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LLP

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September 24, 2025

**Via E-File**

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

**Re: Aqua Pennsylvania Wastewater, Inc., PL Utilities, LLC and Deer Haven,  
LLC's Joint Motion to Lift the Stay of Proceedings  
Docket Nos.: A-2024-3049587 and A-2024-3049591**

Dear Secretary Homsher,

Enclosed please find Aqua Pennsylvania Wastewater, Inc., PL Utilities, LLC, and Deer Haven, LLC's Joint Motion for an Extension of the September 30, 2025 Deadline to the Pennsylvania Public Utility Commission (the "Commission") in the above-mentioned dockets. If you have any questions, please do not hesitate to reach out.

Sincerely,



Kruti Patel

Encls.

cc: Service List

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Joint Application of Deer Haven, L.L.C. :  
and PL Utilities, LLC for approval of: (1) :  
PL Utilities, LLC’s acquisition of certain :  
wastewater system assets of Deer Haven, :  
L.L.C.; (2) the abandonment by Deer : **Docket No. A-2024-3049587**  
Haven, L.L.C. of wastewater service to the :  
public in Palmyra Township, Pike County, : **Docket No. A-2024-3049591**  
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 :

**JOINT MOTION FOR AN EXTENSION OF THE SEPTEMBER 30, 2025 DEADLINE**

Aqua Pennsylvania Wastewater, Inc. (“APW”), Deer Haven, LLC (“DH”), and PL Utilities, LLC (“PLU”) by and through their undersigned counsel files this Joint Motion for an Extension of the Deadline within the Order dated March 7, 2025 and extended once by the Order dated August 28, 2025 in the above-captioned matter, pursuant to 52 Pa. Code § 1.15, and in support of the Motion thereof aver as follows:

**I. Background**

1. In 2010, 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 Sewer Systems for \$1.00, subject to approval by the Commission.

2. 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 Sewer systems (“Purchase Agreement”), again subject to Commission approval.

3. In accordance with the Purchase Agreement, PLU was formed to own, operate, and hold the Certificates of Public Convenience (“CPC”) of the Sewer 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 WWTP”).

4. Pocono had subsequently informed DH – after execution of the Purchase Agreement – that it no longer intended to take possession of the Water System.

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 (“Joint Application”).

6. While the Joint Application was pending, on August 1, 2024, DH requested that the Commission issue an Emergency Order allowing Aqua Pennsylvania, Inc. (“AP”) to act as a receiver to operate the DH Water and Sewer 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 (the “Stay Order”).

9. AP and APW were appointed by the Commission to act as Receivers for DH Water and DH Sewer systems, respectively. As such, APW filed a Petition to Intervene in these dockets on December 18, 2024.

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 ("March 7 Order"), which APW, DH, and PLU now moves to extend the deadline for the reasons stated herein.

## **II. Argument**

12. The Order conditionally approved the Joint Application, provided that DH and PLU satisfactorily file the following documents:

a. An application filed by Deer Haven, L.L.C. for Commission approval, nunc pro tunc, for the transfer of jurisdictional utility assets to Pocono Lakefront;

b. Evidence that the Pennsylvania Department of Environmental Protection issued PL Utilities, LLC a water quality management permit to operate the wastewater treatment plant constructed under Water Quality Management Permit No. 5215401, that includes a copy of the signed and stamped water quality management Post Construction Certification Form;

c. Evidence that all other water quality management permits necessary for the operation of wastewater facilities in the requested service territory have been transferred to PL Utilities, LLC, that includes a copy of said permits;

d. Evidence that the Pennsylvania Department of Environmental Protection transferred National Pollutant Discharge Elimination System Permit No. PA-0041912 from Deer Haven, L.L.C. to PL Utilities, LLC;

e. Evidence of the Pennsylvania Department of Environmental Protection's approval of an Official Sewage Facilities Act 537 Plan Revision that transfers wastewater service from Deer Haven to PL Utilities and identifies

PL Utilities, LLC as the sole provider of wastewater service within the requested service territory;

f. A copy of the Notice of Termination filed with the Pennsylvania Department of Environmental Protection indicating that the Deer Haven, L.L.C. Wastewater Treatment Plant was decommissioned.

g. A copy of an executed Consent Order and Agreement between the Pennsylvania Department of Environmental Protection, PL Utilities, LLC, and Deer Haven, L.L.C., resolving Deer Haven, L.L.C.'s open violations.

