

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
HARRISBURG, PA 17120**

Public Meeting held October 9, 2025

Commissioners Present:

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

Petition of Columbia Water Company for
Approval of its Lead Service Line
Replacement Program

Docket No.
P-2023-3041845

OPINION AND ORDER

BY THE COMMISSION:

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is the Petition (Petition) of Columbia Water Company (Columbia Water), Utility Code 210540, for Commission approval of Columbia Water's Lead Service Line Replacement Program (LSLR Program) filed on July 21, 2023, as finally amended on March 19, 2025. Columbia Water's LSLR Program would allow Columbia Water to replace customer-owned lead service lines (COLSLs) and to recover those costs as provided in Section 1311(b)(2)(i) of the Pennsylvania Public Utility Code (Code), 66 Pa.C.S. § 1311(b)(2)(i). For the reasons outlined herein, we approve Columbia Water's Petition and LSLR Program.

BACKGROUND

On October 24, 2018, Governor Wolf signed Act 120 of 2018 (Act 120) into law, thereby amending the Code at 66 Pa.C.S. § 1311(b) to address the accelerated replacement of COLSLs and damaged wastewater sewer laterals (DWSLs). Act 120 set forth a uniform, minimum standard under which jurisdictional water or wastewater

utilities, or “entities,” may seek to replace lead service lines (LSLs) and DWSLs and recover costs associated with replacement. Additionally, Act 120 provided for lead service line replacements (LSLRs) under a Commission-approved program and directed the Commission to establish certain standards, processes, and procedures by regulation. *See* 66 Pa.C.S. §§ 1311(b)(2)(i)-(vii).

The Commission promulgated regulations relating to COLSLs, DWSLs, and LSLRs at 52 Pa. Code §§ 65.51 – 65.62 (relating to LSLRs) and 66.1 – 66.42 (relating to DWSLs) that became effective July 23, 2022.

PROCEDURAL HISTORY

On July 21, 2023, Columbia Water filed the Petition with the Commission. On August 10, 2023, the Office of Small Business Advocate (OSBA) filed a Notice of Intervention, and the Office of Consumer Advocate (OCA) filed an Answer to the Petition. On August 30, 2023, the Commission, by Secretarial Letter, served the Bureau of Technical Utility Services (TUS) Data Request Set 1. On September 13, 2023, Columbia Water filed its responses to TUS Data Request Set 1. The proceeding was assigned to the Office of Administrative Law Judge (OALJ) with Administrative Law Judges (ALJs) Mary D. Long and Charece Z. Collins presiding. Finally, on July 31, 2024, Columbia Water, OCA, and OSBA (collectively, the Joint Petitioners) filed a Joint Petition for Settlement (Settlement) and a Joint Stipulation of Facts.

On September 11, 2024, ALJ Mary D. Long issued a Recommended Decision (RD) that recommended the Settlement be approved without modification. On October 10, 2024, by adopted motion of Chairman Stephen M. DeFrank, the Commission modified the RD to clearly articulate the compliance steps necessary to close this proceeding with the addition of three Ordering paragraphs in keeping with the Commission’s previous approval of Veolia Water Pennsylvania, Inc.’s LSLR Program.¹

¹ *See, Petition of Veolia Water Pennsylvania, Inc. for Approval of its Lead Service Line Replacement Program*, Order entered September 12, 2024, at Docket No. P-2023-402107.

By Tentative Opinion and Order entered November 1, 2024 (November 2024 Order), the Commission adopted ALJ Long's RD, as modified, and provided the Joint Petitioners and the Bureau of Investigation and Enforcement ten days to file comments. No comments were filed by these parties and therefore, the November 2024 Order became final. The November 2024 Order, *inter alia*, directed certain actions for Columbia Water through the following Ordering Paragraphs:

7. That within thirty (30) days of the Commission's Final Order in this matter, Columbia Water Company shall file an amended Lead Service Line Replacement Program, modified Long-Term Infrastructure Improvement Plan, and tariff supplement at P-2023-3041845, that incorporates any modifications thereto consistent with these proceedings and findings herein with the Secretary's Bureau and serve a copy upon the Bureau of Technical Utility Services [(TUS)] and all active parties in this proceeding.

8. That [TUS] shall complete its review of the amended Lead Service Line Replacement Program, modified Long-Term Infrastructure Improvement Plan, and tariff supplement subject to the schedule in place at the time the proceeding as assigned to [OALJ] for hearings in this matter and submit an order for Commission consideration.

9. That, the proceeding at Docket P-2023-3041845 shall remain open pending completion of the [TUS] review as ordered in Ordering Paragraph No. 8 above.

November 2024 Order at 21.

On November 14, 2024, Columbia Water filed with the Commission, in compliance with the Settlement, an amended LSLR plan, a modified Long-Term Infrastructure Improvement Plan (LTIIIP), and a *pro forma* tariff supplement labelled as Tariff Supplement No. ___ to Tariff Water - Pa. P.U.C. No. 7. On November 18, 2024, Columbia Water filed a red-line version of its modified LTIIIP showing the changes proposed in this proceeding, as compared to Columbia Water's Commission approved LTIIIP at Docket No. P-2022-3034702.

