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File #: 211585

October 10, 2025

VIA ELECTRONIC FILING

Matthew Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: IN THE MATTER OF THE JOINT APPLICATION OF THE YORK WATER COMPANY AND CMV SEWAGE CO. INC., Under Sections 1102(a)(1)-(3) of the Public Utility Code, for (1) approval of the right to transfer certain public wastewater facilities and rights from CMV Sewage Co. Inc. to The York Water Company; (2) the abandonment by CMV Sewage Co. Inc. of wastewater service to the public in its service territory in Chanceford Township, York County, Pennsylvania; and (3) approval for The York Water Company to begin to offer, render, furnish or supply wastewater service to the public in a portion of Chanceford Township, York County, Pennsylvania
Docket No. A-2025-3054555
Docket No. A-2025-3054556

Dear Secretary Homsher:

Attached for filing is the Joint Stipulation of Facts in the above-referenced proceeding. York Water notes that Proprietary and Non-Proprietary copies of the Joint Stipulation are being submitted. The Non-Proprietary version is enclosed and is being electronically filed through the Pennsylvania Public Utility Commission's ("Commission") eFiling website. The Proprietary version is not enclosed and is being uploaded separately to the Commission's ShareFile folder for confidential filings.

The Proprietary version contains proprietary and competitively-sensitive nature, namely Exhibit E of Stipulating Parties Exhibit 1, which is a copy of the Purchase Agreement. Accordingly, York Water respectfully requests that the Proprietary version of the Joint Stipulation be afforded proprietary treatment and placed in a non-public folder. Additionally, under separate cover, York

Water is sending the Commission a CD containing PDF copies of the Proprietary and Non-Proprietary versions of the Joint Stipulation.

The parties listed on the enclosed Certificate of Service are being served with the Non-Proprietary copy of the Joint Stipulation.

Copies are being provided as indicated on the Certificate of Service.

Respectfully submitted,

Devin Ryan

DR/dmc
Attachment

cc: The Honorable Emily A. Farren (*via email; w/attachment*)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA EMAIL

John Baranski, Esquire
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jbaranski@mpl-law.com

Christy M. Appleby, Esquire
Senior Assistant Consumer Advocate
Office of Consumer Advocate
555 Walnut Street
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Harrisburg, PA 17101-1923
Cappleby@paoca.org

Date: October 10, 2025

Devin T. Ryan

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN THE MATTER OF THE JOINT APPLICATION OF THE YORK WATER COMPANY AND CMV SEWAGE CO. INC., Under Sections 1102(a)(1)-(3) of the Public Utility Code, for (1) approval of the right to transfer certain public wastewater facilities and rights from CMV Sewage Co. Inc. to The York Water Company; (2) the abandonment by CMV Sewage Co. Inc. of wastewater service to the public in its service territory in Chanceford Township, York County, Pennsylvania; and (3) approval for The York Water Company to begin to offer, render, furnish or supply wastewater service to the public in a portion of Chanceford Township, York County, Pennsylvania	:	Docket Nos. A-2025-3054555 A-2025-3054556

JOINT STIPULATION OF FACTS

TO ADMINISTRATIVE LAW JUDGE EMILY A. FARREN:

The York Water Company ("York Water" or the "Company"), CMV Sewage Co. Inc. ("CMV" or "Seller"), and the Office of Consumer Advocate ("OCA"), all parties to the above-captioned proceeding (hereinafter collectively referred to as the "Stipulating Parties"), hereby file this "Joint Stipulation of Facts" ("Stipulation") in the above-captioned proceeding. In support of the Stipulation, the Stipulating Parties represent as follows:

I. BACKGROUND

1. Concurrent with this Stipulation, the Stipulating Parties are filing a Joint Petition for Settlement of All Issues ("Settlement") that fully resolves the issues raised in the above-captioned proceeding. The Settlement was reached after an investigation of York Water's and CMV's Joint Application, including informal discovery and settlement discussions. The Settlement is the product of compromise between and among the Stipulating Parties concerning their respective positions taken in this proceeding.

2. The Stipulating Parties hereby submit this Stipulation, which supports the Settlement.

II. STIPULATION OF FACTS

3. The Stipulating Parties hereby stipulate to the admission of York Water's and CMV's above-referenced Joint Application into evidence in this proceeding. A copy of the Joint Application is attached hereto as **Stipulating Parties Exhibit 1**.

4. York Water is a Class "A" public utility regulated by the Commission, organized under the laws of the Commonwealth of Pennsylvania, with a primary business address at 130 East Market Street, York, Pennsylvania 17401-1219.

5. York Water is now furnishing wastewater service to the public in portions of thirteen municipalities in York County, a portion of one township in Adams County, a portion of two townships in Lancaster County, and a portion of three municipalities in Franklin County.

6. The wastewater community served has an estimated population of approximately 17,000 as of December 31, 2024, with wastewater service furnished to approximately 6,682 customers as of December 31, 2024.

7. CMV is a Class "C" public wastewater utility certificated by the Commission to provide public wastewater service within its certificated territory in a portion of Chanceford Township, York County. CMV has a mailing address of 200 Bailey Drive, Stewartstown, Pennsylvania 17363.

8. CMV owns and operates a public wastewater system that consists of a collection system, wastewater treatment plant, a lagoon treatment system, drip irrigation field, and related wastewater facilities ("Wastewater System Assets") serving 280 residential customers in Chanceford Manor Village, a residential community located in Chanceford Township, York County, Pennsylvania.

9. The Commission issued CMV a certificate of public convenience in 1988, authorizing the provision of wastewater service at Docket No. A-230056, and then for Phase V of the development in 2000 at Docket No. A-210532-F0002.

10. The Sellers have reached out to York Water for a lifeline to acquire the CMV system due to the deteriorating financial and physical condition of the system and its assets.

11. The owners of CMV have experienced a long history with both the Commission and the Pennsylvania Department of Environmental Protection ("DEP") since constructing this wastewater system. The CMV system has been subject of a number of regulatory meetings with the PUC, including OCA, and DEP about the financial health, rates, and system requirements and the limited rate base to arrive at reasonable solutions. Currently, the wastewater system requires operational oversight, presents daily operational concern, and must be managed closely to maintain regulatory compliance related to reliability and permit compliance.

12. The Consent Order and Agreement ("COA") with DEP, detailing the compliance status of the wastewater facilities, is attached to **Stipulating Parties Exhibit 1** as **Exhibit F**.

13. The Seller has been running the system at an operational deficit and financially must exit the wastewater utility business, as this singular system is unsustainable and cannot be rehabilitated solely through its 280 customer base.

14. The CMV system is distressed, and the Seller needs to sell in the best interest of the customers, the surrounding community, and the environment.

15. The Commission has been involved through the COA, and DEP has also encouraged the consolidation of this system into York Water's wastewater service territory.

16. From an environmental perspective, there is significant benefit in the consolidation of the discharges presented in the Application, as reflected in the COA.

17. In support of this transaction, York Water has worked closely with the DEP and has agreed to execute a COA with the DEP, which allows York Water to acquire and operate the Wastewater System Assets and, after closing, requires York Water to maintain compliance with all legal requirements, including the COA, related to CMV's Sewage Treatment Plant ("STP") and the associated sewage collection system.

18. The COA does not require York Water to repair or replace the major systems at the treatment works, but rather, allows York Water to maintain the operational status quo until such time that York Water can connect the CMV customers to York Water's Felton Sewage Treatment Plant ("Felton STP") nearby and downgradient.

19. DEP offered and pursued the COA with York Water because the agency is aware of the costs to repair and/or replace the treatment works, which costs are not affordable to the limited number of CMV customers.

20. The allegations of violations of the Clean Streams Law asserted by the DEP over the past decade at CMV's STP are numerous, and include, among other things, degraded lagoon liners #1 and #2.

21. As set forth in the COA, York Water is expected to operate the treatment assets in a way that minimizes the potential for release of pollutants to the environment.

22. To date, CMV has not corrected the alleged violations noted by the DEP in the COA but has adjusted operation of the facilities to control the risk of pollution.

23. As such, the owners of CMV need to sell the Wastewater System Assets to a responsible operator that is: (1) able to manage the existing system, prevent pollution, and reliably maintain compliance with the COA terms and conditions; and (2) has a long term resolution that will provide an alternative sewer solution for this community that is far more cost efficient for customer rates.

24. As stated in the COA, York Water would complete resolution of the CMV STP issues by decommissioning the STP and connecting the Chanceford Manor Village residential customers to York Water's nearby Felton STP.

25. Under the COA, York Water and the DEP established a program and schedule for expanding the Felton STP as necessary to allow the decommissioning of the CMV STP and the connection of the Chanceford Manor Village residential customers to the expanded Felton STP. This process is intended to resolve the deficiencies and violations set forth in the COA.

26. The Seller is not interested in continuing to provide wastewater service due to the compliance issues identified by the DEP in the COA but will do so until a Closing can occur.

27. The Wastewater System Assets' engineering configuration does not reflect current best engineering practices, the current condition complicates operation and will require regular maintenance, and the facilities present certain risks to workers, residents, and the environment.

28. York Water has entered into a Purchase Agreement dated June 24, 2024, to acquire CMV's wastewater distribution system and all ancillary facilities related thereto that are necessary to treat and distribute water service to the current system customers.

29. A copy of the Purchase Agreement is attached to the **Stipulating Parties Exhibit 1** as **Exhibit E** (Purchase Agreement - **CONFIDENTIAL**).

30. The June 24, 2024 Purchase Agreement more specifically describes the Wastewater System Assets that York Water will acquire. York Water is also acquiring all of the permits associated with the wastewater system from the Seller.

31. Following closing, CMV will cease providing public wastewater service in Pennsylvania.

32. Accordingly, as part of the Joint Application, CMV has requested approval to abandon its right and obligation to provide wastewater service in a portion of Chanceford Township, which is currently CMV's certificated wastewater service territory, pursuant to Section 1102(a)(2) of the Public Utility Code.

33. York Water's capital requirements for the acquisition consist of the purchase price of Three Hundred Sixty Thousand Dollars ($360,000.00) for the Seller's Wastewater System Assets and certain real property. The purchase will be financed by internally generated funds, proceeds from the issuance of common stock under York Water's dividend reinvestment and direct stock purchase and employee stock purchase plans, and, if necessary, borrowings against York Water's line of credit. A portion of this payment is allocated to the Wastewater System Assets

($260,000), while the remaining portion is allocated to real estate ($100,000). Therefore, the Wastewater System Assets and associated real estate are being purchased for $360,000.

34. In addition to a purchase price, York Water's initial capital requirements will consist of costs to inspect all of the mains within the system and conduct any repairs that are observed within the collection system.

35. The STP will remain intact but with regular operator oversight until disconnection/connection to the Felton STP. Operator oversight under York Water will be enhanced due to the conditions at the facility.

36. Concurrently, York Water will be designing the Felton STP expansion and main extension connection, obtaining permits, and then constructing these facilities, which will be financed by internally generated funds, proceeds from the issuance of common stock under York Water's dividend reinvestment and direct stock purchase and employee stock purchase plans, and, if necessary, borrowings against York Water's lines of credit. All system improvements described in this Paragraph will be completed and in-service no more than 36 months after Closing. There are no future system improvement plans other than those identified in this Paragraph at this time.

37. There have been no contributions toward the construction of the Seller's water distribution system, and Seller has no outstanding PENNVEST loans on the water distribution system.

38. York Water and CMV are not affiliated, and the purchase price is based on arm's length negotiations as agreed upon in the Purchase Agreement.

39. York Water will perform an original cost study for the purchase of the Wastewater System Assets upon closing. A more detailed listing and description of assets will be provided when the original cost study is completed.

40. York Water's proposed additional service territory includes CMV's current service area, as well as the inclusion of the Oakbrook Drive development and parcels along Main Street Extended, as approved by the municipality ("Requested Territory"), as evidenced by the map and the metes and bounds description attached to **Stipulating Parties Exhibit 1** as **Exhibit C**.

41. York Water is requesting properties to the west of the CMV territory (the Oakbrook Drive loop) and the residential properties immediately south of the CMV territory along Main Street outside of the current CMV certificated area, because the future connection of these properties, currently utilizing individual on-lot systems, when/if needed is physically and economically efficient and such inclusion in York Water's territory is supported by Chanceford Township. *See* **Exhibit D** to **Stipulating Parties Exhibit 1** (Chanceford Township Letter).

42. York County Planning Commission and Chanceford Township are in agreement regarding the proposed territory expansion, as evidenced by the consistency letters issued by those entities and attached to the Joint Application as **Exhibits K and L**, respectively.

43. York Water owns and operates the Felton STP, which is located near the Chanceford Manor Village residential development.

44. As stated previously, York Water will be expanding the Felton STP after closing so that the Company can connect the Chanceford Manor Village customers to the Felton STP, decommission the CMV STP, and resolve the issues associated with the CMV STP.

45. Through that expansion project, York Water would have sufficient treatment capacity to meet the demands of Chanceford Manor Village and the requested territory through at least 2040. Chanceford Township desires to remain relatively rural in nature, and the future connection need is expected to be relatively modest.

46. Any additional future requests for public wastewater service in this service territory and/or on adjacent land will be considered in accordance with local land development decisions and the Company's tariff and line extension rules.

47. Consistent with the Settlement, York Water proposes to charge CMV customers a flat rate of $50.00 per month for customers in the CMV service area until York Water's next base rate case.

48. CMV currently bills its customers based on metered rates. Red Lion Municipal Authority ("RLMA") provides water service to the CMV customers and has been providing monthly water use meter readings to CMV for over a decade, at no charge and pursuant to no agreement.

49. York Water contacted RLMA to provide notice of the pending sale of the system and requested that RLMA continue providing the meter reads. RLMA indicated it would not provide the reads to York Water.

50. After two requests and at the request of the CMV customers, York Water's CEO, JT Hand attended RLMA's public meeting on November 20, 2024, and made the same request, explaining that metered rates are favored by the CMV customers and York Water. From that meeting, RLMA indicated it would consider providing the meter readings to York Water and would review the draft agreement provided by York Water.

51. RLMA ultimately responded months later with counter terms in the draft agreement that were not in the interest of York Water's customers. Thus, at this time, York Water is not working toward a signed agreement with RLMA.

52. York Water's proposed $50.00 per month flat fee for wastewater service for CMV customers aligns with the average residential customer bill for the CMV customers, which is

approximately $51.00. The proposed $50.00 flat fee is intended to keep the average customer bill relatively the same while recognizing York Water's inability to get water consumption data from RLMA at a reasonable cost.

53. The residents of Chanceford Manor Village will not incur reservation or connection fees related to York Water's designing, permitting, and constructing additional facilities to convey wastewater from Chanceford Manor Village to the Felton STP. Construction of the main extension and connection will commence upon receipt of Commission approval of this Application and York Water's receipt of the required permits related to the extension and connection.

54. York Water is in good standing with the DEP and in general compliance with DEP water supply regulatory requirements related to the provision of public wastewater service.

55. Subject to Commission approval of York Water's application for the CMV territory and system(s), Mr. Eric Buracker, employee of York Water, will be the Certified Wastewater Operator for the Wastewater System. Mr. Buracker's current Wastewater System Operator License was attached to **Stipulating Parties Exhibit 1** as **Exhibit M** (Operator License).

