

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting Date

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Kathryn L. Zerfuss
John F. Coleman, Jr.
Ralph V. Yanora

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 Haven, L.L.C. 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 No. A-2024-3049587

Docket No. A-2024-3049591

ORDER GRANTING JOINT MOTION FOR EXTENSION OF TIME

BY THE COMMISSION:

BACKGROUND

By the joint application (Joint Application) filed on June 18, 2024, Deer Haven, LLC (Deer Haven), Utility Code 230106, and PL Utilities, LLC (PL Utilities), Utility Code 2127226, sought certificates of public convenience (CPCs) pursuant to Sections 1101 and 1102(a)(2) and (3) of the Pennsylvania Public Utility Code (Code), 66 Pa.C.S. §§ 1101 and 1102(a)(2) and (3), evidencing Pennsylvania Public Utility Commission (Commission) approval of: (1) PL Utilities' acquisition of certain wastewater system assets of Deer Haven; (2) the abandonment by Deer Haven of

wastewater service to the public in Palmyra Township, Pike County, Pennsylvania; and (3) authorization of PL Utilities to offer, render, furnish, or supply wastewater service to the public in a portion of Palmyra Township, Pike County, Pennsylvania.

In the intervening period, and due to the ongoing operational issues with Deer Haven's Wastewater System, the Commission entered an Emergency Order which, *inter alia*, directed Aqua Pennsylvania Wastewater, Inc. (APW), Utility Code 230240, to act as the receiver for Deer Haven's Wastewater System beginning August 15, 2024, and to continue during the pendency of Deer Haven's 529 proceeding pursuant to Section 529(g) of the Code, 66 Pa. C.S. § 529(g).¹

By Order entered on March 7, 2025 (March 7th Order), we conditionally approved the Joint Application, pending the Joint Applicants' provision of additional documentation to the Commission by August 31, 2025. That additional documentation, set forth in Ordering Paragraph 1 (a) through (g) of our March 7th Order, involves regulatory compliance requirements including some from the Pennsylvania Department of Environmental Protection (DEP), and the completion of certain improvements required to provide wastewater service in the requested service territory. In the event the required documentation was not filed with the Commission and determined to be satisfactory by the Commission's Bureau of Technical Utility Services (TUS) by August 31, 2025, we directed that the Joint Application at this docket be automatically consolidated with the pending Section 529 proceeding at Docket No. P-2024-3050549 for further investigation and resolution.

On August 26, 2025, APW, Deer Haven, and PL Utilities (Joint Applicants), filed a Joint Motion, pursuant to 52 Pa. Code § 1.15, for a 30-day extension of the August 31, 2025, deadline for the submission of the documentation required in our March 7th Order.

¹ See March 7, 2025 Order at A-2024-3049591 and A-2024-3049587 for a detailed history and discussion of the Deer Haven Wastewater System deficiencies.

Due to the timing of the request, and the impending deadline, on August 28, 2025, we granted the 30-day extension until September 30, 2025.²

On September 24, 2025, APW, Deer Haven, and PL Utilities (Joint Applicants) filed a Joint Motion, pursuant to 52 Pa. Code § 1.15, for a 60-day extension of the September 30, 2025, deadline for the submission of the documentation required in our March 7th Order.

The parties have requested an extension until November 30, 2025, asserting that the remaining items that need to be completed per the Commission's March 7th Order, including items (b), (c), (d) and (e) of Ordering Paragraph 12, all relate to actions to be taken by DEP, over which the Joint Applicants nor PLU have control.³ The Joint Motion was timely filed under Section 1.15(b).

We find that the parties have articulated reasonable grounds, as noted above, for the asserted inability to comply with the September 30, 2025 deadline. For good cause shown, we shall grant the 60-day extension of time for the submission of the additional documentation as set forth in our March 7th Order.

CONCLUSION

Based on the foregoing facts we conclude that there is good cause to grant a 61-day extension until December 1, 2025, noting that November 30, 2025 falls on a Sunday.

We note here that this Order makes no determination or change to the status of Aqua as Receiver of the Deer Haven Wastewater System and that any determination or

² See August 28, 2025 Order at A-2024-3049591 and A-2024-3049587

³ See September 24, 2025 Joint Motion, Para. 21.

change to Aqua's status as Receiver of the Deer Haven Wastewater System will be made at the pending Section 529 proceeding at Docket No. P-2024-3050549.

However, if the Parties are unable to comply with the conditions of the March 7th Order by December 1, 2025, the Joint Application will be automatically consolidated with the pending 66 Pa.C.S. § 529 proceeding consistent with our prior direction in the March 7th Order. As such, the Joint Motion for a 60-day Extension of Time is granted for 61 days, consistent with this Opinion and Order;

THEREFORE,

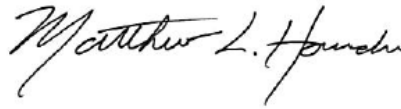
IT IS ORDERED:

1. That the Joint Motion for an Extension of the September 30, 2025 Deadline is granted until December 1, 2025.
2. That the Notice of Termination filed with the Pennsylvania Department of Environmental Protection indicating that Deer Haven, LLC Wastewater Treatment Plant was decommissioned, noted in Paragraph 1 (f) of the March 7, 2025 Order entered at Docket Nos. A-2024-3049591 and A-2024-3049587, is now due within 180 days of when the new plant is approved and operational.
3. That if the documentation required by Ordering Paragraph 1 (a) through (e) and (g) of the March 7, 2025 Order entered at Docket Nos. A-2024-3049591 and A-2024-3049587 is not filed with the Commission and determined to be satisfactory by the Commission's Bureau of Technical Utility Services by December 1, 2025, the Joint Application shall be automatically consolidated with the pending 66 Pa.C.S. § 529 proceeding such that the Commission may investigate and address these issues along with whether the Commission should

order a capable public utility to acquire Deer Haven, LLC's Wastewater System pursuant to 66 Pa.C.S. § 529, at Docket No. P-2024-3050549.

4. That all other provisions of our March 7, 2025 and August 28, 2025 Orders entered at Docket Nos. A-2024-3049591 and A-2024-3049587 remain in full force and effect except as modified herein.

BY THE COMMISSION,



Matthew L. Homsher
Secretary

(SEAL)

ORDER ADOPTED: September 26, 2025

ORDER ENTERED: September 26, 2025