On March 4, 2025, the Commission served a copy of TUS Data Request Set 2 upon Columbia Water. On March 19, 2025, Columbia Water filed responses to TUS Data Request Set 2 with the Commission that again included a revised modified LTIIIP (Modified LTIIIP), a revised LSLR plan (LSLR Plan), and a revised *pro forma* tariff supplement (Pro Forma Tariff).² The Petition, Modified LTIIIP, LSLR Plan, and Pro Forma Tariff collectively represent Columbia Water's proposed LSLR Program.

Columbia Water submitted proof of service to the appropriate entities. No other answers or comments were filed, and no additional hearings were held.

LEGAL STANDARDS

The Commission's regulation at 52 Pa. Code § 5.41 governs Petitions generally and provides that petitions for relief must be in writing, state clearly and concisely the interest of the petitioner in the subject matters, the facts and the law and the relief sought. Petitions for relief must also comply with 52 Pa. Code § 1.51.

In accordance with the Commission's regulations at 52 Pa. Code § 65.54, an entity shall file an LSLR program petition in accordance with 52 Pa. Code § 65.55(a). An entity that has a Commission-approved LTIIIP shall include with its LSLR program

² Columbia Water's LSLR Plan filed with the Commission on March 19, 2025, did not include copies of Appendices A through N, which were included in Columbia Water's LSLR plan filed with the Commission on November 14, 2024. The final version of Columbia Water's LSLR Plan that will be filed with the Commission pursuant to this Opinion and Order, as discussed below, must include copies of Appendices A through N.

petition a modified LTIP containing an LSLR plan as a separate and distinct component of the entity's modified LTIP pursuant to 52 Pa. Code § 65.54(b). An entity that does not have a Commission-approved LTIP when filing its LSLR program petition shall include an LSLR plan meeting the requirements of 52 Pa. Code § 121.3.

Additionally, under Section 65.55 of the Commission's regulations, an entity's LSLR program must include a LSLR plan as described in 52 Pa. Code § 65.56, a *pro forma* tariff or tariff supplement containing the proposed changes necessary to implement the entity's LSLR program as described in 52 Pa. Code § 65.58, and information required by the Commission for filings under 66 Pa.C.S. § 1308 (Section 1308), including statements required by 52 Pa. Code § 53.52(a). A final Commission Order approving an entity's LSLR program will direct the entity to make any necessary revisions to the *pro forma* tariff or tariff supplement and resubmit the tariff or tariff supplement under Section 1308.

DISCUSSION

I. INTRODUCTION

Columbia Water is a regulated public utility company, duly organized and existing under the laws of the Commonwealth with offices located at 220 Locust Street, Columbia, PA 17512. Columbia Water provides water service to approximately 12,230 customers in Columbia, Marietta and Mountville Boroughs and in portions of Manor, East Donegal, West Hempfield and Rapho Townships in Lancaster County, and portions of Hellam Township in York County.

II. PETITION

In accordance with 52 Pa. Code §§ 65.55(b), Columbia Water's LSLR Program included an LSLR Plan as Exhibit No. 1, an initial service line inventory (SLI) as Exhibit No. 2, a *pro forma* tariff supplement as Exhibit No. 3, a modified LTIP as Exhibit No. 4,

and responses to 52 Pa. Code § 53.52 as Exhibit No. 5. Columbia Water's LSLR Program was amended on September 13, 2023, in response to TUS Data Request Set 1, on November 14, 2024, in response to the Settlement, and subsequently further revised on March 19, 2025, in response to TUS Data Request Set 2. Columbia Water's LSLR Program, as modified by the Settlement and in response to TUS data requests, is discussed below.

III. MODIFIED LTIP

Columbia Water's current LTIP was approved by Commission Order entered December 8, 2022, at Docket No. P-2022-3034702.³ Columbia Water's LTIP is a five-year plan that spans the years 2023 through 2027 with a planned \$1.4 million in Distribution System Improvement Charge (DSIC)-eligible spending. Columbia Water's LTIP identifies critical infrastructure that needs to be replaced to ensure reliability and quality of service to its customers. We find that Columbia Water's Modified LTIP, as modified by the Settlement and supplemental information, and the manner in which it was filed conforms to the requirements of Act 11 and Commission regulations, consistent with the following discussion:

Columbia Water noted that its primary reason for modifying its LTIP is the need to incorporate its LSLR Plan and tariff revisions that allow it to replace COLSLs and to recover those costs as provided in Section 1311(b)(2) of the Code, 66 Pa.C.S. § 1311(b)(2) (relating to valuation of and return on the property of a public utility). In its Modified LTIP, Columbia Water proposed to increase its DSIC-eligible expenditures by \$300,000 total, or approximately 21.4% over its current projections. This increase will result in a net budget of \$1,700,000 over the term of the LTIP. Columbia Water is modifying its LTIP to accommodate additional DSIC-eligible expenditures incurred from the replacement of company owned LSLs and COLSLs through its LSLR Plan.

³ See, *Petition of Columbia Water Company for Approval of its Second Long-Term Infrastructure Improvement Plan*, at Docket No. P-2022-3034702.