56. All permits held by CMV related to the Wastewater System Assets will be transferred to York Water after closing. Upon completion of closing, York Water and the Township will have to initiate a Plan Update to prepare for the shift of sewer solution for CMV from a private owner on-site satellite facility to the Felton STP.

57. This is a certificated entity to certificated entity asset and operations transfer within the Requested Territory.

58. Other than CMV, which is selling the Wastewater System Assets, no corporation, partnership, or individual is now furnishing or has corporate or franchise rights to furnish similar service to that to be rendered by York Water in the Requested Territory. Additionally, no other

entities are providing water services within one mile of the Requested Territory, apart from York Water and RLMA. RLMA has not expressed any interest in purchasing or acquiring the CMV wastewater facilities. Thus, no competitive condition will be created by the proposed acquisition.

59. Upon closing, York Water will use the Wastewater System Assets to provide wastewater collection and treatment service to the customers located in Chanceford Manor Village. York Water ultimately will expand the treatment capacity at its Felton STP, extend its wastewater main to connect the Chanceford Manor Village to the expanded Felton STP, and decommission the CMV STP. The Felton STP currently is a 0.048 MGD engineering design capacity, with current flows at 13,600 gpd. The Felton STP will have an engineering design capacity of at least 110,000 gpd after its expansion, as well as estimated flows of 57,000 gpd immediately after the Chanceford Manor Village customers are connected to the Felton STP. DEP is aware of and supports this future plan.

60. York Water will operate and manage the provision of wastewater service to the Chanceford Manor Village customers from its Main Office in York, Pennsylvania. The system is approximately 12.7 miles (on roadways) from the Main Office and will be operated by full-time York Water employees. York Water has an existing operational presence and wastewater professionals in the area, as York Water currently provides wastewater service to customers in the nearby Felton Borough. The CMV wastewater system is approximately 1.23 miles from York Water's Felton STP. The acquisition will easily incorporate into existing York Water wastewater operations.

61. York Water is not anticipating any material physical, operational, or managerial changes of York Water's operations as a result of the acquisition.

62. York Water will bring significant experience, professional staff and operators, customer service support, and other customer and facilities resources in order to best serve customers, resolve the compliance issues identified by the DEP in the COA, and ensure compliance with both existing and proposed regulatory requirements, including: (1) expanding the Felton STP, decommissioning the CMV STP, and connecting the Chanceford Manor Village customers to the expanded Felton STP pursuant to the COA; (2) consistent and close supervision of the operation of the Wastewater System Assets; (3) 24/7 in-person responsiveness to customer service requests and emergencies; and (4) the ability and willingness to invest in and maintain the Wastewater System Assets as needed to maintain compliance until the connection to the Felton STP can be accomplished.

III. TERMS AND CONDITIONS OF THE STIPULATION

63. This Stipulation is presented by the Stipulating Parties in conjunction with the concurrently-filed Settlement, which is intended to settle and resolve all issues in the above-captioned proceeding. If the Commission rejects or otherwise modifies the Settlement, the Stipulating Parties reserve their respective procedural rights to object to the admission of the Stipulation, submit additional testimony and exhibits, and cross-examine witnesses at on-the-record evidentiary hearings.

64. This Stipulation is being presented, in conjunction with the Settlement, only to resolve issues in the above-captioned proceeding. Regardless of whether this Stipulation is approved or not, no adverse inference shall be drawn, nor shall prejudice result to any Stipulating Party, in this or any future proceeding, as a consequence of this Stipulation or any of its terms or conditions.

65. Attached hereto as **Appendix A** is a proposed "Order Granting Joint Stipulation of Facts" for consideration by the Presiding Officer.

WHEREFORE, the Stipulating Parties, by their respective counsel, respectfully request that the Honorable Administrative Law Judge Emily A. Farren admit the foregoing Joint Stipulation of Facts into the record in this proceeding on the terms and conditions set forth in the Stipulation.

Respectfully submitted,

Date: __October 10, 2025_

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Attorneys for The York Water Company

Date: _____

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Phone: 717 845-3674
E-mail: jbaranski@mpl-law.com
Attorney for CMV Sewage Co. Inc.

WHEREFORE, the Stipulating Parties, by their respective counsel, respectfully request that the Honorable Administrative Law Judge Emily A. Farren admit the foregoing Joint Stipulation of Facts into the record in this proceeding on the terms and conditions set forth in the Stipulation.

Respectfully submitted,

_____ Date: _____

Devin T. Ryan
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Attorneys for The York Water Company

_____ Date: 10/10/25

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Attorney for CMV Sewage Co. Inc.

31308223v1

/s/ Christy Appleby Date: October 10, 2025

Christy Appleby, Esquire
Melanie Joy El Atieh, Esquire
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melatieh@paoca.org
Attorneys for Office of Consumer Advocate

APPENDIX A

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN THE MATTER OF THE JOINT APPLICATION OF THE YORK WATER COMPANY AND CMV SEWAGE CO. INC., Under Sections 1102(a)(1)-(3) of the Public Utility Code, for (1) approval of the right to transfer certain public wastewater facilities and rights from CMV Sewage Co. Inc. to The York Water Company; (2) the abandonment by CMV Sewage Co. Inc. of wastewater service to the public in its service territory in Chanceford Township, York County, Pennsylvania; and (3) approval for The York Water Company to begin to offer, render, furnish or supply wastewater service to the public in a portion of Chanceford Township, York County, Pennsylvania	:	Docket Nos. A-2025-3054555 A-2025-3054556

<u>ORDER GRANTING JOINT STIPULATION OF FACTS</u>

On October 10, 2025, The York Water Company, CMV Sewage Co. Inc., and the Office of Consumer Advocate ("Stipulating Parties"), all parties to the above-captioned proceeding, filed a "Joint Stipulation of Facts" ("Stipulation") in the above-captioned proceeding. Each of the Stipulating Parties stipulated to the veracity and authenticity of the facts set forth in the Stipulation and requested that the Stipulation be admitted into the record of this proceeding on the terms and conditions set forth in the Stipulation. The Stipulation is attached to this Order.

As the request of the Stipulating Parties is reasonable, the request will be granted.

THEREFORE, IT IS ORDERED:

That the Stipulation, filed on October 10, 2025, is admitted into the record of this proceeding on the terms and conditions set forth in the Stipulation;

Date: _____

_____
Emily A. Farren
Administrative Law Judge

STIPULATING PARTIES EXHIBIT 1

(PUBLIC VERSION)

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Devin Ryan

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717-612-6052 Direct
717-731-1985 Direct Fax
File #: 1

April 11, 2025

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: IN THE MATTER OF THE JOINT APPLICATION OF THE YORK WATER COMPANY AND CMV SEWAGE CO. INC.,, Under Sections 1102(a)(1)-(3) of the Public Utility Code, for (1) approval of the right to transfer certain public wastewater facilities and rights from CMV Sewage Co. Inc. to The York Water Company; (2) the abandonment by CMV Sewage Co. Inc. of wastewater service to the public in its service territory in Chanceford Township, York County, Pennsylvania; and (3) approval for The York Water Company to begin to offer, render, furnish or supply wastewater service to the public in a portion of Chanceford Township, York County, Pennsylvania
Docket Nos. A-2025-_____
A-2025-_____

Dear Secretary Chiavetta:

Enclosed for filing is the Joint Application of The York Water Company ("York Water") and CMV Sewage Co. Inc. in the above-referenced proceeding. The filing fee in the amount of $350.00 will be provided at the time of the filing.

York Water notes that Proprietary and Non-Proprietary copies of the Application are being submitted. The Proprietary version is not enclosed and is being uploaded separately to the Pennsylvania Public Utility Commission's ("Commission") ShareFile folder for confidential filings.

The Proprietary version contains proprietary and competitively-sensitive nature, namely Exhibit E, which is a copy of the Purchase Agreement. Accordingly, York Water respectfully requests

that the Proprietary version of the Application be afforded proprietary treatment and placed in a non-public folder.

Additionally, under separate cover, York Water is sending the Commission a CD containing PDF copies of the Proprietary and Non-Proprietary versions of the Application.

The parties listed on the enclosed Certificate of Service are being served with the Non-Proprietary copy of the Application.

Copies will be provided per the attached Certificate of Service.

Respectfully submitted,

Devin Ryan

DR/dmc
Attachments

cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Joint Application of The York Water Company and CMV Sewage Co. Inc. has been served by certified mail, return receipt requested, upon the following:

York County Commissioners
28 E. Market Street
York, Pennsylvania 17401

York County Planning Commission
28 E. Market Street, #216
York, Pennsylvania 17401

Chanceford Township Board of Supervisors
33 Muddy Creek Forks Road
Brogue, Pennsylvania 17309

Bureau of Investigation and Enforcement
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17105-3265

Department of Environmental Protection
Southcentral Regional Office
909 Elmerton Avenue
Harrisburg, PA 17110-8200

Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Office of Small Business Advocate
555 Walnut Street
Forum Place, 1st Floor
Harrisburg, PA 17101

Red Lion Municipal Authority
11 E Broadway
Red Lion, PA 17356

Dated: April 11, 2025

_____
Devin T. Ryan, Esq.

30429997v1

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN THE MATTER OF THE JOINT APPLICATION OF THE YORK WATER COMPANY AND CMV SEWAGE CO. INC., Under Sections 1102(a)(1)-(3) of the Public Utility Code, for (1) approval of the right to transfer certain public wastewater facilities and rights from CMV Sewage Co. Inc. to The York Water Company; (2) the abandonment by CMV Sewage Co. Inc. of wastewater service to the public in its service territory in Chanceford Township, York County, Pennsylvania; and (3) approval for The York Water Company to begin to offer, render, furnish or supply wastewater service to the public in a portion of Chanceford Township, York County, Pennsylvania	:	Docket Nos. A-2025-_____ A-2025-_____

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. Name and Address of Applicants:

THE YORK WATER COMPANY
130 East Market Street
York, PA 17401-1219
Alexandra Chiaruttini, General Counsel
alexc@yorkwater.com

CMV SEWAGE CO. INC.
200 Bailey Drive
Stewartstown, PA 17363

2. Name and Address of Applicants' Attorneys:

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Michael W. Hassell, Esq.
Megan E. Rulli, Esq.
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For The York Water Company

John Baranski, Esq.
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jbaranski@mpl-law.com
For CMV Sewage Co. Inc.

3(a). The Parties:

The York Water Company ("York Water" or the "Company") is a Class "A" public utility regulated by the Pennsylvania Public Utility Commission ("Commission"), organized under the laws of the Commonwealth of Pennsylvania, with a primary business address at 130 East Market Street, York, Pennsylvania 17401-1219.

CMV Sewage Co. Inc. ("CMV" or "Seller") is a Class "C" public wastewater utility certificated by the Commission to provide public wastewater service within its certificated territory in a portion of Chanceford Township, York County. CMV has a mailing address of 200 Bailey Drive, Stewartstown, Pennsylvania 17363.

3(b). Brief Corporate History and Purpose:

Under Special Act of the Assembly of February 8, 1816, York Water was incorporated under the laws of the Commonwealth of Pennsylvania on February 23, 1816, for the purpose of supplying water in the Borough, now the City of York, York County, Pennsylvania. Over the last 200 years after incorporation, York Water has extended its franchised territory from

time to time so as to include a number of Pennsylvania municipalities in which water service and wastewater service is now being rendered as more fully set forth in Paragraph 4 below.

York Water has amended its Corporate Charter a number of times by filing Articles of Amendment with the Pennsylvania Department of State. The Department of State has issued Certificates of Amendment to York Water on June 29, 1990[1], February 28, 1994[2], May 20, 1996, March 3, 1997[3], May 1, 2000[4], and September 11, 2006. The Company's Articles of Incorporation were amended on May 3, 2010, when York Water was initiating wastewater services.[5] The amended and restated Articles authorize the Company to provide wastewater service in the area that is the subject of this Joint Application.

3(c). Description of Service Furnished to the Public:

York Water now furnishes wastewater service to the public in the majority of its franchised wastewater territory, as described more fully in Paragraph 4 below.

CMV owns and operates a public wastewater system that consists of a collection system, wastewater treatment plant, a lagoon treatment system, drip irrigation field, and related wastewater facilities serving 280 residential customers in Chanceford Manor Village, a residential community located in Chanceford Township, York County, Pennsylvania. The Commission issued CMV a certificate of public convenience in 1988 authorizing the provision of wastewater service at Docket No. A-230056 and then for Phase V of the development in 2000 at Docket No. A-210532-F0002. *See* **Exhibit A** (CMV Certificates of Public Convenience).

By this Joint Application, York Water seeks to acquire the Seller's public wastewater

[1] Microfiche #9033866-903870
[2] Microfiche #09415.0349-0352
[3] Microfilm #09719.1725-1727
[4] Microfilm #200035.389-392
[5] Microfilm #8524-8528

system and facilities, consisting of a collection system, wastewater treatment plant, a lagoon system, drip irrigation field, and related assets, that are necessary to provide wastewater service to the current system customers ("Wastewater System Assets").

3(d). Amount of Stock and Bonds Issued by York Water:

York Water has authorized 46,500,000 shares, and the total issued and outstanding is 14,374,163 shares of Common Stock as of September 30, 2024, with no stated par value. York Water has in force and effect an Optional Dividend Reinvestment and Direct Stock Purchase and Sale Plan, an Employee Stock Purchase Plan, and a Long-Term Incentive Plan.

Outstanding as of September 30, 2024, are the following Senior Notes, Industrial Development Authority Revenue Bonds, and Pennsylvania Economic Development Financing Authority Exempt Facilities Revenue Refunding Bonds:

3.00% Pennsylvania Economic Development Financing Authority Exempt Facilities Revenue Bonds Series A of 2019, due 2036 (Securities Certificate No. S-2019-3011066 of 2019)	10,500,000
Variable Rate Exempt Facilities Revenue Refunding Bonds, Series 2008A, due 2029 (Securities Certificate No. S-00041015 of 2004)	12,000,000
3.10% Pennsylvania Economic Development Financing Authority Exempt Facilities Revenue Refunding Bonds, Series B of 2019, due 2038 (Securities Certificate No. S-2019-3011066 of 2019)	14,870,000
3.23% Senior Notes, due 2040 (Securities Certificate No. S-2019-3011035 of 2019)	15,000,000
4.00% - 4.50% York County Industrial Development Authority Exempt Facilities Revenue Bonds, Series 2015, due 2029 – 2045 (Securities Certificate No. S-2014-2405684 of 2014)	10,000,000

4.54% Senior Notes, due 2049 (Securities Certificate No. S-2018-3006371 of 2018)	20,000,000
3.24% Senior Notes, due 2050 (Securities Certificate No. S-2020-3020763 of 2020)	30,000,000
5.50% Senior Notes, due 2053 (Securities Certificate No. S-2022-3036828 of 2023)	40,000,000
5.67% Senior Notes, due 2054 (Securities Certificate No. S-2023-3043389 of 2023)	40,000,000

4. Location of Existing Service Area of York Water:

York Water is now furnishing wastewater service to the public in portions of thirteen (13) municipalities in York County, a portion of one (1) township in Adams County, a portion of two (2) townships in Lancaster County, and a portion of three (3) municipalities in Franklin County. *See* **Exhibit B** (Map of Current Wastewater Territory.) The wastewater community served has an estimated population of approximately 17,000 as of December 31, 2024, with wastewater service furnished to approximately 6,682 customers as of December 31, 2024.[6]

5. York Water's Proposed Acquisition and Expansion of Service Territory:

York Water respectfully requests that the Commission: (1) approve York Water's acquisition of the Seller's Wastewater System Assets pursuant to Section 1102(a)(3) of the Public Utility Code; and (2) authorize York Water to begin to offer, render, furnish, and supply wastewater service to the public in the requested wastewater service territory located in

[6] All such wastewater service rendered to the public has been approved by virtue of the authority granted initially in York Water's Charter by Special Act of Assembly of February 8, 1816, and at various times subsequently by Certificates of Public Convenience duly granted by the Pennsylvania Public Service Commission and by the Commission under The Public Service Company Law, Public Utility Law and/or Public Utility Code of Pennsylvania.

