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September 12, 2025

Via E-File

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

**Re: Petition to Intervene of Aqua Pennsylvania, Inc. and
Aqua Pennsylvania Wastewater, Inc.; Docket No.: A-2025-3057204**

Dear Secretary Homsher,

Enclosed please find Aqua Pennsylvania, Inc. and Aqua Pennsylvania Wastewater, Inc.'s ("Aqua") Petition to Intervene to the Pennsylvania Public Utility Commission (the "Commission") in the above-mentioned docket. 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**

Application Nunc Pro Tunc Pursuant to :
Pursuant to Chapter 11 of the Public Utility :
Code, 66 Pa. C.S. § 1102(a)(3) for a :
Certificate of Public Convenience and :
Necessity Approving Transfer of : **Docket No. A-2025-3057204**
Jurisdictional Utility Assets from Deer :
Haven, L.L.C. and Haven Development :
Company, LLC to Pocono Lakefront, LLC :

**PETITION TO INTERVENE OF AQUA PENNSYLVANIA, INC. AND
AQUA PENNSYLVANIA WASTEWATER, INC.**

Aqua Pennsylvania, Inc. (“AP”) and Aqua Pennsylvania Wastewater, Inc. (“APW”) (together AP and APW shall be referred to as “Aqua”) by and through their undersigned counsel hereby petition the Pennsylvania Public Utility Commission (“PUC” or the “Commission”) to intervene in the above-captioned matter, pursuant to 52 Pa. Code §§ 5.71-75, and in support thereof aver as follows:

1. A comprehensive background for this matter is set out in the Application dated August 29, 2025. However, Aqua will lay out an abbreviated background of pertinent facts for its Petition.
2. In 2010, Deer Haven, LLC (“DH”) and Pocono Lakefront, LLC (“Pocono”) entered into a Grant of Capacity and Option to Purchase Agreement (“Option Agreement”) under which Pocono, or its successors and assigns, had the option to purchase the DH Water and Wastewater Systems for \$1.00, subject to approval by the Commission.
3. In accordance with the Option Agreement, Pocono and DH entered into a Purchase Agreement in 2014 to effectuate the purchase by Pocono of the DH Water and Wastewater Systems (“Purchase Agreement”), again subject to Commission approval.

4. In accordance with the Purchase Agreement, PLU was formed to own, operate, and hold the Certificates of Public Convenience (“CPC”) of the Wastewater System upon transfer from DH. In furtherance of the transfer, PLU moved forward with construction of a new wastewater treatment plant (“PLU WWTP”), which was substantially completed in 2023, but has yet to be interconnected to the existing sewer lines from the DH sewer wastewater treatment plant (“DH Sewer WWTP”).

5. As such, on June 17, 2024, Pocono and DH filed with the Commission a Joint Application for CPCs seeking approvals necessary for the abandonment of DH’s sewer service and the commencement of sewer service by PLU at Docket Nos. A-2024-3049587 and A-2024-304959 (“Joint Application”).

6. While the Joint Application was pending, on August 1, 2024, DH requested that the Commission issue an Emergency Order allowing Aqua to act as a receiver to operate the DH Water and Wastewater Systems.

7. In response, the Commission initiated the DH 529 Investigation as part of its Ex Parte Emergency Orders for DH Water on August 7, 2024 (as modified by the Commission’s Ratification Order on August 26, 2024) and for DH Sewer on August 15, 2024 (as ratified by the Commission’s Ratification Order on August 22, 2024) (“Ex Parte Orders”) in Docket Nos. P-2024-3050545 and P-2024-3050549, respectively.

8. As such, the Commission issued an order on August 26, 2024 staying the Commission’s evaluation of the Joint Application pending the outcome of the DH 529 Proceedings.

9. AP and APW were appointed by the Commission to act as Receivers for DH Water and DH Wastewater Systems, respectively.

10. APW and DH filed a Joint Motion to Lift the Stay of the proceedings on December 18, 2024. On December 30, 2024, the Commission's Bureau of Investigation and Enforcement ("I&E") filed a letter of support for the Joint Motion.

11. On February 20, 2025, the Commission lifted the stay of the proceeding by Order. On March 7, 2025, the Commission entered an Order conditionally approving the Joint Application provided certain enumerated conditions were met by August 31, 2025.¹ One of the conditions for approval was filing of this Application, *nunc pro tunc*, for the transfer of jurisdictional utility assets to Pocono Lakefront.

12. Aqua meets the standards for intervention set forth in 52 Pa. Code § 5.72(a). As 529 Receiver to the DH Water and Wastewater System, Aqua possesses an "interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding." 52 Pa. Code § 5.72(a)(1).

13. As Receiver to the DH Water and Wastewater System, Aqua has a specific interest in the outcome of the Joint Application for transfer of the DH Wastewater System, including any subsequent filings that are necessary for approval of the Joint Application, such as this present Application because approval of the Joint Application would alleviate APW's responsibilities as receiver and APW's customers' burdens, regarding expenses incurred related to the receivership. Moreover, the Application seeks the Commission approval of transfer of certain real property interests which would affect the current and future operation of the DH Water System as well as the DH Wastewater System, including the right of the DH Water facilities to be present on the land

¹ This deadline was extended to September 30, 2025 after a Joint Motion by APW, DH, and PLU for an Extension of the Deadline was filed and approved at Docket Nos. A-2024-3049587 and A-2024-3049591.

that is the subject of this Application. Aqua's interests are directly affected by this Application and they are not adequately represented by existing participants.

14. APW had similarly filed a Petition to Intervene in the Joint Application proceedings.

WHEREFORE, for the foregoing reasons, Aqua Pennsylvania, Inc. and Aqua Pennsylvania Wastewater, Inc. respectfully request that the Commission grant this Petition to Intervene.

Respectfully submitted,

**AQUA PENNSYLVANIA, INC.
AQUA PENNSYLVANIA WASTEWATER,
INC.**

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Dated: September 12, 2025

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Company, LLC to Pocono Lakefront, LLC :

CERTIFICATE OF SERVICE

I hereby certify that I have this 12th day of September, 2025, served a true and correct copy of the foregoing Petition to Intervene of Aqua Pennsylvania, Inc. and Aqua Pennsylvania Wastewater, Inc., upon the persons and in the manner set forth below:

VIA E-FILING AND ELECTRONIC MAIL

PA PUC/E-file Only

Pennsylvania Public Utility Commission
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