Columbia Water noted that the Modified LTIP incorporates its LSLR Plan into its LTIP to continue replacing aging infrastructure in combination with the replacement of LSLs. Columbia Water also noted that the Modified LTIP only applies to the East Donegal Rate District to the extent necessary to implement its LSLR Program. The East Donegal rate district is not charged a DSIC. As a result, Columbia Water does not include the cost of East Donegal capital improvements in its DSIC calculation. Similarly, LSLR Plan costs that are attributable to the East Donegal system will not be recovered through the DSIC. However, Columbia Water maintains that it reserves the right to request Commission approval to apply the DSIC to the East Donegal Rate District and recover the LSLR costs and all other DSIC-eligible costs attributable to the East Donegal Rate District through the DSIC.

Columbia Water's LTIP addressed the eight required elements of an LTIP at the time it was approved. Therefore, we will only discuss the proposed changes to the LTIP that are outlined in the instant Petition.

Columbia Water updated the following company-owned water system components in its LTIP:

- Company-owned Service lines: Columbia Water noted that its water is delivered from the water main to the customer's curb stop through a company-owned, pressurized service line. Columbia Water owns the service line between the water main and the curb stop. Company-owned service lines vary in size from six-inch down to ¾-inch with a majority of Columbia Water's service lines being constructed of copper. Columbia Water averred that a small portion of company-owned service lines may be made of lead. Only copper is used when company-owned service lines are replaced. Columbia Water owns approximately 10,657 service lines within its Columbia and Marietta Rate Districts and 1,582 service lines within its East Donegal Rate District. Columbia Water estimated the total

number of company-owned LSLs that need to be replaced to be less than 200. Columbia Water plans to identify, at a minimum, a cumulative average of 10.0% of the initial unknown service materials annually by utilizing existing records, modeling, statistical analysis, and mechanical excavation.

- Valves: Valves are used to control the volume and direction of flow in the distribution system. They are also used to isolate sections of water main for replacements or repairs. Columbia Water noted that almost all valves are buried and are opened or closed through a valve box that extends from the valve to the ground surface. The valves vary in size from four-inch to 16-inch. Columbia Water owns approximately 3,570 valves in its system, not including the East Donegal Rate District.
- Hydrants: Columbia Water's hydrants are typically located along roadways and rights-of-way. Hydrants are used to flush water from the water system and to assist in fighting fires. Columbia Water noted that, generally, a hydrant can be isolated from the distribution system by opening or closing a dedicated hydrant valve. Columbia Water stated that hydrants play a critical role in system maintenance and community fire protection. Columbia Water owns approximately 999 hydrants in its system, not including the East Donegal Rate District.

Columbia Water also updated the information related to the customer-owned water system components in its LTIP. Columbia Water noted that the customer-owned portion of the service line are those facilities extending from the curb stop to the meter, or one foot inside a building foundation, whichever is farther. Columbia Water also noted that, generally, any replacement of the customer-owned service line is the responsibility of the customer and is not included in this LTIP. However, COLSLs are included in Columbia Water's LTIP for the purposes of the LSLR Plan and the replacement of COLSLs. Columbia Water further noted that the customer-owned

service lines vary in size from six-inch down to ¾-inch with a majority of customer-owned service lines being constructed of copper. A small portion of customer-owned service lines may be made of lead. Columbia Water stated that copper or plastic is used when a customer-owned service line is replaced, pursuant to the LSLR Plan. Columbia Water has identified approximately 12,115 customer-owned service lines across its three rate districts and estimated the total number of COLSLs that need to be replaced to be less than 400. Columbia Water plans to identify, at a minimum, a cumulative average of 10.0% of the initial unknown service materials annually by utilizing existing records, modeling, statistical analysis, and mechanical excavation.

Table 1 below provides an updated breakdown of eligible property by type, not including the property eligible for replacement under the LSLR Plan.

Table 1: Updated Types and Age of Eligible Property

Property Type	Quantity**	Age (Year)
Water Mains*	722,890 Linear Feet	1875-2023
Company-Owned Service Lines	10,657	1875-2023
Valves	3,570	1875-2023
Hydrants	999	1875-2023
Meters	10,657	1990-2023

* Less than 2% of all water mains were installed prior to 1900.

** Does not include the East Donegal Rate District.

Table 2 below lists the DSIC-eligible property under Columbia Water’s LSLR Plan.

Table 2: Types and Age of Eligible Property Under the LSLR Plan

Property Type	Quantity*	Age (Year)
Company-owned service lines	12,051	1875 – 2023
Customer-owned service lines	12,050	1875 - 2023

* Includes the East Donegal Rate District and is eligible only to the extent the service lines are made of lead materials.

Table 3 provides a breakdown of the material composition of all of Columbia Water’s company-owned and customer-owned service lines, including those that are eligible for replacement under the LSLR Plan.