In addition, York Water is now furnishing water service to the public in the major portion of its franchised territory which contains all or portions of 55 municipalities across four (4) counties. The water community served has an estimated population of approximately 212,000 as of December 31, 2024, with water furnished to 72,415 customers as of December 31, 2024.

Chanceford Township, York County, Pennsylvania ("Requested Territory"), as shown as the area depicted on the maps attached hereto as **Exhibit C** (Requested Wastewater Territory Maps), pursuant to Section 1102(a)(1) of the Public Utility Code. The requested wastewater service territory is described fully with the metes and bounds attached in **Exhibit C**, pp. 2-5 (setting forth the metes and bounds). York Water is requesting properties to the west of the CMV territory (the Oakbrook Drive loop) and the residential properties immediately south of the CMV territory along Main Street outside of the current CMV certificated area, because the future connection of these properties, currently utilizing individual on-lot systems, when/if needed is physically and economically efficient and such inclusion in York Water's territory is supported by Chanceford Township. *See* **Exhibit D** – Chanceford Township Letter.

The Sellers have reached out to York Water for a lifeline to acquire the CMV system due to the deteriorating financial and physical condition of the system and its assets. . The owners of CMV have experienced a somewhat long history with both the Commission and the DEP since constructing this wastewater system. Currently, the wastewater system needs extensive maintenance, presents daily operational challenges, and walks a thin regulatory compliance line related to discharge quality and the reliability of its lagoon system and other portions of the Wastewater System Assets. *See* **Exhibit F** - DEP Consent Order and Agreement ("COA") (detailing the status of the wastewater facilities). The Sellers have been running the system at an operational deficit and financially must exit the wastewater utility business, as this singular system is unsustainable and cannot be rehabilitated solely through its 280 customer base. This system is distressed, and the Sellers need to sell in the best interest of the customers, the surrounding community, and the environment. The Commission has been involved through the COA, and DEP

has also encouraged the consolidation of this system into York Water's wastewater service territory.

From an environmental perspective, there is significant benefit in the consolidation of the discharges presented in this application as reflected in the COA (**Exhibit F**). In support of this transaction, York Water has worked closely with the DEP and has agreed to execute a COA with the DEP. That COA allows York Water to acquire and operate the Wastewater System Assets and, after closing, be obligated to maintain compliance with all legal requirements, including the COA, related to CMV's Sewage Treatment Plant ("STP") and the associated sewage collection system. The COA does not require York Water to repair or replace the major systems at the treatment works, but rather, allows York Water to maintain the operational status quo until such time that York Water can connect the CMV customers to York Water's Felton Sewage Treatment Plant ("Felton STP") nearby and downgradient.

DEP offered and pursued the COA because the agency is aware of the costs to repair and/or replace the treatment works, which costs are not affordable to the limited number of CMV customers. The violations of the Clean Streams Law cited by DEP over the past decade at CMV's STP are numerous, and include, among other things, degraded lagoon liners #1 and #2. As set forth in the COA, which is attached to the Purchase Agreement (*see* **Exhibit E** (Purchase Agreement - **CONFIDENTIAL**), York Water is expected to operate the treatment assets in a way that minimizes the potential for release of pollutants to the environment.

To date, CMV has not corrected the violations noted by DEP in the COA but has adjusted operation of the facilities to control the risk of pollution. As such, the owners of CMV need to sell the Wastewater System Assets to a responsible operator that is: (1) able to manage the existing system, prevent pollution, and reliably maintain compliance with the COA terms and

conditions; and (2) has a long term resolution that will provide an alternative sewer solution for this community that is far more cost efficient for customer rates.

The June 24, 2024 Purchase Agreement (**Exhibit E – CONFIDENTIAL**) more specifically describes the Wastewater System Assets that York Water will acquire. York Water is also acquiring all of the permits associated with the wastewater system from the Seller. Additionally, York Water will acquire certain real property located at Pond Road, Chanceford Township, York County from CMV. *See* **Exhibit E** (Purchase Agreement– **CONFIDENTIAL**).

As stated in the COA, York Water would complete resolution of the CMV STP issues by decommissioning the STP and connecting the Chanceford Manor Village residential customers to York Water's nearby Felton STP. In fact, under the COA, York Water and DEP established a program and schedule for expanding the Felton STP as necessary to allow the decommissioning of the CMV STP and the connection of the Chanceford Manor Village residential customers to the expanded Felton STP. This process is intended to resolve the deficiencies and violations set forth in the COA.

6. CMV's Proposed Abandonment of Service:

Following consummation of the acquisition, CMV will cease providing public wastewater service in Pennsylvania. Accordingly, as part of this Joint Application, CMV requests approval to abandon its right and obligation to provide wastewater service in a portion of Chanceford Township, which is currently CMV's certificated wastewater service territory, pursuant to Section 1102(a)(2) of the Public Utility Code.

7. Additional Capital Requirements:

York Water's capital requirements for the acquisition consist of the purchase price of Three Hundred Sixty Thousand Dollars ($360,000.00) for the Seller's Wastewater System

Assets and certain real property. The purchase will be financed by internally generated funds, proceeds from the issuance of common stock under York Water's dividend reinvestment and direct stock purchase and employee stock purchase plans, and, if necessary, borrowings against York Water's line of credit. A portion of this payment is allocated to the Wastewater System Assets ($260,000), while the remaining portion is allocated to real estate ($100,000). Therefore, the Wastewater System Assets and associated real estate are being purchased for $360,000.

In addition to a purchase price, York Water's initial capital requirements will consist of costs to televise inspect all of the mains within the system and conduct any repairs that are observed within the collection system. The STP will remain intact but with regular operator oversight until disconnection/connection to the Felton STP. Operator oversight will be enhanced due to the conditions at the facility. Concurrently, York Water will be designing the Felton STP expansion and main extension connection, obtaining permits, and then constructing these facilities, which will be financed by internally generated funds, proceeds from the issuance of common stock under York Water's dividend reinvestment and direct stock purchase and employee stock purchase plans, and, if necessary, borrowings against York Water's lines of credit. All system improvements described in this Paragraph will be completed and in-service no more than 36 months after Closing. There are no future system improvement plans other than those identified in this Paragraph at this time.

There have been no contributions toward the construction of the Seller's wastewater collection and treatment system, and Seller has no outstanding PENNVEST loans. York Water and CMV are not affiliated, and the purchase price is based on arm's length negotiations as agreed upon in the Purchase Agreement attached as **Exhibit E** (Purchase Agreement – **CONFIDENTIAL**).

8. Plant in Service and Plant to Be Acquired:

Financial Statements of York Water for are attached hereto as **Exhibits G, H, and I**.[7] **Exhibit G** (Plant in Service) is a summary, by major plant category, of used and useful plant in service of York Water as of September 30, 2024. **Exhibit H** (Balance Sheet) is a balance sheet of York Water as of September 30, 2024, which provides the capitalization of the Company. **Exhibit I** (Income Statement) is the income statement of York Water as of September 30, 2024.

York Water will acquire the Seller's Wastewater System Assets as defined in the Purchase Agreement (*see* **Exhibit E - CONFIDENTIAL**), all of which are located in the Requested Territory and all of which are currently in service. In addition, York Water will acquire certain real property located at Pond Road, Chanceford Township, York County from CMV. *See* **Exhibit E** (Purchase Agreement– **CONFIDENTIAL**).

York Water will perform an original cost study for the purchase of the Wastewater System Assets upon Closing. A more detailed listing and description of assets will be provided when the original cost study is completed.

The provisional journal entries for booking the purchase of the Wastewater System Assets are shown in the tables below. The numbers in journal entry 2, including the amount of any acquisition adjustment for this distressed system, are approximate and cannot be confirmed until the final original cost study has been completed.

1. Record Purchase of System

Account No.	Account Description	Debit	Credit
105	Construction Work In Process	$390,000	
131	Cash		$390,000

[7] Exhibits G, H and I indicate "December 31, 2023" – this is incorrect, they reflect December 31, 2024.

2. Close Project to Utility Plant

Account No.	Account Description	Debit	Credit
101	Utility Plant in Service	$495,694	
108	Accumulated Depreciation		$266,912
114	Utility Plant Acquisition Adjustment	$161,218	
105	Construction Work in Process (purchase price + acq costs)		$390.000

3. Record Other Project Costs

Account No.	Account Description	Debit	Credit
105	Construction Work in Process	$75,000	
224	Line of Credit Borrowings (SCADA)		$75,000

4. Close Projects to Utility Plant

Account No.	Account Description	Debit	Credit
101	Utility Plant in Service	$75,000	
105	Construction Work in Process		$75,000

9. Map of Service Area and Location of Facilities to Be Acquired:

Attached as **Exhibit C** contains a map of the Requested Territory and the metes and bounds for the Requested Territory, which consists entirely of the existing CMV certificated territory, the inclusion of the Oakbrook Drive development and parcels along Main Street Extended, as approved by the municipality. There is no mandatory connection ordinance in Chanceford Township.

10. Future Capacity:

York Water owns and operates the Felton STP, which is located near the Chanceford Manor Village residential development. As stated previously, York Water will be expanding the Felton STP after closing so that the Company can connect the Chanceford Manor Village customers to the Felton STP, decommission the CMV STP, and resolve the issues associated with

the CMV STP. Through that expansion project, York Water would have sufficient treatment capacity to meet the demands of Chanceford Manor Village and the requested territory through at least 2040. Chanceford Township desires to remain relatively rural in nature, and the future connection need is expected to be relatively modest.

11. Rates for Service:

York Water's proposed rate for wastewater service in the Requested Territory is set forth in **Exhibit O** (Wastewater Tariff Page). York Water is proposing to charge (monthly) the flat rate currently charged to Felton STP customers.[8] Due to the ultimate connection to the expanded Felton STP, York Water proposes to charge the customers the Company's wastewater rate for Felton Borough, so that all customers served by the Felton STP are charged the same rate. As such, the customers would be charged a flat rate of $86.90 per month per equivalent dwelling unit ("EDU"). The proposed rate is consistent with the rate outlined in the Company's notice provided to those customers.

The residents of Chanceford Manor Village will not incur reservation or connection fees related to York Water's designing, permitting, and constructing additional facilities to convey wastewater from Chanceford Manor Village to the Felton STP. Construction of the main extension

[8] Red Lion Municipal Authority ("RLMA") provides water service to the CMV customers and has been providing monthly water use meter readings to CMV for over a decade, at no charge and pursuant to no agreement. York Water contacted RLMA to provide notice of the pending sale of the system and requested that RLMA continue providing the meter reads. RLMA indicated it would not provide the reads to York Water. After two requests and at the request of the CMV customers, York Water's CEO, JT Hand attended RLMA's public meeting on November 20, 2024, and made the same request, explaining that metered rates are favored by the CMV customers and York Water. From that meeting, RLMA indicated it would consider providing the meter readings to York Water and would review the draft agreement provided by York Water. Four months and three additional requests for response later, RLMA responded with counter terms in the draft agreement that were not in the interest of York Water's customers. Thus, at this time, York Water is not working toward a signed agreement with RLMA. If the Company were to reach a reasonable agreement in the future with RLMA, York Water would propose metered rates at that time. However, metered rates are not feasible at this time under the Authority's terms.

and connection will commence upon receipt of Commission approval of this Application and York Water's receipt of the required permits related to the extension and connection.

A calculation of the estimated annual revenue and expense figures for the proposed, additional customers is attached as **Exhibit J** (Estimated Revenue & Expenses).

By letter, email, and voicemail, York Water notified all CMV customers of a public listening session on November 7, 2024, inviting residents to better understand the state of their system and the Application that York Water Company planned to submit. A copy of the letter sent to the CMV customers is attached as **Exhibit N**. The attendees were also provided the opportunity to comment and ask questions. JT Hand, CEO and President of York Water, presented an overview of the history of the system, the York Water proposed customer rate, current state of the system, and the plan to operate and then connect the residential customers to York Water's Felton STP.[9] The listening session was well attended, with approximately 45 people signing in and approximately 50 people in attendance. The session lasted from 6:30 PM until about 9:30 PM.

12. Profit and Loss Statement:

Attached as **Exhibit I** is York Water's Income Statement for the 12 months ended September 30, 2024.

13. Compliance with DEP Requirements:

York Water is in good standing with DEP and in general compliance with DEP regulatory requirements related to the provision of public wastewater service. As noted previously, the Wastewater System Assets have compliance issues that would be resolved through successful

[9] Residents present asked why York Water was proposing a flat rate. York Water explained that RLMA had been asked to provide meter reads pursuant to an agreement but that the Company and RLMA were unable to reach an agreement. CEO Hand promised the residents present that he would make the request a third time when he attended RLMA's public meeting on November 20, 2024. He attended that RLMA meeting and made the request. At the time of filing, RLMA and York Water remain unable to reach a mutually acceptable agreement for the affordable transmission of meter reads to York Water.

implementation of the COA entered into by York Water and DEP. The Company is not required to comply with 25 Pa. Code § 109.503(a)(3), and no business plan is required.

All required county and local government consistency letters and actions are attached hereto as:

Exhibit K York County Consistency Letter

Exhibit L Chanceford Township Consistency Letter

Subject to Commission approval of the Joint Application, Eric Buracker, employee of York Water, will be the Certified Water Operator for the Water System. The current Water System Operator License for Mr. Buracker is attached hereto as **Exhibit M** (Operator License).

All permits held by CMV related to the Wastewater System Assets will be transferred to York Water after closing.[10]

14. No Competitive Condition:

This is a certificated entity to certificated entity asset and operations transfer within the Requested Territory. Other than CMV, which is selling the Wastewater System Assets, no corporation, partnership, or individual is now furnishing or has corporate or franchise rights to furnish similar service to that to be rendered by York Water in the Requested Territory. No other entities are providing wastewater services within one mile of the Requested Territory, apart from York Water and RLMA. RLMA has not expressed any interest in purchasing or acquiring the CMV wastewater facilities. Thus, no competitive condition will be created by the proposed acquisition.

