



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
400 NORTH STREET, HARRISBURG, PA 17120  
September 15, 2025

IN REPLY PLEASE  
REFER TO OUR FILE

Docket No. G-2025-3053110  
Utility Code 230086

MERLE W STOLTZFUS  
NANTMEAL WARWICK SEWER COMPANY INC  
11 S PINE STREET  
ELVERSON PA 19520  
[MERLE@STOLTZFUS.COM](mailto:MERLE@STOLTZFUS.COM)

RE: Affiliated Interest Agreements between Nantmeal Warwick Sewer Company, Inc.  
and Multiple Affiliated Interests at Docket No. G-2025-3053110

Dear Merle Stoltzfus:

On January 27, 2025, Nantmeal Warwick Sewer Company, Inc. (Nantmeal) filed the above-captioned document with the Pennsylvania Public Utility Commission (Commission). For the Commission to complete its analysis of the filing, please respond with the information requested in the attached document.

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. All documents requiring notary stamps must have original signatures. The Commission strongly encourages submission through efilings with the Secretary of the Commission by opening an efilings account through the Commission website and accepting eservice at <https://efiling.puc.pa.gov>. The Commission is accepting all public documents through our efilings system at this time.

If your filing contains confidential material, you are required to either file by overnight delivery or submit to the Secretary's Share Point File system to ensure the timely filing of your submission. Filers should contact the Secretary's Bureau in advance to gain access to the Share Point File system. Make sure to reference the Docket Number listed above when filing your response. The overnight address for hard-copy or confidential responses is:

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

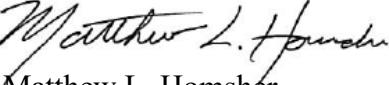
Please note your answers must be verified per 52 Pa. Code § 1.36. Accordingly, you must provide the following statement with your responses:

*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 the response to Paul Zander, in the Water/Wastewater Section of the Bureau of Technical Utility Services via e-mail at [pzander@pa.gov](mailto:pzander@pa.gov). Please also direct any questions to Paul Zander at telephone number (717) 783-1372. 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@paoca.org](mailto:ra-oca@paoca.org)  
Melanie El Atieh, Office of Consumer Advocate (w/enclosure), [melatieh@paoca.org](mailto:melatieh@paoca.org)  
NazAarah Sabree, Office of Small Business Advocate (w/enclosure), [ra-sba@pa.gov](mailto:ra-sba@pa.gov)  
Allison Kaster, Bureau of Investigation & Enforcement (w/enclosure), [akaster@pa.gov](mailto:akaster@pa.gov)

## TUS Data Request Set 1

### Affiliated Interest Agreements between Nantmeal Warwick Sewer Company, Inc. and Multiple Affiliated Interests at Docket No. G-2025-3053110

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.

- G-1. Nantmeal's cover letter included several averments, but Nantmeal did not provide a signed verification statement from an authorized officer or employee indicating that the information provided in Nantmeal's cover letter is true and correct. Please provide a verification statement that references the cover letter filed with the Commission and that complies with 52 Pa. Code § 1.36(b).
- G-2. Nantmeal's cover letter, Section 1, indicated that the interest free notes were acquired to provide needed cash flow. Please identify the service and/or property costs incurred by Nantmeal that were funded by these notes and explain why it was reasonable, necessary, and proper for Nantmeal to incur these costs.
- G-3. Nantmeal's cover letter, Section 3, indicated that a copy of the previous Mid Penn Bank mortgage and note was submitted with the filing. However, the filing did not include a copy of this mortgage and note. Please provide a copy of the referenced Mid Penn Bank mortgage and note.
- G-4. Nantmeal's cover letter, Section 3, specified that in February of 2024, Nantmeal became debt free from secured lenders by paying off a mortgage and note, and that Nantmeal sought and secured private unsecured financing through individuals. Please identify the service and/or property costs incurred by Nantmeal that were funded by the mortgage and note and explain why it was reasonable, necessary, and proper for Nantmeal to incur these costs.
- G-5. Nantmeal's filing included copies of 19 Notes Payable and one Note Receivable (collectively, the Notes) with numerous note holders (Note Holders). However, it is unclear whether all the Notes are agreements with affiliated interests that require Commission approval under 66 Pa.C.S. §§ 2101, *et seq.* Please specify the Notes that are agreements with affiliated interests that require Commission approval under 66 Pa.C.S. §§ 2101, *et seq.*
- G-6. For each Note Holder, provide a description of the affiliation between Nantmeal and the Note Holders or state that there is no affiliation between Nantmeal and the Note Holder (e.g., Merle Stoltzfus and David Stoltzfus are persons that own 5% or more of Nantmeal's voting securities and are Nantmeal's affiliated interests under 66 Pa.C.S. § 2101(a)(1); Stoltzfus Enterprises, Ltd. is a corporation 5% or more of whose voting securities are owned by any person owning 5% or more of Nantmeal's voting securities and is Nantmeal's affiliated interest under 66 Pa.C.S. § 2101(a)(3), etc.).
- G-7. By the Commission Order entered July 11, 2024, at Docket No. R-2024-3043497 (July 2024 Order), the Commission directed Nantmeal to file, within 180 days of the entry date of the July 2024 Order, notice of registration for all issued and assumed securities that it is required to file with Commission pursuant to 66 Pa. C.S. § 1901(a). The July 2024

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Order also directed that if any transactions had already occurred, Nantmeal must request Commission approval, *nunc pro tunc*, of said securities. However, Nantmeal's filing did not include any notice of registration for any issued or assumed securities. Please state whether Nantmeal issued or assumed securities and, if so, provide evidence that Nantmeal filed notice of registration for these securities.