Table 3: Company-Owned and Customer-Owned Service Lines Eligible Under the LSLR Plan by Material

Company-Owned		Customer-Owned	
Lead	4	Lead	1
Copper	4,297	Copper	2,135
Unlikely Lead	4,560	Unlikely Lead	5,103
Unknown	3,173	Unknown	4,807
Likely Lead	1	Likely Lead	1
Other	16	Other	3
TOTAL	12,051	TOTAL	12,050

Columbia Water maintains that lead materials will be identified through the following four methods:

- In combination with main replacements: As part of its broader LTIIP efforts, Columbia Water stated that it will analyze record-reviews of old-age mains within the oldest parts of its distribution system to determine which water mains in the distribution system should be replaced. Prior to choosing an LSLR project area, Columbia Water noted that its distribution crew will review records and/or physically inspect a portion of the service lines within a proposed area to gauge the likelihood of lead within that area. Columbia Water noted that coordination with municipalities will take place to minimize costs and minimize impacts on roads and neighborhoods. Columbia Water stated that once the LSLR project areas are determined, the projects will be posted on the Columbia Water website at

least six months in advance of the work being done. Prior to the work being initiated, Columbia Water indicated that its staff would contact customers to determine all customer-owned service line materials within the affected area, and to provide the customers with detailed information regarding the routine procedures and the potential health risks involved.

- Mechanical excavations: Columbia Water stated that areas with a higher likelihood of having LSLs will be prioritized for these projects. Columbia Water noted that it will physically excavate the service lines to determine material types, and if a service line is determined to be lead, coordination will occur with the customer(s) and the property owner to have the service line replaced.
- Customer self-surveys: Columbia Water maintained that it would communicate with customers on how to identify lead, galvanized requiring replacement, or unknown service lines. Columbia Water also noted that customers who discover a COLSL may call and schedule to have their service line replaced. Columbia Water noted that if the company-owned portion of the service line is lead, it will be replaced at the same time with the COLSL. These replacements will occur as discovered.

Table 4 below provides a list of Columbia Water's updated eligible property that is to be replaced through the course of its LTIP. Columbia Water noted that these quantities were prepared based upon the best available information at the time. Columbia Water asserts that actual quantities may vary depending on conditions in the distribution system or with the municipalities' street projects.

Table 4: Updated Eligible Property to be Replaced 2023 through 2027

Year	Water Main (Linear Feet)	Service Lines	Valves	Hydrants	Meters
2023	1,200	30	5	3	140
2024	1,200	30	5	3	140
2025	1,200	50	5	3	140
2026	1,200	50	5	3	140
2027	1,200	50	5	3	140

Prior to 2024, Columbia Water noted that its LTIP originally included 30 service line replacements per year and that the company-owned service lines that were being replaced were primarily made of lead materials. Columbia Water stated that beginning in 2025, it is now planning to undertake 50 service line replacements annually, which includes replacing company-owned LSLs and COLSLs. Columbia Water maintained that company-owned LSLs and COLSLs are found in in areas of Columbia and Marietta Boroughs with houses built prior to 1950 and with water mains older than 1970. However, Columbia Water noted that LSLs may also be found in Mountville Borough and in portions of West Hempfield, East Donegal, Hellam and Manor Townships.

Columbia Water’s updated projected annual expenditures for 2023 through 2027 are listed in Table 5 below. Columbia Water noted that these estimates are based upon the quantities that were listed in Table 4 above and reflect recent construction costs.

Table 5: Updated Projected Annual Expenditures for 2023 through 2027

Year	Projected Annual Expenditures
2023	\$280,000
2024	\$280,000
2025	\$380,000
2026	\$380,000
2027	\$380,000

A breakdown of updated projected annual expenditures by category is provided in Table 6 below.

Table 6: Projected Annual Expenditures by Category for 2023 through 2027

Year	Water Main	Service lines	Valves	Hydrants	Meters	Total
2023	\$160,000	\$45,000	\$15,000	\$10,000	\$50,000	\$280,000
2024	\$160,000	\$45,000	\$15,000	\$10,000	\$50,000	\$280,000
2025	\$160,000	\$145,000	\$15,000	\$10,000	\$50,000	\$380,000
2026	\$160,000	\$145,000	\$15,000	\$10,000	\$50,000	\$380,000
2027	\$160,000	\$145,000	\$15,000	\$10,000	\$50,000	\$380,000

Columbia Water noted that prior to 2024, it invested \$45,000 annually into replacing its company-owned service lines made of lead. Columbia Water also noted that beginning in 2025, it is committing an additional \$100,000 per year for replacement of company-owned and customer-owned LSLs. Columbia Water maintains that the projected DSIC-eligible expenditures will accelerate the replacement of infrastructure by approximately 80% percent. Moreover, Columbia Water stated that it will make a concerted effort to replace existing LSLs in a timely manner within the time frame set forth in 52 Pa. Code § 65.53(a). Accordingly, Columbia Water’s LSL replacements will take place in conjunction with its other infrastructure investments.

MODIFIED LTIP SUMMARY

Commission review of an LTIP must determine if the LTIP:⁴

- Contains measures to ensure that the projected annual expenditures are cost-effective.
- Specifies the manner in which it accelerates or maintains an accelerated rate of infrastructure repair, improvement or replacement.
- Is sufficient to ensure and maintain adequate, efficient, safe, reliable and

⁴ See, 52 Pa. Code § 121.4(e) (relating to LTIP filing and Commission review procedures).

reasonable service.

- Meets the requirements of 52 Pa. Code § 121.3(a).