[10] Upon completion of closing, York Water and the Township will have to initiate a Plan Update to prepare for the shift of sewer solution for CMV from a private owner on-site satellite facility to the Felton STP.

15. Facilities for Furnishing Service:

Upon closing, York Water will use the Wastewater System Assets to provide wastewater collection and treatment service to the customers located in Chanceford Manor Village. York Water ultimately will expand the treatment capacity at its Felton STP, extend its wastewater main to connect the Chanceford Manor Village to the expanded Felton STP, and decommission the CMV STP. The Felton STP currently is a 0.048 MGD engineering design capacity, with current flows at 13,600 gpd. The Felton STP will have an engineering design capacity of at least 110,000 gpd after its expansion, as well as estimated flows of 57,000 gpd immediately after the Chanceford Manor Village customers are connected to the Felton STP. DEP is aware of and supports this future plan.

York Water will operate and manage the provision of wastewater service to the Chanceford Manor Village customers from its Main Office in York, Pennsylvania. The system is approximately 12.7 miles (on roadways) from the Main Office and will be operated by full-time York Water employees. York Water has an existing operational presence and wastewater professionals in the area, as York Water currently provides wastewater service to customers in the nearby Felton Borough. The acquisition will easily incorporate into existing York Water wastewater operations. The following York Water wastewater facilities are in the vicinity:

York Water WW Facilities Location	**Distance from Margaretta MHP**
CMV WWTP to YWC Wastewater Offices	11.65 miles (as the crow flies)
CMV WWTP to Felton STP	1.23 miles
YWC Wastewater Offices to CMV WWTP	12.7 miles (driving miles)

York Water is not anticipating any physical, operational, or managerial changes of York Water's operations as a result of the acquisition, apart from any described previously in this

Joint Application. Future improvements and changes will be evaluated and planned for wastewater collection and treatment systems as needed.

16. Approval's Necessity and Propriety:

Approval of the Joint Application is necessary and proper for the service, accommodation, convenience, and safety of the public for the following reasons:

(a) Seller is not interested in continuing to provide wastewater service due to the compliance issues identified by DEP in the COA;

(b) The Wastewater System Assets' engineering configuration does not reflect current best engineering practices, the current condition complicates operation and will require regular maintenance, and the facilities present certain risks to workers, residents, and the environment;

(c) York Water will bring significant experience, professional staff and operators, customer service support, and other customer and facilities resources in order to best serve customers, resolve the compliance issues identified by DEP in the COA, and ensure compliance with both existing and proposed regulatory requirements, including: (1) expanding the Felton STP, decommissioning the CMV STP, and connecting the Chanceford Manor Village customers to the expanded Felton STP pursuant to the COA; (2) consistent and close supervision of the operation of the Wastewater System Assets; (3) 24/7 in-person responsiveness to customer service requests and emergencies; and (4) the ability and willingness to invest in and maintain the Wastewater System Assets as needed to maintain compliance until the connection to the Felton STP can be accomplished; and

(d) The Commission encourages utilities, such as York Water, to acquire wastewater systems such as the Wastewater System Assets owned by CMV. *See* 52 Pa. Code § 69.721.

17. Notification to Customers:

Prior to the filing of this Joint Application, York Water notified the Seller's wastewater customers about this Joint Application and the Company's proposed rates. A copy of the notice sent to customers describing the filing and the anticipated effect on rates are attached hereto as **Exhibit P** (Notice to Customers). Additionally, as noted above, York Water invited all current customers to a listening session on November 5, 2024, at 6:00 PM, where Seller was present and York Water had five representatives in attendance. Approximately 50 customers attended the listening session where York Water's CEO gave a 20 minute presentation and then opened the floor to comments and questions. The customers in attendance shared thoughts and concerns, asked questions, and expressed themselves in a respectful and open manner.

WHEREFORE, York Water and Seller respectfully request that the Pennsylvania Public Utility Commission issue Certificates of Public Convenience under the provisions of Sections 1102(a)(1), 1102(a)(2), and 1102(a)(3) of the Public Utility Code evidencing the Commission's approval for: (1) York Water to acquire CMV Sewage Co. Inc. Wastewater System Assets; (2) York Water to expand its wastewater service territory to cover the current CMV Sewage Co. Inc. certificated wastewater service territory in a portion of Chanceford Township, York County; and (3) CMV Sewage Co. Inc. to abandon its right and obligation to provide wastewater service.

ATTEST:

Molly E. Horak
Assistant Secretary

THE YORK WATER COMPANY

By Joseph D. Hand
President

ATTEST:

_____
Assistant Secretary

CMV SEWAGE CO. INC.

By _____
President

28060999v1

WHEREFORE, York Water and Seller respectfully request that the Pennsylvania Public Utility Commission issue Certificates of Public Convenience under the provisions of Sections 1102(a)(1), 1102(a)(2), and 1102(a)(3) of the Public Utility Code evidencing the Commission's approval for: (1) York Water to acquire CMV Sewage Co. Inc. Wastewater System Assets; (2) York Water to expand its wastewater service territory to cover the current CMV Sewage Co. Inc. certificated wastewater service territory in a portion of Chanceford Township, York County; and (3) CMV Sewage Co. Inc. to abandon its right and obligation to provide wastewater service.

ATTEST:

_____
Assistant Secretary

THE YORK WATER COMPANY

By _____
President

ATTEST:

_____
Assistant Secretary

CMV SEWAGE CO. INC.

By _____
Sam Juffe, President

EXHIBIT A

PUC 82

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

IN THE MATTER OF THE APPLICATION OF

Chanceford Manor Village Sewage Company, Inc., and CMV Sewage Company, Inc., for approval of (1) the transfer, by sale of rights and property of the Chanceford Manor Village Sewage Company, Inc., to the CMV Sewage Company, Inc. to begin to offer or furnish sewage service to the public in an area known as Chanceford Manor Village situate in Chanceford Township, York County, and (3) the abandonment or discontinuance of all sewage service to the public by the Chanceford Manor Village Sewage Company, Inc.

CERTIFICATE
OF
PUBLIC CONVENIENCE

A-230056

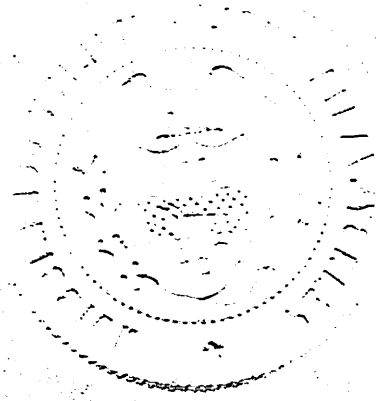
The Pennsylvania Public Utility Commission hereby certifies that after an investigation and/or hearing had on the above entitled application, it has, by its report and order made and entered, a copy of which is attached hereto and made a part hereof, found and determined that the granting of said application is necessary or proper for the service, accommodation, convenience and safety of the public, and this certificate is issued evidencing its approval of the said application as set forth in said report and order.

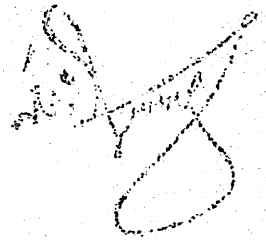
In Testimony Whereof, The PENNSYLVANIA PUBLIC UTILITY COMMISSION has caused these presents to be signed and sealed, and duly attested by its Secretary at its office in the city of Harrisburg this 11th day of February 19 88

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Attest:

Secretary





PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held February 11, 1988

Commissioners Present:

Bill Shane, Chairman
William H. Smith, Vice-Chairman
Linda C. Taliaferro
Frank Fischl

Application of the Chanceford Manor Village Sewage Company, Inc., and CMV Sewage Company, Inc., for approval of (1) the transfer, by sale of rights and property of the Chanceford Manor Village Sewage Company, Inc., to the CMV Sewage Company, Inc. to begin to offer or furnish sewage service to the public in an area known as Chanceford Manor Village situate in Chanceford Township, York County, and (3) the abandonment or discontinuance of all sewage service to the public by the Chanceford Manor Village Sewage Company, Inc.

A-230056

ORDER

BY THE COMMISSION:

By this joint application filed on November 10, 1987, Chanceford Manor Village Sewage Company, Inc. (Chanceford Manor Sewage Company), R.D. #2, Stewartstown, PA 17363, and CMV Sewage Company, Inc., R.D. #2, Box 110, Red Lion, PA 17356 seek certificates of public convenience pursuant to Sections 1101, 1102(a)(2), and 1102 (a)(3) of the Public Utility Code evidencing Commission approval of (1) the transfer, by sale of all rights and property of the former to the latter, (2) the right of CMV Sewage Co., Inc. to begin to offer, render or furnish wastewater treatment and disposal service to the public in Chanceford Manor Village, Chanceford Township, York County, and (3) the abandonment of all sanitary sewage disposal service to the public by Chanceford Manor Sewage Company.

Applicants submitted proofs of service and publication. There were no protests filed and no hearing was held. There were no motions or petitions filed in this proceeding.

The transferrer, Chanceford Manor Village Sewage Co., Inc., is a Pennsylvania Corporation formed under the provisions of the Business Corporation Law, Act of May 5, 1933, P.L.364, as amended. The company was incorporated on June 3, 1976 and has been furnishing sanitary sewage disposal service to the public in Chanceford Manor Village pursuant to certificate of

public convenience issued January 27, 1977 by the Commission, docket number A-99859. Chanceford Manor Sewage Company has a tariff on file with the Commission and is presently providing service to 12 residential customers.

The transferee, CMV Sewage Co., Inc. is a Pennsylvania Corporation, which was incorporated on October 19, 1987 for the purpose of taking title to the assets of Chanceford Manor Village Sewage Co., Inc. and continuing the operation of said company. The company has authorized the issuing of 300 shares of common stock with no par value. Each of the following individuals: Lonnie A. Strickler, Jeffrey C. Morley, and Ronald P. Perks, have been issued 100 shares of stock.

By a contract dated July 7, 1987, Victor Hebel and Herbert Hebel, the sole shareholders of Chanceford Manor Sewage Company, agreed to sell the majority of lands remaining of Chanceford Manor Village, including the sewage facilities and its assets to L.A.S. Management, Inc. L.A.S. Management, Inc. is a business corporation formed under the Laws of the Commonwealth of Pennsylvania and was incorporated on February 4, 1981. The shareholders of L.A.S. Management, Inc. are the same as the shareholders of CMV Sewage Co., Inc. Upon approval by the Commission of this application, L.A.S. Management, Inc., will transfer the sewage facilities, land and other assets to CMV Sewage Company, Inc., in exchange for a $39,000.00 judgment note. This judgment note is to be repaid with interest, at 8% annum, from the operating revenues of CMV Sewage Company, Inc.

Chanceford Manor Village is a 150-acre development, subdivided into 359 lots upon each of which is proposed to be constructed one single family dwelling. The boundaries of this development are more precisely described by metes and bounds, and as shown on the subdivision plan attached to and made part of the application. To date only 17 lots, including the 12 improved lots, have sewage collection service available. CMV Sewage Company, Inc., proposes to extend the collection system throughout the balance of the development as home construction progresses.

Collected sewage is transported by gravity through an interceptor sewer that leads to the wastewater treatment plant site. The treatment facilities are situated on a 51.5 acre tract of land abutting the developed section of Chanceford Village Manor on the east. The treatment plant consists of three aerated lagoons and associated equipment, having an average design flow of 100,000 gallons per day. Disposal of the treated wastewater is by application to land lying within the said 51.5 acre tract. These facilities are complete and operational. A sewerage permit No. 6771423 has been issued by the Pennsylvania Department of Environmental Resources, and CMV Sewage Company, Inc. has made application to the Department for the transfer of this valid permit.

Based on an average occupancy of three and one-half persons per dwelling unit, and an estimated wastewater flow of 100 gallons per capita per day, the treatment plant will have a capacity to serve a population of 1,000 persons, or approximately 285 residences. The Commission will retain the condition of the original certificate limiting service to 285 single family dwellings.

CMV Sewage Company, Inc. will charge the same sewage rates presently on file with the Commission.

Upon full consideration of all matters of record, the Commission finds that the proposed acquisition of Chanceford Manor Village Sewage Company, Inc.'s, sewerage system and the beginning of operation of the said system by CMV Sewage Company, Inc., is necessary for the service, accommodation and convenience of the public; THEREFORE,

IT IS ORDERED:

1. That this joint application is hereby approved.

2. That certificates of public convenience be issued authorizing (1) the transfer by sale of all rights and property of the Chanceford Manor Village Sewage Company, Inc. to the CMV Sewage Company, Inc., (2) the right of CMV Sewage Company, Inc. to begin to offer or furnish wastewater treatment and disposal service to the public in Chanceford Manor Village which is situated in Chanceford Township, York County, and (3) the abandonment of all sanitary sewage disposal service to the public by the Chanceford Manor Village Sewage Company, Inc.

3. That CMV Sewage Company, Inc. adopt the tariff of Chanceford Manor Village Sewage Company, Inc. currently on file with the Commission.

4. That CMV Sewage Company, Inc. shall not furnish sewage service to more than 285 single family dwelling units until the Company submits engineering data and/or permits showing that additional and/or adequate facilities have been provided.

5. That CMV Sewage Company, Inc. require title to the sewerage facilities within 30 days of service of this Order or the approval of the application shall be void and Chanceford Manor Village Sewage Company, Inc. shall continue service.

6. That CMV Sewage Company, Inc. comply with the sanitary regulations and requirements of the Pennsylvania Department of Environmental Resources in the operation of the sewage facilities.

7. That the record folder of Chanceford Manor Village Sewage Company, Inc., at A-99859, be marked closed.

8. That failure to comply with the above conditions may result in the imposition of fines and/or revocation of the certificate of public convenience.

BY THE COMMISSION,

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: February 11, 1988

ORDER ENTERED: FEB 17 1988

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA. 17105-3265

Public Meeting held August 17, 2000

Commissioners Present:

John M. Quain, Chairman
Robert K. Bloom, Vice Chairman
Nora Mead Brownell
Aaron Wilson, Jr.
Terrance J. Fitzpatrick

Application of CMV Water Company, Inc. for Approval to Begin to Offer, Render, Furnish or Supply Water Service to the Public in an Additional Portion of Chanceford Township, York County.

Docket Number: A-210532 F0002

ORDER

BY THE COMMISSION:

By this application filed on March 3, 2000, CMV Water Company, Inc. (the Applicant), P.O. Box 179, Felton, PA 17322, seeks a certificate of public convenience pursuant to Section 1101(a)(1) of the Public Utility Code, 66 Pa. C.S. §1102(a)(1), evidencing Commission approval of the right to begin to offer, render, furnish, and supply water service to a proposed single-family residential housing development immediately adjacent to the Applicant's existing certificated service territory, which are both located in a portion of Chanceford Township, York County. The proposed service territory is described by metes-and-bounds and shown on a map submitted with the Application.

The Applicant submitted proof of service and publication. The Commission received no protests within the protest period. No hearing was held and no motions or petitions have been filed in this proceeding.

The Applicant is a Pennsylvania Corporation, which was incorporated on October 19, 1987 for the purpose of taking title to the assets of Chanceford Manor Village Water Company, Inc. Chanceford Manor Village Water Company, Inc. originally held the Certificate of Public Convenience pursuant to an Order entered on June 24, 1977, at Docket No. 99858.

