.

Department of Environmental Resources

1875 New Hope Street
Norristown, PA 19401
215 631-2426

August 22, 1983

Mr. Nicholas D. Melair, Jr.
Manager, Cheltenham Township
8230 Old York Road
Elkins Park, PA 19117

Re: The Breyer Tract
Code No. 1-46003-013-4
Cheltenham Township, Montgomery County

Dear Mr. Melair:

Please be advised that a review has been made and completed of the above referenced Planning Module for Land Development amending your municipality's Official Sewage Facilities Plan.

We find that the proposal is consistent with your Official Sewage Facilities Plan and that your plan is adequate.

This supplement provides for adequate Sewage Facilities planning to permit the development of 160 residential units plus office buildings on 78 acres located along west side of Route 611 south side of Route 73. The project will generate 30,370 gallons of sewage per day to be treated and disposed of at the northeast Philadelphia sewage treatment plant.

This planning approval does not relieve the project sponsor of the responsibility to secure a Department permit for the construction and operation of the proposed facility.

Very truly yours,

GLEN K. STINSON, R.S.
Sewage Facilities Consultant

cc: Old York Road Associates
Pennoni Associates, Inc. ✓
(Attn: John S. Morrison)
Re 30 3S4C20

VERIFICATION

I, Fred P. Gerloff, Project Engineer III of Aqua Pennsylvania, Inc., hereby state that the facts set forth in Aqua Pennsylvania Wastewater, Inc.'s Responses to the Bureau of Technical Utility Services Data Requests Set 3 in the matter at Docket No. A-2025-3054123, 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).



Fred P. Gerloff
Project Engineer III
Aqua Pennsylvania, Inc.

Dated: July 14, 2025

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Aqua Pennsylvania :
Wastewater, Inc. pursuant to Section 1102 :
of the Public Utility Code for Approval of :
its Acquisition of the Wastewater System :
Assets of Breyer Master Association, : **Docket No. A-2025-3054123**
Breyer Court Condominium Association, :
Breyer Woods Condominium Association, :
One Breyer Estates Condominium :
Association, and Salus University :

CERTIFICATE OF SERVICE

I hereby certify that I have, this day, served a true and correct copy of the foregoing document upon the persons and in the manner indicated below:

VIA ELECTRONIC MAIL

Rebecca Lyttle
Assistant Small Business Advocate
Office of Small Business Advocate
555 Walnut Street
1st Floor, Forum Place
Harrisburg, PA 17101
relyttle@pa.gov



Alexander R. Stahl

Dated: July 14, 2025