The utility has the burden of proof to demonstrate that its proposed LTIP and associated expenditures are reasonable, cost effective and designed to ensure and maintain sufficient, safe, adequate, reliable, and reasonable service to consumers.⁵

The Commission has reviewed Columbia Water's Modified LTIP and any resulting comments. The Commission finds that Columbia Water has met its burden of proof by demonstrating that its Modified LTIP contains measures to ensure that the projected annual expenditures are cost-effective, specifies the manner in which it accelerates or maintains an accelerated rate of infrastructure repair, improvement, or replacement, is sufficient to ensure and maintain adequate, safe, reliable, and reasonable service, and meets the requirements of 52 Pa. Code § 121.3(a).

The Commission finds Columbia Water's Modified LTIP and the manner in which it was filed conforms to the requirements of Act 11 and Commission regulations. The Modified LTIP, as approved herein, is designed to maintain safe, adequate, reliable, and reasonable service and, as such, Columbia Water shall be required to comply with the infrastructure replacement schedule and elements of that plan.

IV. LSLR PLAN

An LSLR Plan must contain, at a minimum, the components specified in 52 Pa. Code § 65.56 including a service line inventory, a description of planning and replacements, and communication, outreach, and customer education materials. We find that Columbia Water's LSLR Plan, as modified by the Settlement and supplemental information, contains adequate provisions that comply with these requirements, consistent with the following discussion.

⁵ See, 52 Pa. Code § 121.4(d).

1. SERVICE LINE INVENTORY

An entity's LSLR Plan must include a service line inventory (SLI) that complies with United States Environmental Protection Agency (EPA) regulation at 40 CFR §§ 141.1-143.20 as monitored by the Pennsylvania Department of Environmental Protection (DEP), inclusive of future changes as those regulations may be amended. Additionally, an entity shall identify any assumptions relied on to compile its SLI and, until the SLI is complete, provide detailed information regarding the progress of its SLI as part of its annual LSLR program report. 52 Pa. Code §§ 65.56(a)(1), (4) and (5).

In its LSLR Plan, Columbia Water indicated that it prepared its SLI in compliance with EPA and DEP requirements and that there are no assumed service line materials in its SLI. The Commission notes that Columbia Water did not provide information about how many galvanized service lines currently or ever were downstream of any LSL or service line of unknown material in its LSLR Plan. Pursuant to 52 Pa. Code § 65.52, a galvanized service line is considered an LSL if it ever was or is currently downstream of any LSL or service line of unknown material. Columbia Water plans to identify, at a minimum, a cumulative average of 10% of the initial unknown service materials annually and the SLI is being integrated into its geographic information system. In its Modified LTIP, Columbia Water provided a breakdown of company-owned LSLs and COLSLs by material type as summarized below in Table 7:

Table 7: Service Line Inventory Summary

Material Type	Company-Owned	Customer-Owned
Lead	4	1
Copper	4,297	2,135
Unlikely Lead	4,560	5,103
Unknown	3,173	4,807
Likely Lead	1	1
Other	16	3
Total	12,051	12,050

Consistent with the Settlement’s Section F.38, Columbia Water agreed to complete replacements of all company-owned and customer-owned LSLs within ten program years if the Lead and Copper Rule Improvements rulemaking promulgated by the EPA is finalized, codified, becomes law, and requires that water systems complete all LSLRs within ten years.

For future water distribution system acquisitions, Columbia Water specified that if it acquires water distribution systems in the future, it will update its SLI in accordance with 52 Pa. Code § 65.56(a)(2) at the time of completing the acquisition. Also, when an LSLR is completed, Columbia Water will document the service address, the length of pipe removed, the pipe diameter, LSLR costs, and other information identified in the LSLR Plan’s Appendix K. This data will be compiled annually for the LSLR Program Report.

2. PLANNING AND REPLACEMENTS

Columbia Water estimated that it can replace approximately 50 LSLs per year, including up to 25 COLSLs within a maximum budgeted amount of \$125,000 per year, and approximately 25 company-owned LSLs per year. The costs incurred by Columbia Water for LSLRs will be funded with a combination of commercial loans, cash from operations, and/or PENNVEST loans.

In its LSLR Plan, Columbia Water indicated that LSLR projects will be prioritized based on targeted sensitive populations as defined by the EPA and DEP, which includes areas with elevated levels of lead in tap water, areas with high concentrations of lead service lines, and/or areas of the distribution system which have elevated corrosion rates. Additionally, to determine service line materials, Columbia Water will prioritize schools, nursing homes, large apartment buildings, and homes with multiple meters and multiple family residents. Further, Columbia Water noted in the LSLR Plan that LSLs may be replaced in conjunction with Columbia Water's planned main replacements, if discovered by mechanical excavation, or if discovered inside a building through customer outreach.

If an LSL is leaking or otherwise defective at the time it is discovered, Columbia Water will replace the LSL in accordance with the Pro Forma Tariff. The Commission correspondingly notes that Columbia Water included in its Pro Forma Tariff the definition of a Partial LSLR that would prohibit placing a COLSL back into service with a repair that does not replace the entirety of an LSL and thereby, would be considered a Partial LSLR regardless of the emergency. Columbia Water indicated that its distribution staff will maintain the proper equipment and tools necessary for emergency service line replacements. If an LSL is discovered during an emergency but is not leaking at that time, the LSL will be scheduled for replacement at a later date.