Presently, the Applicant possesses the Certificate of Public Convenience by an Order, entered on February 17, 1988, at Docket No. A-210532. This Order approved the transfer by sale of Chanceford Manor Village Water Company, Inc.'s assets, the right for the Applicant to begin providing water in Chanceford Manor Village, and the abandonment of all water service to the public by Chanceford Manor Village Water Company, Inc. By an Order entered on January 4, 1991, at Docket No. A-210532 F500, the Commission approved the transfer of all issued and outstanding stock in CMV Water Company, Inc. to Chanceford Manor Investments. In conjunction with this instant Application, CMV Sewage Company, Inc. filed an Application docketed at A-230056 F0002, seeking approval for wastewater collection, treatment and disposal services in the same additional service territory that is the subject of this Application.

The Applicant is currently authorized to provide water service in a 150-acre residential development, known as, Chanceford Manor Village, located in Chanceford Township, York County, and has been providing public water service within this development since 1988. When completed, this development is planned to have 359 single-family residences. Currently, the Applicant is providing metered water service to some 248 residential customers within this development.

On January 18, 2000, the Applicant received written request from Cornerstone Development Group, Inc. to provide water service. The Applicant and Cornerstone Development Group, Inc., are affiliated and therefore, the Applicant is ordered to file an affiliated interest agreement in accordance with Section 2102(b) of the Public Utility Code, 66 C.S. §2102(b).

The service territory proposed in this Application is an additional phase of the Chanceford Manor Village development and is known as Chanceford Crossing Phase V. This proposed 12.8-acre development is adjacent to the existing territory serviced by the Applicant. When completed, this development is planned to have 30 single-family residences. The Applicant anticipates serving 15 additional residential customers in the proposed development within the first year. Full build-out of this development is expected within 5 years.

The water distribution facilities which serve the Applicant's currently certificated service territory are located within 100-feet of the proposed service territory. Red Lion Borough Municipal Authority also provides public water service in the Chanceford Township, however its water facilities are approximately one mile from the service territory proposed in this Application. The Pennsylvania Department of Environmental Protection (PA-DEP) has indicated that there are no complaints or outstanding actions against the Applicant. In addition, there have been no PA-DEP/DER violations by the Applicant within the past five years.

In order to provide service in the Chanceford Crossings Phase V, the Applicant will cause the construction of certain water distribution facilities. The additional distribution facilities will consist of 1,780 linear feet of 6-inch water main, 2 fire hydrants, 7 gate valves, and 30 customer service lines and water meters. The cost to construct these needed facilities is estimated at $53,819. The Applicant

indicated that no additional raw water supply is necessary. However, additional water pumping/storage facilities will be required in order to provide public fire protection service in the proposed development.

Initially, the Applicant will bear no portion of the cost for the design and construction of these facilities. Instead, the Applicant will utilize a soon to be executed agreement with Cornerstone Development Group, Inc. that defines the needed extension, amount of deposit, any non-refundable contributions, and terms for refunding deposits. Such agreement will be consistent with the main extension rules and regulations set forth in the Applicant's tariff and in accordance with the Public Utility Code, Title 66 Pa. C.S. 1303. The Applicant anticipates that the needed water facilities will be installed within six months of the approval date of this Application. The Applicant indicated that public fire protection service is a requirement by the Township Board of Supervisors and that additional water pumping/storage facilities will be installed during the construction of the water distribution facilities for the proposed development. The cost of the water pumping/storage facilities will be treated as contributions-in-aid-of-construction as per the Applicants main extension policies.

In the additional service territory that is the subject of this Application, the Applicant will charge for water service the rates applicable in its Supplement No. 8, to Tariff Water – P.U.C. No. 1, effective since December 21, 1993. A typical monthly bill for a customer using 5,640 gallons of water per month is $21.30. The Applicant is current with its PUC assessments and annual report filings.

To the best of the Applicant's knowledge, no corporation, partnership or individual is now furnishing water service in the proposed service territory covered by this Application, and no competitive conditions, with respect to wasteful duplication of facilities, will be created by approval of this Application.

Upon full consideration of all matters of record, we find that approval of this Application is necessary and proper for the service, accommodation and convenience of the public; **THEREFORE,**

IT IS ORDERED:

1. That the Application of CMV Water Company, Inc., at Docket No. A-210532 F0002 is hereby approved.

2. That a Certificate of Public Convenience be issued pursuant to Section 1102(a)(1) of the Public Utility Code, 66 Pa. C.S. §1102(a)(1), authorizing CMV Water Company, Inc. to begin to furnish water service to the public in an additional portion of Chanceford Township, York County, as described by metes-and-bounds, and as shown on a map filed with the Application.

3. That CMV Water Company, Inc. amends its Tariff Water – P.U.C. No. 1 to include the additional territory certificated in this Application within 30 days of the entry of this Order.

4. That CMV Water Company, Inc. complies with all the regulations of the Pennsylvania Department of Environmental Protection in its operation of the water supply, storage and distribution facilities.

5. That an Affiliated Interest Agreement be filed between CMV Water Company, Inc. and Cornerstone Development Group, Inc., pursuant to Section 2102(b) of the Public Utility Code, 66 C.S. §2102(b), within 90 days of the entry of this Order.

6. That the record at A-210532 F0002 be marked closed by Secretary's Bureau of the Commission following the completion of ordering paragraphs No. 3 and No. 5.

BY THE COMMISSION,

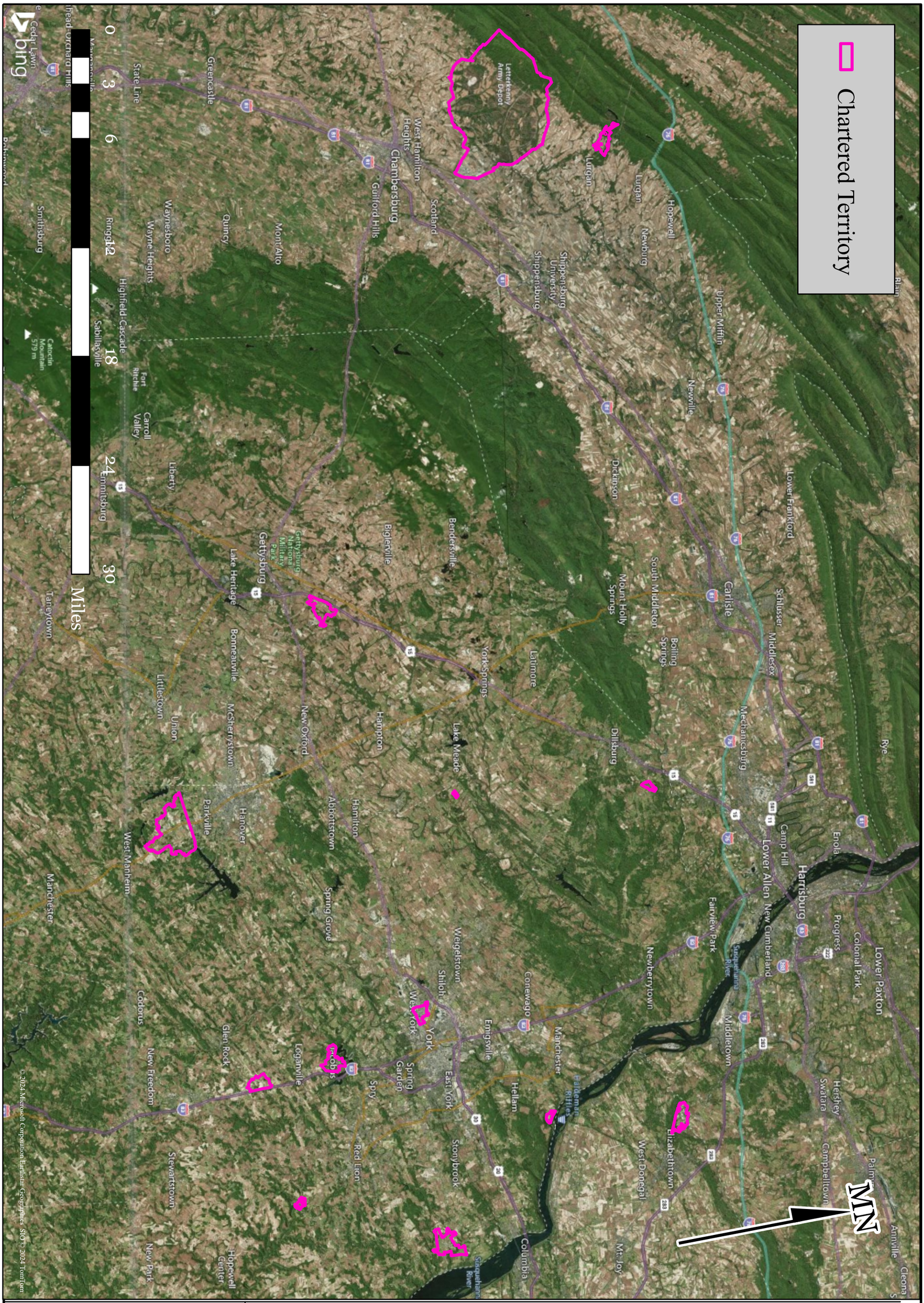
James J. McNulty
Secretary

(SEAL)

ORDER ADOPTED: August 17, 2000

ORDER ENTERED: August 21, 2000

EXHIBIT B



The York Water Company 30 E. Market St. York, Pa 17401 (717) 845-3601 "That good York water" SINCE 1816	Title: Exhibit B-1: TYWC's Wastewater & Proposed Expansion Territories		
	Scale: 1:305,000	Drawn By:	Jason Heitmann
	Date: Revised on July 1st, 2024	Checked By:	Alexandra Chiaruttini

EXHIBIT C

The York Water Company
130 E. Market St.
York, Pa 17401
(717) 845-3601

Title:	Exhibit B-3a: Metes and Bounds of Proposed Expansion		
Scale:	1:5,000	Drawn By:	Jason Heitmann
Date:	Revised December 3rd, 2024	Checked By:	Alexandra Chiaruttini

Line	Direction	Distance(ft.)
1	N47°29'25.1"E	51.2
2	N41°10'54.4"E	53.4
3	N39°07'13.7"E	50.2
4	S66°11'50.8"E	41.9
5	S82°59'26.9"E	112
6	S84°02'41.8"E	55
7	S84°51'56.6"E	96.9
8	S89°44'26.4"E	104.5
9	S23°23'52.4"E	142.5
10	S23°23'51.5"E	430
11	N70°48'18.3"E	351.5
12	N70°48'19.3"E	150.3
13	N70°48'17.9"E	147.5
14	N70°48'18.9"E	152.2
15	N70°48'17.8"E	50.6
16	N74°44'33.6"E	38.8
17	N74°44'30.0"E	29.7
18	N74°44'31.7"E	36.6
19	N74°44'30.3"E	53
20	N74°44'32.7"E	69.1
21	N74°44'30.6"E	110.7
22	N88°24'47.4"E	43.6
23	S12°35'20.9"E	112.6
24	S11°56'55.6"E	161.4
25	S14°24'20.4"E	93.8
26	S12°36'32.5"E	104
27	S12°25'18.7"E	102.2
28	S12°17'08.0"E	97.5
29	S12°51'12.3"E	161.9
30	S12°38'39.4"E	107.6
31	S13°40'40.9"E	74.6
32	S16°35'21.3"E	43.5
33	S18°20'00.0"E	25.1
34	S27°21'51.3"E	65.9
35	S34°10'13.9"E	88.2
36	S38°12'38.0"E	101.6
37	S38°50'38.7"E	130.7
38	S39°13'58.4"E	84.8
39	S39°43'29.6"E	103.5
40	S38°15'50.5"E	80.7
41	S37°24'08.8"E	59.9
42	S37°52'16.7"E	74
43	S35°13'21.8"E	33.9

44	S29°46'48.3"E	37.5
45	S20°48'26.8"E	66.2
46	S10°33'21.9"E	75.8
47	S4°25'22.6"E	123.5
48	S3°46'50.4"E	154
49	S4°05'57.4"E	181.8
50	S3°22'46.5"E	480.9
51	S3°26'02.5"E	137.8
52	S2°59'36.0"E	184.5
53	S2°46'17.6"E	159.1
54	S0°25'48.3"W	50.2
55	S3°08'54.0"E	47.9
56	S78°35'25.9"W	53.1
57	S78°29'57.0"W	54.3
58	S80°20'37.9"W	68
59	S76°42'24.1"W	149.3
60	S72°36'47.7"W	166.4
61	S71°57'15.7"W	81.4
62	S75°36'03.4"W	91
63	S83°53'44.1"W	87.8
64	N85°50'34.4"W	54
65	N77°09'17.2"W	79
66	N71°29'44.5"W	84.6
67	N76°13'59.8"W	56.7
68	S87°52'22.3"W	73
69	S67°28'44.9"W	57.5
70	S60°53'56.1"W	74
71	S62°50'57.6"W	31.6
72	S74°40'41.0"W	76.4
73	S89°04'33.0"W	171.3
74	N88°52'12.5"W	145.7
75	S89°23'26.5"W	138.4
76	S77°56'53.0"W	148.4
77	S71°56'24.9"W	146.2
78	S69°16'58.2"W	168.9
79	S64°04'14.8"W	269.8
80	N1°42'33.9"W	173.4
81	N6°03'47.9"W	171
82	N7°05'33.8"W	129.4
83	N14°24'48.6"W	54.6
84	N19°04'04.7"W	140.1
85	N19°52'12.2"W	193.6
86	N19°56'00.4"W	228.7
87	N22°48'07.9"W	228.2

88	S75°04'26.3"W	364.4
89	S75°04'26.3"W	299.9
90	S75°04'26.0"W	410.5
91	S74°15'12.0"W	224.1
92	N30°22'40.8"W	299.1
93	N30°22'40.9"W	340.5
94	N56°52'33.0"W	34.2
95	N54°54'39.0"E	399.2
96	N54°54'38.6"E	144.6
97	N43°49'23.8"E	64.5
98	N43°49'25.5"E	313.7
99	N43°49'25.1"E	232.2
100	N43°49'25.1"E	238.5
101	N43°49'24.8"E	200.2
102	S43°16'53.0"E	185.2
103	N16°20'01.5"W	107
104	N15°15'31.4"W	105.9
105	N13°42'47.2"W	83.3
106	N9°15'22.3"W	97.8
107	N3°55'19.5"W	62.1
108	N6°20'24.3"E	113.9
109	N8°28'53.8"E	181.3
110	N4°26'11.5"E	183
111	N3°06'54.1"E	231.5
112	N4°58'10.8"E	36.3
113	N18°26'03.6"E	29.8
114	N34°22'50.0"E	36.2
115	N40°36'05.0"E	58
116	N46°44'09.1"E	110.1
117	N43°34'02.9"E	89
118	N48°00'45.9"E	84.6
119	N41°49'12.8"E	40.1

EXHIBIT D

33 Muddy Creek Forks Rd
Brogue, PA 17309
Phone: 717-927-6401 Fax: 717-927-8402
Email: chancefordtwp@gmail.com
Website: www.chancefordtwp.com

October 15, 2024

SENT VIA: Electronic Mailing Only

The York Water Company
Attn: Alex Chiaruttini, General Counsel
alexc@yorkwater.com

Re: Chanceford Manor Village, PUC Application
Public Agenda Meeting

Dear Ms. Chiaruttini:

Chanceford Township is in receipt of your October 4th letter regarding the above-referenced matter. In this letter, the York Water Company (hereinafter, "YWC") requested that the Township (1) provide a letter in support of the requested territory as delineated on the enclosed map; and (2) co-host a public meeting with YWC regarding the proposed sewer rate for the CMV system customers. The purpose of the within correspondence is to provide a response to YWC's requests.