- G-8. Nantmeal's filing included two Notes Payable with Merle W. Stoltzfus, dated December 31, 2018 (2018 Merle Stoltzfus Note) and December 31, 2024 (2024 Merle Stoltzfus Note), respectively. The 2018 Merle Stoltzfus Note was for \$337,500 at a variable interest rate initially set at 0%, and the 2024 Merle Stoltzfus Note was for \$354,100 at a fixed rate of 0%. Please confirm that the 2024 Merle Stoltzfus Note amends and replaces the 2018 Merle Stoltzfus Note and that Nantmeal does not have any balance remaining for the 2018 Merle Stoltzfus Note.
- G-9. The principal amount of the 2024 Merle Stoltzfus Note is \$16,600 more than the 2018 Merle Stoltzfus Note. Please identify the service and/or property costs incurred by Nantmeal that were funded by this additional principal amount and explain why it was reasonable, necessary, and proper for Nantmeal to incur these costs.
- G-10. Nantmeal's filing included two Notes Payable with David J. Stoltzfus, dated December 31, 2018 (2018 David Stoltzfus Note), and December 31, 2024 (2024 David Stoltzfus Note), respectively. The 2018 David Stoltzfus Note was for \$337,500 at a variable interest rate initially set at 0%, and the 2024 David Stoltzfus Note was for \$337,500 at a fixed rate of 0%. Please confirm that the 2024 David Stoltzfus Note amends and replaces the 2018 David Stoltzfus Note and that Nantmeal does not have any balance remaining for the 2018 David Stoltzfus Note.
- G-11. The filing's Notes Payable stated that Nantmeal promises to pay the principal amount plus accumulated interest. Please provide the amount of accumulated interest for each Note Payable as of December 31, 2024.
- G-12. The filing's Note Receivable stated that Stoltzfus Enterprises, Ltd. (Service Company) promises to pay the principal amount plus accumulated interest. Please provide the amount of accumulated interest for the Note Receivable as of December 31, 2024.
- G-13. Multiple Notes Payable stated that the interest rate shall be variable and may be changed by Nantmeal at any time upon notice from Nantmeal to the Investor. Please explain the methods that would be used to calculate new interest rates, how it would be determined when it is necessary to change them and provide the calculations that would be used to determine new interest rates.
- G-14. The Note Receivable stated that the interest rate shall be variable and may be changed by the Service Company at any time upon notice from the Service Company to Nantmeal. Please explain the methods that would be used to calculate a new interest rate, how it

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would be determined when it is necessary to change them and provide the calculations that would be used to determine the new interest rate.

- G-15. Paragraph 2 of each Note indicated that, “Interest on outstanding principal shall be accrued monthly using normal amortization [...]”. Please clarify if interest accrues on only the principal amount or on the principal amount plus accumulated interest.
- G-16. Paragraph 2 of the Note Receivable indicated that the variable interest rate may be changed by the Service Company at any time upon notice from the Service Company to Nantmeal. Please explain how this term is in the best interest of the ratepayers if the interest rate is lowered below market rates.
- G-17. Paragraph 3 of each Note indicated that, “Future deposits to or withdrawals from principal may be made by the [Creditor] at various times without the creation of an additional or amended Note, but shall be subject to the terms of this Note.” However, 66 Pa.C.S. § 2103 provides that the Commission shall have the same jurisdiction over the modifications or amendment of contracts or arrangements as it has over such original contracts or arrangements. Please confirm that, notwithstanding Paragraph 3 of each Note, Nantmeal will apply for and receive Commission approval before receiving or making any future deposits to any Note.
- G-18. Paragraph 4 of each Note Payable indicated that, “Upon demand by the [Creditor], the outstanding principal with accrued interest shall become due and payable within Fourteen (14) business days.” Please explain Nantmeal’s ability and plans to satisfy payment of Notes Payable if all or multiple Investors demand repayment.
- G-19. Please provide a breakdown of the estimated annual expense Nantmeal will incur for each Note Payable.
- G-20. Please provide a breakdown of the estimated annual revenue Nantmeal will receive for the Note Receivable.
- G-21. Please compare Nantmeal’s compensation to each Note Payable Note Holder with the interest that a non-affiliated loan provider would charge Nantmeal for each Note Payable.
- G-22. Please compare Nantmeal’s compensation from the Note Receivable Note Holder with the interest that a non-affiliated investor (e.g., savings account, etc.) would provide to Nantmeal for the Note Receivable.
- G-23. Please explain the ratemaking implications of the Notes Payable on Nantmeal’s ratepayers.
- G-24. Please explain the ratemaking implications of the Note Receivable on Nantmeal’s ratepayers.
- G-25. Please explain the implications of the Notes on Nantmeal’s operations and services.

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G-26. Please explain why Commission approval of the Notes with affiliated interests is reasonable and consistent with the public interest.