The LSLR Plan included a description of Columbia Water's processes for LSLRs, coordination with customers and property owners throughout the LSLR process, and LSLR completion or closeout. Additional procedures are detailed for no customer or property owner response or upon an unsuccessful attempt to obtain acceptance and for refusal of an LSLR.

Columbia Water indicated that when an LSL is discovered at a property, it will contact the customer(s) and property owner to let them know of the discovery. Customers will be given information explaining the health effects of lead and what they should do to prevent lead in their water. Columbia Water staff will then inform the

customer(s) and property owner how to schedule to have their service line replaced and when the scheduled replacement will occur.

Prior to replacing the COLSL, an agreement (LSLR Agreement) must be signed between Columbia Water and the property-owner, or representative of the property-owner. A copy of the LSLR Agreement was provided as the LSLR Plan's Appendix C. The LSLR Plan also described Columbia Water's procedure for completing LSLRs that cross one or more properties and procedures in case of a customer's refusal of an LSLR. The LSLR Plan's Appendix N included a copy of an LSLR Refusal Form that will document the customer's refusal of Columbia Water's offer to address the COLSL.

Columbia Water intends to replace LSLs using existing pipe routes through a combination of pipe splitting and/or pipe pulling. This approach removes or displaces existing pipe while simultaneously replacing it with a new pipe and is the preferred method under normal circumstances. Columbia Water may also utilize guided boring to install a new pipe along a different route or open trench excavation to remove and replace the service line. The appropriate replacement technique will depend on a combination of many site-specific characteristics. LSLs removed from any project will be disposed of at an appropriate facility to ensure proper disposal of all lead. Scrap receipts will be kept on file and proceeds from the recycling efforts will be added to Columbia Water's operating revenue. Columbia Water's LSLR Plan indicated that it will assist customers with flushing interior plumbing after the completion of an LSLR.

3. COMMUNICATIONS, OUTREACH AND EDUCATION

To address 52 Pa. Code § 65.56(c)(1), Columbia Water's LSLR Plan indicated that within one year of Commission approval of its LSLR Program, Columbia Water will add LSL documentation to its website that will include information about LSLR routine procedures, flushing, methods for determining service line material, and the health effects associated with lead. Additionally, the Columbia Water website will include information

about upcoming LSLR projects and provide specific information about when LSLR projects will occur. A secure, online interactive map will be provided for customers to be able to determine if an LSL may exist at the service address.

Columbia Water's website will also include information required by Commission regulations, including information about reimbursement requirements and instructions for customers to determine eligibility for reimbursement for a previous LSLR. Columbia Water will explore options for providing an online tool to enable customers to determine eligibility for reimbursement. Columbia Water's website and all documentation regarding LSLRs will be available in both English and Spanish and, upon request, in other languages directly to customers. In order to ensure the Commission and all interested parties understand what is in the final version of Columbia Water's LSLR Plan, we direct Columbia Water to file a final version of its Modified LTIP that includes its final version of its LSLR Plan, consistent with 52 Pa. Code § 65.54(b).⁶

V. PRO FORMA TARIFF

Columbia Water submitted its Pro Forma Tariff containing the proposed changes necessary to implement its LSLR Plan. Columbia Water's *pro forma* tariff or tariff supplement must address, at a minimum, the components specified in 52 Pa. Code § 65.58. We find that Columbia Water's Pro Forma Tariff, with the revisions directed by the Commission below in Sections V.1. and V.2. below, meets these requirements, consistent with the following discussion.

⁶ See, Ordering Paragraph 3.

1. LSLR PROGRAM ANNUAL CAP

As discussed above in Section IV.2., Columbia Water's LSLR Plan and Pro Forma Tariff identified a cap of 25 customer-owned LSLRs or \$125,000, whichever is less, on an annual basis. If a customer reimbursement provided pursuant to the tariff or an emergency LSLR causes Columbia Water to exceed its annual cap, Columbia Water will increase its current annual cap by the number and cost of emergency repairs and/or reimbursements and decrease its annual cap by same for the following year only. We find that the inclusion of budgetary figures for LSLRs in both the LSLR Plan and Pro Forma Tariff is unnecessarily duplicative and may lead to confusion as to whether it is the maximum number of LSLRs or the maximum budget per year that is the controlling element in the Pro Forma Tariff. It is well settled that public utility tariffs must be applied consistently with their language. 66 Pa.C.S. § 1303 (relating to adherence to tariffs). Additionally, public utility tariffs have the force and effect of law and are binding on the customer as well as the utility. *See, Pennsylvania Electric Co. v. Pennsylvania Public Utility Commission*, 663 A.2d 281, 284 (Pa. Cmwlth. 1995).