First, the Township is in support of YWC's acquisition of the CMV system generally. Unfortunately, the Township is unable to provide its full support of the proposed expansion of the CMV system, as delineated in the map proposed by YWC. However, the Township would (and does) support a more limited expansion of the CMV system as delineated by the enclosed map. You will notice that the Township does not support expansion of the CMV system to the north (along Daugherty and Brownton Road), but does support inclusion of the Oakbrook Drive development and parcels along Main Street Extended in the proposed project area. This support is conditioned upon YWC's prior representation that this expansion will not involve mandatory hook-ups for properties located within the proposed project area.

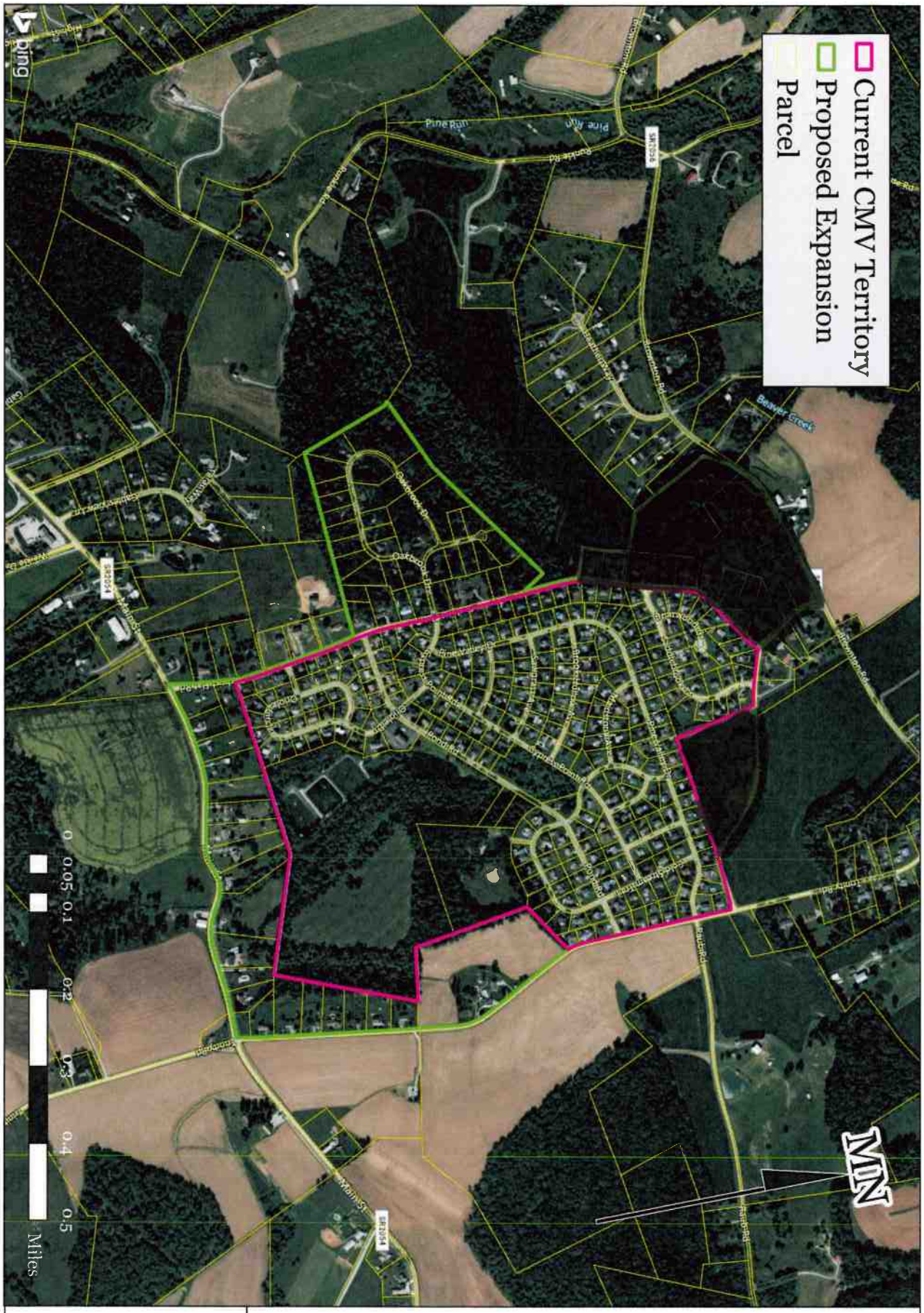
Second, the Township is not inclined to co-host a meeting with YWC regarding the proposed sewer rates for YWC. As is always the case, these rate increases will not be favored by the customers, regardless of the necessity. The Township commends YWC's efforts to proactively communicate these rate increases to customers. The Township appreciates that the CMV sewer rates have not been increased in many years. The Township also understands that the CMV system faces many challenges and obstacles that necessitate rate increases. If YWC wishes to host an informational meeting to discuss the proposed rate changes for affected residents, the Township is willing to share this meeting information on its website.

Thank you for your communication and transparency regarding the above-referenced matters. The Township looks forward to working with YWC in the future.

Sincerely,

Kent Heffner
Board of Supervisors, Chairman

The York Water Company 130 E. Market St. York, Pa 17401 (717) 845-3601	Title:	Exhibit B-4 Current & Proposed Territories	
	Scale: 1 IN = 600 FT	Drawn By:	Jason Heitmann
	Date: October 2nd, 2024	Checked By:	Alexandra Chiaruttini



The York Water Company 130 E. Market St. York, Pa 17401 (717) 845-3601	Title:	Exhibit B-4 Current & Proposed Territories	
	Scale: 1 IN = 600 FT	Drawn By:	Jason Heitmann
	Date: October 2nd, 2024	Checked By:	Alexandra Chiaruttini

CONFIDENTIAL

EXHIBIT E

EXHIBIT F

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter Of:

The York Water Company	:	The Clean Streams Law
130 East Market Street	:	Chanceford Manor Village STP
York, PA 17401	:	WQM Part II Permit No. 6771423-T-1
	:	Chanceford Township, York County

CONSENT ORDER AND AGREEMENT

This Consent Order and Agreement is entered into this _____ day of _____, 2024, by and between the Commonwealth of Pennsylvania, Department of Environmental Protection ("Department") and The York Water Company ("YWC").

The Department has found and determined the following:

A. The Department is the agency with the duty and authority to administer and enforce The Clean Streams Law, the Act of June 22, 1937, P.L. 1987, *as amended*, 5 P.S. §§ 691.1-691.1001 ("Clean Streams Law"); Section 1917-A of the Administrative Code, the Act of April 9, 1929, P.L. 177, *as amended*, 71 P.S. § 510-17 ("Administrative Code"), and the rules and regulations promulgated thereunder, and which has been delegated authority to administer the National Pollutant Discharge Elimination System ("NPDES") permit program under Section 402 of the Federal Clean Water Act, 33 U.S.C. § 1342.

B. YWC is a Pennsylvania corporation with its principal place of business located at 130 East Market Street, York, PA 17401. YWC is a public utility company regulated by the Pennsylvania Public Utility Commission and provides water distribution and supply and sewage collection and treatment services in portions of Adams, Franklin, Lancaster, and York Counties.

C. CMV Sewage Co. Inc. ("CMV") is a Pennsylvania limited liability corporation, registered with the Pennsylvania Department of State, entity number 1003640 and its principal place of business is located at 200 Bailey Drive, Stewartstown, Pennsylvania 17363.

D. CMV owns and operates the Chanceford Manor Village sewage treatment plant ("STP"), consisting of a sewage collection system, two treatment lagoons (Pond #1 and Pond #2), a storage impoundment (Pond #3), and associated spray irrigation

field, located in Chanceford Township, York County. The STP serves the Chanceford Manor Village residential housing subdivision in Felton, Pennsylvania.

E. The discharge of treated effluent from the STP to the spray irrigation field is authorized under the terms and conditions of Water Quality Management Part II Permit No. 6771423 T-1 ("WQM Part II Permit"). The Department issued the transfer of WQM Part II Permit to CMV, on March 15, 1977, and issued an amended WQM Part II Permit to CMV, on February 3, 1993, for the installation of a new liner in STP Pond #3 and three (3) new groundwater monitoring wells. The WQM Part II Permit does not expire and is attached hereto as **Exhibit A**.

F. The STP's discharge to the spray irrigation field constitutes sewage pursuant to Section 201 and 202 of the Clean Streams Law, 35 P.S. 691.201 and 691.202.

G. All dischargers are required by Sections 201 and 202 of the Clean Streams Law, 35 PS. §§ 691.201 and 691.202, to fully comply with the terms and conditions set forth in an applicable WQM Part II Permit.

H. At times between 2019 and 2023, the Department has documented the following violations at CMV's STP:

a. Sewage discharging from the STP into an Unnamed Tributary to the North Branch of Muddy Creek (UNT), a water of the Commonwealth. The discharge originates from a seep that has developed on the hillside below the Pond #3 wastewater storage impoundment. Leakage from an impoundment constitutes a failure of that impoundment. The failure to take necessary measures to prevent a polluting substance from entering waters of the Commonwealth constitutes a violation of 25 Pa. Code § 91.34. The discharge of sewage into waters of the Commonwealth, that is not authorized by a permit or regulation, constitutes violations of Sections 201 and 202 of the Pennsylvania Clean Streams Law.

b. Holes, tears, and separating liner seams in Ponds #2 and #3. Failure to properly maintain wastewater impoundments that are structurally sound and impermeable, is a violation of Condition F.1 and F.2 of the WQM Part II Permit and 25 Pa. Code § 91.35(a). Additionally, 25 Pa. Code § 91.35(a) further states, "The person owning, operating or possessing a wastewater impoundment has the burden of satisfying the Department that the wastewater impoundment complies with these requirements."

c. Aeration equipment in Ponds #2 and #3 are not functioning properly. Failure to maintain and operate the facility as designed and permitted is a violation of Conditions F.1 and F.2 of the WQM Part II Permit.

I. To date, CMV has not fully corrected the above-listed violations.

J. YWC did not have legal or operational responsibilities related to the STP, while it has been under CMV ownership, and is not attributed its compliance or non-compliance history upon which this Consent Order and Agreement is based.

K. In 2022, YWC contacted the Department to express its interest in purchasing the STP and ultimately connecting the Chanceford Manor Village residential housing subdivision customers to an existing nearby sewage treatment plant, the Felton Sewage Treatment Plant ("Felton"), owned by YWC.

L. The Department is aware that YWC has been working through the process to expand Felton, decommission the STP, and connect the Chanceford Manor Village residential housing subdivision customers to Felton.

M. Based upon the process referenced in Paragraph L., above, CMV, as Seller, and YWC, as Buyer, have entered into a Purchase Agreement dated June 27, 2024 (the "Purchase Agreement"), under which, subject to satisfaction of certain conditions, YWC will acquire and thereafter solely manage and operate the STP. CMV remains responsible for compliance with all legal requirements, including the Clean Streams Law, applicable regulations, and all NPDES and WQM Part II Permits applicable to the STP prior to closing on the acquisition anticipated in the Purchase Agreement.

N. Upon Closing, YWC will become the owner and operator of the STP and will be, thereafter, legally obligated to maintain compliance with all legal requirements, including this Consent Order and Agreement related to the STP and the associated sewage collection system.

O. Within 45 days after receipt of a Certificate of Public Convenience for the Chanceford Manor Village system from the Pennsylvania Public Utility Commission, , CMV and YWC will complete settlement for the sale of the CMV sewage collection system and the STP to YWC.

P. YWC and the Department intend to establish herewith a program and schedule for completion of the Felton expansion project necessary to allow the STP to be decommissioned and the Chanceford Manor Village residential housing subdivision customers to be connected to Felton, owned, and operated by YWC. The STP decommissioning and connection of the Chanceford Manor Village residential housing subdivision customers to Felton is intended to resolve the deficiencies and violations described above.

Q. The violations described in Paragraphs H. and I., above, constitute unlawful conduct under Section 611 of the Clean Streams Law, 35 P.S. § 691.61; and a statutory nuisance under. Section 601 of the Clean Streams Law, 35 P.S. § 691.601.

ORDER

After full and complete negotiation of all matters set forth in this Consent Order and Agreement, and upon mutual exchange of covenants contained herein, the Parties desiring to avoid litigation and intending to be legally bound, it is hereby ORDERED by the Department and AGREED to by YWC as follows:

1. Authority. This Consent Order and Agreement is an Order of the Department authorized and issued pursuant to Sections 5 and 610 of the Clean Streams Law, 35 P.S. §§ 691.5 and 691.610 and Section 1917-A of the Administrative Code, 71 P.S. § 510-17.

2. Findings.

   a. In any matter or proceeding between YWC and the Department, YWC shall not challenge or deny the Department's assertion of the truth, accuracy, or validity of Paragraphs A. through P., above.
   b. The Parties do not authorize any other persons to use the findings in this Consent Order and Agreement in any matter or proceeding.

3. Corrective Action. The following Corrective Actions become effective upon YWC's closing on the acquisition of the STP and associated sewage collection system and are agreed to between the Parties:

   a. Within 60 days of the closing on the acquisition of the STP, YWC agrees to update and submit to the Department the 2014 Operation and Maintenance Standard Operating Procedures ("SOP") for the STP and implement such SOP;
   b. Upon closing on the acquisition of the STP, YWC agrees to submit Discharge Monitoring Reports for the STP via the Department's eDMR system;
   c. Upon closing on the acquisition of the STP, YWC agrees to:

      i. Maintain STP Pond #2 storage elevation below the current (brick) marker;
      ii. Maintain STP Pond #3 storage elevation below the current (paint) marker;
      iii. Maintain the STP's current collection and return of seepage system; and,

iv. Conduct monthly sampling of the adjacent UNT below STP Pond #3 for the parameters listed in the WQM Permit No. 6771423 T-1 Special Condition A of Amendment No. 93-1 and Fecal Coliform.

d. YWC agrees to the following milestones to complete permitting and upgrades to Felton:

i. Complete project conceptual design plan no later than 120 days after closing on the acquisition of the STP and associated system;

ii. Submit permit application(s) for the planned Felton expansion no later than 24 months after closing on the acquisition of the STP and associated sewage collection system;

iii. Initiate construction of the Felton expansion project no later than 12 months after receipt of all required permits authorizing construction;

iv. Complete construction of the Felton expansion project no later than 36 months after receipt of all required permits authorizing construction;

v. Complete connection of the Chanceford Manor Village customers to the Felton treatment plant no later than 12 months after construction of the Felton expansion project is complete.

e. The Department agrees to transfer the Chanceford Manor Village permits otherwise, "as-is", without material revision to fully effectuate the purpose of this Consent Order and Agreement. That is, to enable YWC to construct an expansion to Felton, connect the Chanceford Manor Village residential housing subdivision customers thereto, and decommission the STP.