13. However, several of these submissions first require approval by the Pennsylvania Department of Environmental Protection ("DEP").

14. Additionally, the March 7 Order imposed a deadline of August 31, 2025 for the Commission to receive these submissions and for the Commission's Bureau of Technical Utility Services to complete review of the documentation and determine whether all conditions have been satisfied.

15. PLU has provided the DEP many of the required submissions listed in Paragraph 12, *supra*, as required by the March 7 Order well ahead of the August 31, 2025 deadline. These items include executing a Consent Order and Agreement with the DEP and DH ("COA"), submitting the needed permit transfer applications, and submitting the Act 537 Plan. However, on August 7, 2025, the DEP sent a letter to PLU noting several deficiencies in PLU's submissions.

16. After receiving the DEP's August 7, 2025 letter, PLU worked diligently to provide the information sought by the DEP, which it has done. Since the last extension request, PLU finalized its agreement with its third-party operator and submitted the completed eDMR forms that the DEP sought. PLU also responded to DEP questions regarding the PNDI submission, which is part of the Act 537 package. The balance of the information the DEP sought in the August 7, 2025 letter has been provided.

17. On August 26, 2025, APW, DH, PLU filed a joint motion requesting an extension of the August 31, 2025 deadline to September 30, 2025.

18. This request was granted by Order dated August 28, 2025 (“August 28 Order”) thereby extending the deadline set in the March 7 Order to September 30, 2025. In the August 28 Order the Commission also bifurcated the issue of timing required for the submission of the Notice of Termination required relative to decommissioning the DH WWTP.

19. On August 29, 2025, DH and Haven Development Company, LLC (“HDC”) filed an Application *nunc pro tunc* with the Commission for the transfer of jurisdictional utility assets from DH and HDC to Pocono at Docket No. A-2025-3057204. Aqua filed a Petition to Intervene in that application on September 12, 2025.

20. As PLU continues to work on the completing the requirements set out in the March 7 Order, APW, DH, and PLU request that the Commission extend the deadline set forth in the March 7 Order and extended once by the August 28 Order pursuant to 52 Pa. Code § 1.15 which gives the Commission authority to extend a specified time frame for “good cause by motion made before expiration of the period originally prescribed or as previously extended.”

21. The remaining items that need to be completed per the Commission's Order, items (b), (c), (d) and (e) of the Order referenced in Paragraph 12 above, all relate to actions to be taken by DEP, over which APW, DH nor PLU have control.

22. As a result APW, DH, and PLU request that the current September 30, 2025 deadline be extended to sixty days following PLU's receipt of the approvals required by the Commission's Order in order to give DEP the opportunity and time to review and evaluate submissions and for PLU to address any issues with its submissions to DEP and comply with the other requirements of the March 7 Order.

### **III. Conclusion**

**WHEREFORE**, for the foregoing reasons, Aqua Pennsylvania Wastewater, Inc., Deer Haven, LLC and PL Utilities, LLC respectfully requests that the Commission grant this Motion to Extend the Deadline in the Commission's March 7, 2025 Order and extended once by the August 28, 2025 Order entered in this proceeding.

Respectfully submitted,

**AQUA PENNSYLVANIA WASTEWATER,  
INC.**

By: /s/ Kruti B. Patel

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**PL UTILITIES, LLC**

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**DEER HAVEN, LLC**

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*Counsel for Deer Haven, LLC*

Dated: September 24, 2025

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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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 :

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 24th day of September, 2025, served a true and correct copy of the foregoing Joint Motion of Aqua Pennsylvania Wastewater, Inc., Deer Haven, LLC and PL Utilities, LLC 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  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17105  
Matthew L. Homsher, Secretary  
mhomsher@pa.gov

**E-mail**

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