Section 1311(b)(2)(vi) of the Code, 66 Pa.C.S. § 1311(b)(2)(vi), provides clear language that the new tariff or supplement to an existing tariff approved by the Commission under subparagraph (v) shall include a cap on the maximum **number of COLSLs** that can be replaced annually (emphasis added). Further, pursuant to 52 Pa. Code § 65.58(a), an entity's *pro forma* tariff or tariff supplement must include a cap on the number of COLSLs that can be replaced annually. In supplemental information filed with the Commission, Columbia Water averred that the monetary cap was a bargained for piece of the Commission-approved Settlement in this matter. However, the Commission notes that tariff language contrary to the Code and Commission regulation will not be permitted to become effective. Columbia Water may include a budget for an amount it deems necessary to complete the projected 25 COLSLs in its LSLR Plan. Further, the Commission notes that the cap on the annual number of COLSLs identified in Columbia Water's Pro Forma Tariff is not a commitment by Columbia Water to complete a

minimum number of LSLRs. To ensure that the Pro Forma Tariff can be applied consistently with its language, the Code and Commission regulations, the Commission will direct Columbia Water, pursuant to 52 Pa. Code § 65.55(c), to file a tariff supplement that removes the tariff language “or \$125,000, whichever is less”.⁷

2. NON-OWNER OCCUPIED PROPERTIES

Section 28, Paragraph (8), of the Pro Forma Tariff described Columbia Water’s option to “stand in the shoes of the property owner” and to replace a COLSL when:

- i. The Company has offered pursuant to its Tariff to replace at no direct cost to the property owner a COLSL;
- ii. The property is not occupied by the legal owner of the property; and
- iii. The Company has made attempts to obtain authorization for the Customer LSLR pursuant to this Tariff and the LSLR Plan and (a) the legal owner cannot be identified; (b) the legal owner cannot be located; or (c) the Company has notified the legal owner but the owner has never responded.

Columbia Water’s Pro Forma Tariff further states:

“In such instances, and when, in the sole discretion of the Company, replacing the Customer-Owned LSL and preventing the termination of water service would be reasonable and in the public interest, the Company may **provide the Customer with the option to execute a consent form for the LSL replacement and, upon execution of the Customer consent form, is authorized by this Tariff, which has the force and effect of law, to** [emphasis added] proceed to make the replacement without obtaining authorization from the property owner. In any such instance of replacement, the Company, and any individual associated with the Company, including but not limited to employees, agents, board members and executives, are released and held harmless from any

⁷ See, Ordering Paragraph 2.

and all claims, causes of action, damages or losses, of any nature whatsoever with respect to the work performed but the Company or its contractors, and shall not be otherwise liable for any claim asserted by any person, including the property owner, as a result of the LSLR except to the extent otherwise authorized by the Tariff. In any instance where the Company cannot, in its sole judgement, reasonably make safe entry to the property service may be terminated until the property owner provides consent and provides safe access to said property.”

We note here that the language of the Pro Forma Tariff, emphasized above, does not match Columbia Water’s LSLR Plan, which does not require the customer to act in lieu of the property owner to authorize Columbia Water to complete the LSLR. The Commission is concerned with Columbia Water’s proposal to require the customer, in lieu of the property owner, to authorize an LSLR, as the customer may be a tenant that does not have the authority, depending on their individual lease agreements, to allow structural changes to the property without the prior written consent of the property owner. As such, pursuant to 52 Pa. Code § 65.55(c), we direct Columbia Water to file a tariff supplement that replaces the previously proposed tariff language with the following language from Columbia Water’s LSLR Plan:

“In such instances, and when, in the sole discretion of the Company, replacing the Customer-Owned LSL and preventing the termination of water service would be reasonable and in the public interest, the Company may proceed to make the replacement without obtaining authorization from the property owner. In any such instance of replacement, the Company, and any individual associated with the Company, including but not limited to employees, agents, board members and executives, are released and held harmless from any and all claims, causes of action, damages or losses, of any nature whatsoever with respect to the work performed but the Company or its contractors, and shall not be otherwise liable for any claim asserted by any person, including the property owner, as a result of the Customer Lead Service Line replacement except to the extent otherwise

authorized by this Tariff. In any instance where the Company cannot, in its sole judgement, reasonably make safe entry to the property service may be terminated until the property owner provides consent and provides safe access to said property.”⁸

3. SERVICE LINE DEMARCATION

The Pro Forma Tariff included a definition for COLSL that is consistent with 52 Pa. Code § 65.52 and provisions for Columbia Water to perfect its ownership of the portion of the service line located within the then-existing right-of-way. Columbia Water may install a shutoff valve to serve as a point of demarcation between the property’s service line and the property’s interior water distribution piping if a shutoff valve is not located within 12 inches of a structure.

4. PARTIAL LSLRS

The Pro Forma Tariff included appropriate provisions concerning partial LSLRs. A partial LSLR must result in termination of service under Columbia Water’s tariff. Also, where a property owner elects to replace the COLSL, the property owner must replace the COLSL concurrent with Columbia Water replacing the company-owned LSL, subject to the property owner providing Columbia Water at least 90 days’ notice prior to replacing the COLSL.

5. REIMBURSEMENTS

The Pro Forma Tariff included the appropriate provisions for customer or property owner reimbursement for customers or property owners that replaced their COLSL including the statement that if the reimbursement would cause Columbia Water to exceed

⁸ See, Ordering Paragraph 2.

its current annual cap, Columbia Water will increase its current annual cap by the number of reimbursements and decrease its next annual cap by the same amount.