4. Submission of Documents. With regard to any document that YWC is required to submit pursuant to Paragraph 3, above, of this Consent Order and Agreement, the Department will review the document and will approve or disapprove the document, or any portion thereof, in writing. If the document, or any portion thereof, is disapproved by the Department, YWC shall submit a revised document to the Department that addresses the Department's concerns within a reasonable time, as specified by the Department. Upon approval by the Department, the document, including any Department-approved implementation schedules, shall become a part of this Consent Order and Agreement for all purposes and shall be enforceable as such.

5. Stipulated Civil Penalties.

a. From the date of execution of this Consent Order and Agreement and until termination of this Consent Order and Agreement, YWC shall pay the Department a stipulated penalty of $250.00 for each time any provision of Paragraph 3.c., above is violated.

b. In the event that YWC fails to comply with provisions Paragraph 3.a., or 3.d.(i-v) of this Consent Order and Agreement and, in addition to other applicable remedies, YWC shall pay the Department a civil penalty of $100.00 per day.

c. Stipulated civil penalty payments are payable monthly on or before the fifteenth day of each succeeding month, and shall be made by certified check or the like, made payable to the "Commonwealth of Pennsylvania," with the memo line identifying "Clean Water Fund" and sent to Summer Stawiarski, Environmental Group Manager, Clean Water Program, Department of Environmental Protection, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

d. Any payment under this paragraph shall neither waive the YWC's duty to meet its obligations under this Consent Order and Agreement nor preclude the Department from commencing an action to compel YWC's compliance with the terms and conditions of this Consent Order and Agreement. The payment resolves only YWC's liability for civil penalties arising from the violation of this Consent Order and Agreement, for which payment is made.

e. Stipulated civil penalty payments shall be due automatically and without notice.

6. Additional Remedies.

a. In the event YWC fails to comply with any provision of this Consent Order and Agreement, the Department may, in addition to the remedies prescribed herein, pursue any remedy available for violation of an order of the Department, including an action for civil penalties or action to enforce this Consent Order and Agreement.

b. The remedies provided by this paragraph and Paragraph 5 (Stipulated Civil Penalties) are cumulative and the exercise of one does not preclude the exercise of any other. The failure of the Department to pursue any remedy shall not be deemed to be a waiver of that remedy. The payment of a stipulated civil penalty, however,

shall preclude any further assessment of civil penalties for the violation for which the stipulated civil penalty is paid.

7. Reservation of Rights. The Department reserves the right to require additional measures to achieve compliance with applicable law. YWC reserves the right to challenge any action which the Department may take to require those measures.

8. Liability of Operator. Upon closing and acquisition of the Chanceford Manor Village sewer system and treatment plant and execution of this COA, YWC shall be liable for any violations of the Consent Order and Agreement, including those caused by, contributed to, or allowed by its officers, agents, employees, or contractors. Thereafter and except as provided in Paragraph 9(c), YWC shall also be liable for any violation of this Consent Order and Agreement caused by, contributed to, or allowed by its successors and assigns.

9. Transfer of Site.

   a. The duties and obligations under this Consent Order and Agreement shall not be modified, diminished, terminated or otherwise altered by the transfer of any legal or equitable interest in the collection system or Plant, or any part thereof.
   b. If YWC intends to transfer any legal or equitable interest in the collection system and Plant which is subject of this Consent Order and Agreement, YWC shall serve a copy of this Consent Order and Agreement upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the Southcentral Regional Office of the Department of such intent.
   c. The Department in its sole discretion may agree to modify or terminate YWC's duties and obligations under this Consent Order and Agreement upon transfer of the Chanceford Manor Village permits. YWC waives any right it may have to challenge the Department's decision in this regard.

10. Correspondence with the Department. All correspondence with the Department concerning this Consent Order and Agreement shall be addressed to:

    Ms. Summer Stawiarski
    Environmental Group Manager
    Clean Water Program
    Department of Environmental Protection

Southcentral Regional Office
909 Elmerton Avenue
Harrisburg, PA 17110-8200
sustawiars@pa.gov

and

Angela Bransteitter
Assistant Regional Counsel
Department of Environmental Protection
anbranstei@pa.gov

11. Correspondence with YWC. All correspondence with YWC concerning this Consent Order and Agreement shall be addressed to:

Mr. Vaughn Wenger
Wastewater Operations Superintendant
York Water Company
130 East Market Street
York, PA 17401
vaughnw@yorkwater.com

and

Alexandra Chiaruttini
Chief Administrative Officer
The York Water Company
alexc@yorkwater.com

YWC shall notify the Department whenever there is a change in the contact person's name, title, or address. YWC agrees that service of any notice or any legal process for any purpose under this Consent Order and Agreement, including its enforcement, may be made electronically by email to the above email address or by mailing a copy by first class mail to the above address.

12. Force Majeure.

a. In the event that YWC is prevented from complying in a timely manner with any time limit imposed in this Consent Order and Agreement solely because of a strike, fire, flood, act of God, or other circumstance beyond YWC's control and which YWC, by the exercise of all reasonable diligence, is unable to prevent, then YWC may petition the Department for an extension of time. An increase

in the cost of performing the obligations set forth in this Consent Order and Agreement shall not constitute circumstances beyond YWC's control. YWC's economic inability to comply with any of the obligations of this Consent Order and Agreement shall not be grounds for any extension of time.

b. YWC shall only be entitled to the benefits of this paragraph if it notifies the Department within five (5) working days by telephone and within ten (10) working days in writing of the date it becomes aware or reasonably should have become aware of the event impeding performance. The written submission shall include all necessary documentation, as well as an affidavit from an authorized individual specifying the reasons for the delay, the expected duration of the delay, and the efforts which have been made and are being made by YWC to mitigate the effects of the event and to minimize the length of the delay. The initial written submission may be supplemented within ten (10) working days of its submission. YWC's failure to comply with the requirements of this paragraph specifically and in a timely fashion shall render this paragraph null and of no effect as to the particular incident involved.

c. The Department will decide whether to grant all or part of the extension requested on the basis of all documentation submitted by YWC and other information available to the Department. In any subsequent litigation, the YWC shall have the burden of proving that the Department's refusal to grant the requested extension was an abuse of discretion based upon the information then available to it.

13. Severability. The paragraphs of this Consent Order and Agreement shall be severable and should any part hereof be declared invalid or unenforceable, the remainder shall continue in full force and effect between the parties.

14. Entire Agreement. This Consent Order and Agreement shall constitute the entire integrated agreement between the Parties. No prior or contemporaneous communications or prior drafts shall be relevant or admissible for purposes of determining the meaning or extent of any provisions herein in any litigation or any other proceeding.

15. Attorney Fees. The parties shall bear their respective attorney fees, expenses and other costs in the prosecution or defense of this matter or any related matters, arising prior to execution of this Consent Order and Agreement.

16. Modifications. No changes, additions, modifications, or amendments of this Consent Order and Agreement shall be effective unless they are set out in writing and signed by the Parties hereto.

17. Titles. A title used at the beginning of any paragraph of this Consent Order and Agreement may be used to aid in the construction of that paragraph, but shall not be treated as controlling.

18. Decisions Under Consent Order. YWC waives its rights to appeal to the Environmental Hearing Board any decision that the Department makes under the provisions of this Consent Order and Agreement, including a notice that stipulated civil penalties are due, which rights may be available under Section 4 of the Environmental Hearing Board Act, the Act of July 13, 1988, P.L. 530, No. 1988-94, 35 P.S. § 7514; the Administrative Agency Law, 2 Pa. C.S. § 103(a) and Chapters 5A and 7A; or any other provision of law. Except as provided in Paragraph 9(c), the Department agrees that any objection that YWC may have to any such decision may be raised as a defense in any Court where the Department enforces this Consent Order and Agreement.

19. Termination. The obligations of Paragraph 5 of this Consent Order and Agreement shall terminate if YWC does not close on the purchase of the CMV system within 36 months after execution hereof or when YWC has completed to the Department's satisfaction the actions required in Paragraph 3 and paid any stipulated penalties due under Paragraph 5.

20. Execution of Agreement. This Consent Order and Agreement may be signed in counterparts, each of which shall be deemed to be an original and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have caused this Consent Order and Agreement to be executed by their duly authorized representatives. The undersigned representatives of YWC certify under penalty of law, as provided by 18 Pa. C.S. § 4904, that they are authorized to execute this Consent Order and Agreement on behalf of YWC; that YWC consents to the entry of this Consent Order and Agreement as a final ORDER of the Department; and that YWC hereby knowingly waives its right to appeal this Consent Order and Agreement and to challenge its content or validity, which rights may be available under Section 4 of the Environmental Hearing Board Act, Act of July 13, 1988, P.L. 530, 35 P.S. § 7514; the Administrative Agency Law, 2 Pa. C.S. § 103(a) and Chapters 5A and 7A; or any other provisions of law. Signature by YWC's attorney certifies only that the agreement has been signed after consulting with counsel.

Signatures on the following page.

FOR THE YORK WATER COMPANY:

_____

Joseph T. Hand Date
CEO and President

_____

Name Date
Title

_____

Name Date
Attorney for The York Water Company

FOR THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF ENVIRONMENTAL PROTECTION:

_____

Maria D. Bebenek, P.E. Date
Program Manager
Clean Water Program

_____

Angela S. Bransteitter Davis Date
Assistant Counsel

EXHIBIT G

THE YORK WATER COMPANY
UTILITY PLANT

	As of December 31, 2024
Organization	$ 8,574
Franchises and consents	4,918
Water rights	39,972
Reservoir land	883,813
Power and pumping land	1,085,621
Purification land	1,751,022
Transmission & distribution land rights-of-way	148,256
Distribution reservoir and standpipe land	631,665
Office land	115,023
Stores, shop and garage land	135,845
Collecting and impounding reservoirs	57,076,890
Lake, river and other intakes	3,674,995
Wells and springs	208,052
Supply mains	8,949,956
Other water source structures	326,277
Power and pumping structures	17,909,557
Purification buildings	5,240,485
Office buildings	1,727,155
Stores, shop and garage buildings	3,211,681
Miscellaneous structures and improvements	533,773
Power generation equipment	3,160,593
Oil engine pumping equipment	1,365,208
Electric pumping equipment	6,393,728
Scada system	698,223
Purification system	21,667,923
Distribution reservoirs and standpipes	29,542,191
Mains and accessories	282,428,530
Services	64,682,543
Meters	23,332,673
Fire hydrants	12,912,611
Backflow preventors	696,604
Office furniture and equipment	13,757,189
Transportation equipment	2,967,249
Stores equipment	235,551
Shop equipment	67,092
General equipment	1,092,461
Tractor	34,370
Laboratory equipment	198,099
Construction equipment	220,225
Communication equipment	4,095,222
Miscellaneous equipment	542,340
Wastewater organization	3,273
Wastewater collection land	203,176
Wastewater pumping land	350,595
Wastewater treatment land	471,074
Wastewater treatment structures	15,420,344
Wastewater power generation equipment	1,001,135
Wastewater collection sewers	25,591,053
Wastewater services	4,575,239
Wastewater pumping equipment	1,130,486
Wastewater treatment and disposal equipment	12,182,782
Wastewater monitoring equipment	253,013
Wastewater detention pond	2,682
Wastewater outfall lines	103,082
Wastewater office computer	105,403
Wastewater transportation equipment	413,812
Wastewater shop equipment	32,092
Wastewater laboratory equipment	10,440
Wastewater communication equipment	625,246
Wastewater miscellaneous equipment	69,742
Total Utility Plant in Service	$ 636,298,824
Construction work in progress	28,628,049
Utility plant acquisition adjustment	(9,838,403)
TOTAL UTILITY PLANT	$ 655,088,470

EXHIBIT "A"

EXHIBIT H

THE YORK WATER COMPANY
BALANCE SHEET

	As of December 31, 2024
ASSETS	
UTILITY PLANT:	
Utility Plant, at original cost	$655,088,470
Less-Reserve for depreciation	124,082,465
	531,006,005
OTHER PHYSICAL PROPERTY:	
Less-Reserve for depreciation	1,533,779
CURRENT ASSETS:	
Cash and cash equivalents	(2,426,967)
Accounts receivables, less reserves	7,248,699
Unbilled revenue	3,604,286
Materials and supplies, at cost	3,413,499
Prepaid expenses	1,596,854
	13,436,371
OTHER LONG-TERM ASSETS:	
Notes receivable	255,481
Deferred regulatory assets	31,235,705
Other	30,211,506
	61,702,692
	$607,678,847

THE YORK WATER COMPANY
BALANCE SHEET

	As of December 31, 2024
CAPITALIZATION AND LIABILITIES	
CAPITALIZATION:	
Common stock, no par value	$138,089,526
Earnings retained in the business	93,102,781
	231,192,307
Long-term debt	192,370,000
Committed line of credit	15,807,585
Less-Unamortized discount and debt expense	2,616,756
	436,753,136
CURRENT LIABILITIES:	
Current portion of long-term debt	0
Accounts payable	7,144,039
Dividends payable	2,891,667
Accrued taxes	(561,297)
Accrued interest	2,489,762
Deferred regulatory liabilities	864,082
Other accrued expenses	2,491,644
	15,319,897
DEFERRED CREDITS:	
Customers' advances for construction	20,546,261
Contributions in aid of construction	48,868,939
Deferred employee benefits	3,525,725
Deferred regulatory liabilities	21,121,806
Deferred income taxes	61,157,193
Other deferred credits	385,890
	155,605,814
	$607,678,847

EXHIBIT I

THE YORK WATER COMPANY
STATEMENT OF INCOME

	Twelve Months Ended December 31, 2024
OPERATING REVENUES:	
Residential	$47,422,529
Commercial and industrial	21,783,502
Other	5,753,111
	74,959,142
OPERATING EXPENSES:	
Operation and maintenance	19,670,494
Administrative and general	12,086,490
	31,756,984
Depreciation	12,961,561
Taxes other than income taxes	1,675,786
Federal and state income taxes	1,349,828
	47,744,159
Operating income	27,214,983
INTEREST EXPENSE AND OTHER INCOME:	
Interest on debt	8,903,717
Allowance for funds used during construction	(2,051,599)
Other (income) expenses, net	37,789
	6,889,907
NET INCOME	$20,325,076

EXHIBIT "C"

EXHIBIT J

Estimated Annual Revenue and Expense Figures

for the

Proposed Additional Customers

Option: (Flat Rate)
York Water is proposing a flat rate charge of $86.90 per EDU/month for all 280 residential customers.

Monthly flat charge for residential customers:

(1 EDU)	$86.90
	x 280
Total Monthly Revenue	$24,332.00
Total Annual Revenue	$291,984.00

Estimated expenses are calculated based upon the CMV 2022 tax return balance sheet. The Company expects the expenses for the new CMV customers (all single family residential) to be approximately.