6. WARRANTY

The Pro Forma Tariff included appropriate warranty provisions. Columbia Water will provide a two-year warranty for materials and workmanship of the replaced customer-owned portion of the LSL commencing from the date the LSLR is complete. Columbia Water provided a copy of an LSLR Completion Form as the LSLR Plan's Appendix D, which will establish the LSLR completion date. This warranty shall cover repairs conducted by Columbia Water or a contractor at the Company's request of the replaced customer-owned portion of the service line up to \$2,500 per customer, including restoration of surfaces, so long as the customer allows access to the property for repairs.

VI. OTHER CONSIDERATIONS

We note that Columbia Water's Commission-approved LSLR Program will remain effective indefinitely and cannot be terminated or modified except by Commission Order. *See* 52 Pa. Code §§ 65.55(d) and 65.57. The Commission may release Columbia Water from Commission-imposed LSLR Plan requirements if Columbia Water demonstrates the absence of LSLs through its SLI and proposes a reasonable tariffed process to address any LSLs that may be discovered thereafter. Otherwise, Columbia Water shall update its LSLR Plan for Commission review at least once every five years.⁹ Pursuant to 52 Pa. Code § 65.57(b), the Commission will review Columbia Water's updates and related public input to determine, among other things, if changes are necessary to maintain and improve the efficiency, safety, adequacy and reliability of Columbia Water's LSLR Program. Additionally, Columbia Water's provided adequate statements to address the changes proposed by the Pro Forma Tariff as

⁹ *See*, Ordering Paragraph 4.

required by the Commission for filings under 66 Pa.C.S. § 1308, including statements required by 52 Pa. Code § 53.52(a).

As described in Ordering Paragraph 2, we will direct Columbia Water to file its tariff supplement with the Commission, including the tariff changes directed by the Commission in Sections V.1. and V.2., above, which will be reviewed by Commission staff for the required form and content of tariffs and tariff changes pursuant to 52 Pa. Code § 53.1-53.26, and for compliance with Sections V.1. and V.2. Commission staff will address any necessary ministerial tariff changes with Columbia Water, such as page numbering and table of contents changes, and will take appropriate action to ensure that the filed tariff complies with the tariff changes directed by the Commission in Sections V.1. and V.2.

VII. CONCLUSION

Investigation and analysis of Columbia Water's LSLR Program indicates that Commission approval of Columbia Water's LSLR Program appears to be lawful, just, reasonable, and consistent with the public interest. As such, we approve Columbia Water's LSLR Program and direct Columbia Water to file an LSLR Program tariff supplement with the Commission under Section 1308 and consistent with this Opinion and Order; **THEREFORE,**

IT IS ORDERED:

1. That the Petition of Columbia Water Company at Docket No. P-2023-3041845, as supplemented, is approved, consistent with this Opinion and Order.

2. That within ten (10) days following the entry date of this Opinion and Order, Columbia Water Company shall file a tariff supplement with the Secretary's Bureau at Docket No. P-2023-3041845, consistent with this Opinion and Order, the *pro forma* tariff supplement provided as the Petition's *pro forma* tariff filed with the

Commission on March 19, 2025, as modified by the Commission's directed tariff changes in Sections V.1. and V.2. of this Opinion and Order, and Commission regulations for the required form and content of tariffs and tariff changes pursuant to 52 Pa. Code §§ 53.1-53.26, to become effective upon at least ten (10) days' notice, and which shall demonstrate to the Commission's satisfaction that the filed tariff changes comply with this Opinion and Order.

3. That within ten (10) days following the entry date of this Opinion and Order, Columbia Water Company shall file at Docket Nos. P-2022-3034702 and P-2023-3041845 a final version of its Modified Long-Term Infrastructure Improvement Plan that includes its final version of its Lead Service Line Replacement Plan, consistent with this Opinion and Order and 52 Pa. Code § 65.54(b).

4. That Columbia Water Company shall file a copy of its updated Lead Service Line Replacement Plan with the Commission at least once every five years, until further Order of the Commission.

5. That Columbia Water Company shall file a copy of its Lead Service Line Replacement Program Report with the Commission by March 1 of each year, until further Order of the Commission.

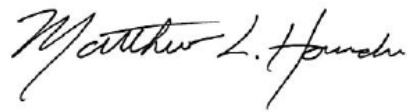
6. That Columbia Water Company shall include a report that details its updated unaccounted-for water, non-revenue water, and main break occurrence rates in every Annual Asset Optimization Plan filed with the Commission, beginning with Columbia Water Company's Annual Asset Optimization Plan filed in March 2026.

7. That a copy of this Opinion and Order be served upon Columbia Water Company, the Commission's Bureau of Investigation and Enforcement, the Office of Consumer Advocate, and the Office of Small Business Advocate.

8. That a copy of this Opinion and Order be served upon the Commission's Bureau of Technical Utility Services, Finance/Tariff and Water/Wastewater Sections, for monitoring and compliance.

9. That upon acceptance by the Commission of the tariff supplement filed by Columbia Water Company pursuant to Ordering Paragraph 2, the proceeding at Docket No. P-2023-3041845 be closed.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Matthew L. Homsher". The signature is written in a cursive style with a large initial "M".

Matthew L. Homsher
Secretary

(SEAL)

ORDER ADOPTED: October 9, 2025

ORDER ENTERED: October 9, 2025