O & M Expenses (35.5% of revenue)	$ 103,654.00
Depreciation (14.2% of revenue)	41,462
General Taxes (2.1% of revenue)	6,132
Income Taxes (5.8% of revenue)	16,935
Total Operating Expenses	$ 168,183
Add $60,000 for on-site oversight/management	$228,183
Operating Income	$63,801.00

EXHIBIT K

The York Water Company

"That good York water"
SINCE 1816

July 2, 2024

York County Planning Commission
28 East Market Street
York, PA 17401-1580

Re: York Water Company Application to Provide Wastewater Service to the Chanceford Manor Village Residential Development [off Trinity Road] in Chanceford Township, York County

York Water Company, a private utility, has entered into an Asset Purchase Agreement for the wastewater collection and treatment system assets that serve the Chanceford Manor residential community. York Water Company will file an application with the PA Public Utility Commission (PUC) requesting a certificate of public convenience to expand its wastewater charter territory to enable us to furnish wastewater service to the public within the Chanceford Manor Village community in a portion of Chanceford Township.

We are requesting input from the County to determine if York Water's proposed expansion (i.e. acquisition of wastewater collection and treatment facilities) complies with the County's land use planning.

Specifically, the PUC requests that the Township reviews the following questions:

1. Are there adopted municipal comprehensive plans for the townships/boroughs involved? _____
2. Is there an adopted county comprehensive plan? _____
3. Is there an adopted multi-municipal or multi-county comprehensive plan? _____
4. Is there an adopted county or municipal zoning ordinance or joint municipal zoning ordinance? ____
5. Is the proposed project consistent with these comprehensive plans and/or zoning ordinances? _____
6. If the answer is "yes" to any of the above questions, please sign below, or submit a letter, indicating that the application is consistent with the applicable comprehensive plans and zoning ordinances. If the application is not consistent with the applicable comprehensive plans and zoning ordinances, please provide an explanation.

If you have any questions, please call me at (717) 718-2949 or email: alexc@yorkwater.com .

Sincerely,

Alexandra Chiaruttini, Chief Administrative Officer

We concur that York Water's Application is consistent with the applicable comprehensive plans and zoning ordinances.

York County Planning Signature _____

Printed Name/Title_____ Date_____

Please return this completed form to alexc@yorkwater.com. Thank you.

The York Water Company 30 E. Market St. York, Pa 17401 (717) 845-3601 "That good York water"	Title:	Exhibit B-1: TYWC's Wastewater & Proposed Expansion Territories	
	Scale: 1:305,000	Drawn By:	Jason Heitmann
	Date: March 15th, 2023	Checked By:	Andrew Prosser

The York Water Company 30 E. Market St. York, Pa 17401 (717) 845-3601 "That good York water" SINCE 1816	Title:	Exhibit B-2: Proposed Expansion Territory	
	Scale: 1:5,500	Drawn By:	Jason Heitmann
	Date: March 15th, 2023	Checked By:	Andrew Prosser

YORK COUNTY
YCPC
PLANNING COMMISSION

28 East Market Street | York, PA 17401-1580
Phone 717.771.9870 | Fax 717.771.9511

COUNTY LAND USE LETTER

Date: 7/17/24

To: The York Water Company
c/o Alex Chiaruttini, CAO
130 East Market Street
York, PA 17401-1219

From: York County Planning Commission

Re: PA PUC Certificate of Public Convenience
CMV Wastewater Service Expansion Area, Chanceford Township, York County, PA

The County of York states that it:

☑ It has adopted a county or multi-county comprehensive plan. If yes, please provide a date of adoption: 9/1/21

☐ It has not adopted a county or multi-county comprehensive plan.

If applicable:

The above-reference project:

☑ Is consistent with the adopted county or multi-county comprehensive plan.

☐ Is not consistent with the adopted county or multi-county comprehensive plan.

Additional Comments (attach addition sheets if necessary):

Area is designated as Rural Area, however, service proposed is to correct public health, safety, welfare issues associated with current WWTP.

Submitted by:

Name	Roy O. Livergood, Jr.
Title	Senior Planner
Contact Information	York County Planning Commission - 28 East Market Street, York, PA 17401
Signature	
Date	7/17/24
cc:	file

YCPC # 172-24

EXHIBIT L

The York Water Company

"That good York water"
SINCE 1816

July 2, 2024

Chanceford Township Planning Commission
33 Muddy Creek Forks Road
Brogue, PA 17309

Re: York Water Company Application to Provide Wastewater Service to the Chanceford Manor Village Residential Development in Chanceford Township, York County

York Water Company, a private utility, has entered into an Asset Purchase Agreement to acquire the wastewater collection and treatment system assets from CMV Sewage Company, Inc., also a regulated public utility. The CMV system only serves the existing Chanceford Manor Village. York Water Company will file an application with the PA Public Utility Commission (PUC) requesting a certificate of public convenience to furnish wastewater service to the public within the Chanceford Manor Village community. York Water Company's application will request to expand its wastewater charter area to serve the current CMV Sewage Company, Inc. customers in a portion of Chanceford Township.

We are requesting input from the Township to determine if York Water's proposed expansion (i.e. acquisition of the CMV Sewage Company, Inc. wastewater collection and treatment facilities) complies with the Township's land use planning.

Specifically, the PUC requests that the Township reviews the following questions:

1. Are there adopted municipal comprehensive plans for the townships/boroughs involved? _____
2. Is there an adopted county comprehensive plan? _____
3. Is there an adopted multi-municipal or multi-county comprehensive plan? _____
4. Is there an adopted county or municipal zoning ordinance or joint municipal zoning ordinance? ____
5. Is the proposed project consistent with these comprehensive plans and/or zoning ordinances? _____
6. If the answer is "yes" to any of the above questions, please sign below, or submit a letter, indicating that the application is consistent with the applicable comprehensive plans and zoning ordinances. If the application is not consistent with the applicable comprehensive plans and zoning ordinances, please provide an explanation.

If you have any questions, please call me at (717) 718-2949 or email: alexc@yorkwater.com .

Sincerely,

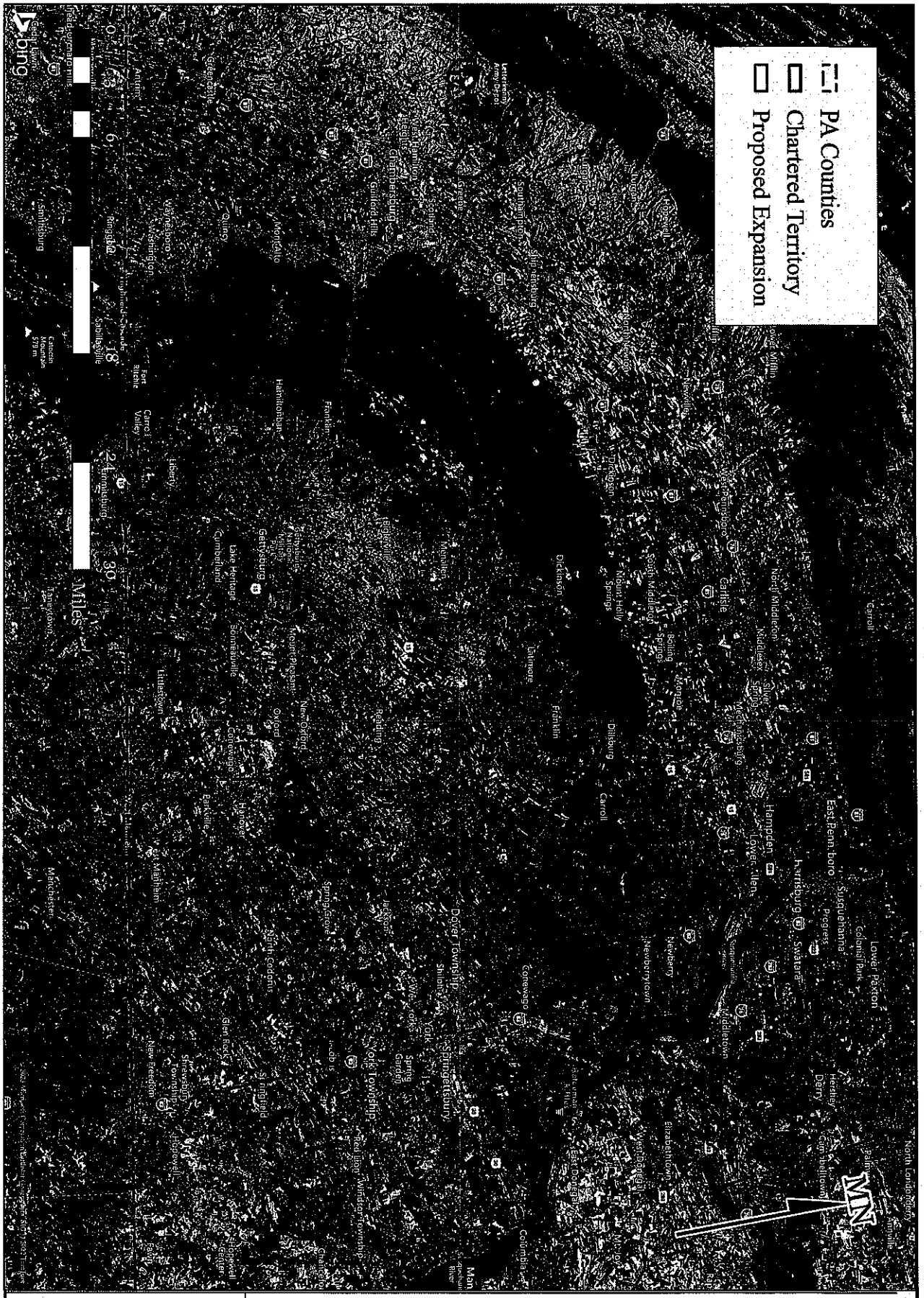
Alexandra Chiaruttini, Chief Administrative Officer

We concur that York Water's Application is consistent with the applicable comprehensive plans and zoning ordinances.

Chanceford Township Signature_____

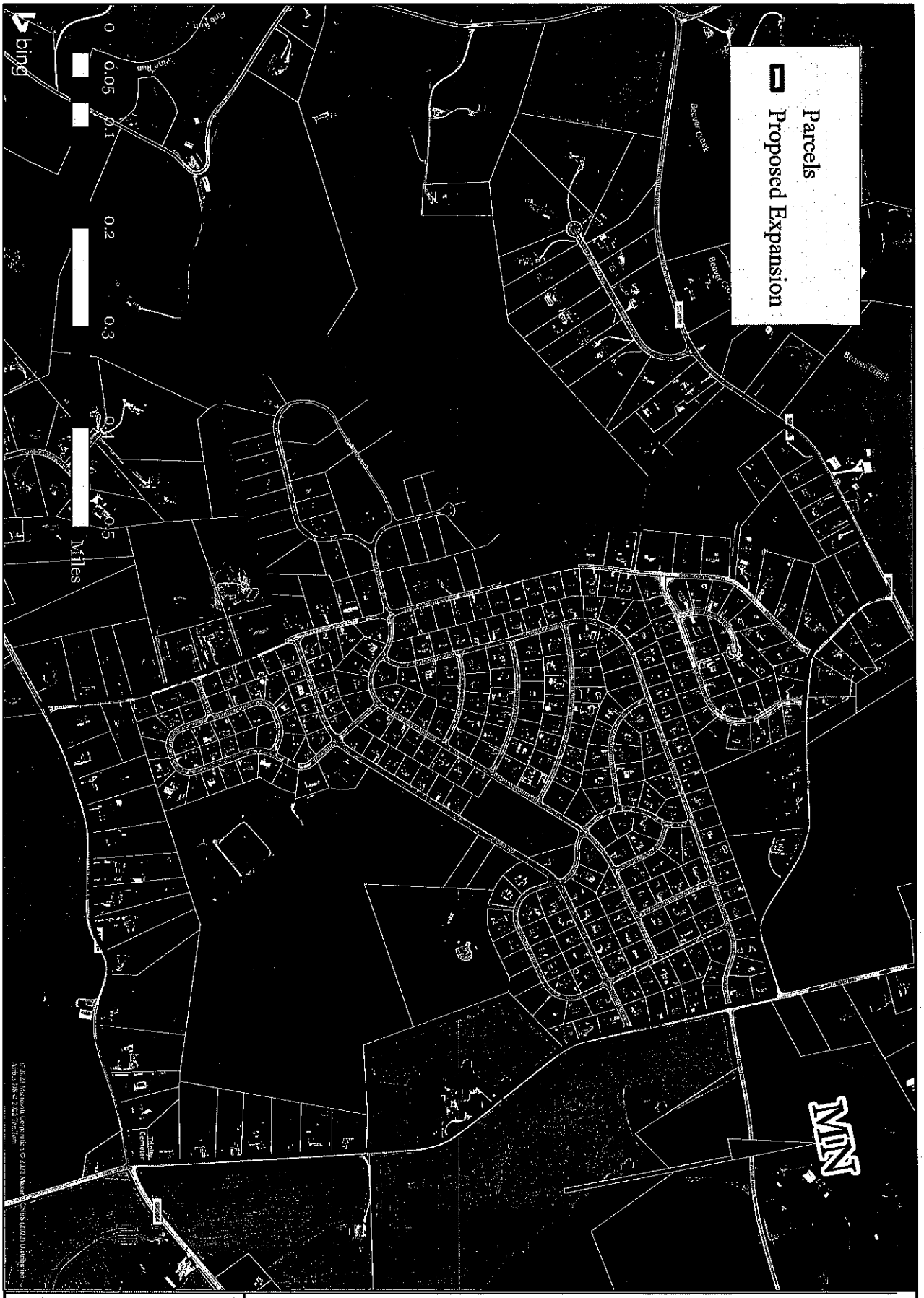
Printed Name/Title_____ Date_____

Please return this completed form to alexc@yorkwater.com. Thank you.



The York Water Company
30 E. Market St.
York, Pa 17401
"That good York water"
(717) 845-3601

Title:	Exhibit B-1: TYWC's Wastewater & Proposed Expansion Territories		
Scale:	1:305,000	Drawn By:	Jason Heitmann
Date:	March 15th, 2023	Checked By:	Andrew Prosser



The York Water Company 30 E. Market St. York, Pa 17401 (717) 845-3601 "That good York water" SINCE 1816	Title:	Exhibit B-2: Proposed Expansion Territory	
	Scale: 1:5,500	Drawn By:	Jason Heitmann
	Date: March 15th, 2023	Checked By:	Andrew Prosser

EXHIBIT M

Commonwealth of Pennsylvania

Department of Environmental Protection

In accordance with the
State Board for Certification of Water and Wastewater Systems Operators
and the Regulations of the
Department of Environmental Protection

GROVER E BURACKER

Is Hereby Authorized to Operate
WASTEWATER SYSTEM

Class: A,E, Wastewater
Subclass: 1,2,3,4,5

Client ID: 317481

GROVER E BURACKER
2309 FAIRWAY DR
YORK PA 17408-9454

Issue Date Jan 1, 2021
Expiration Date Dec 31, 2023

Certificate No. S19041

Joseph G. Swanderski
Board Chairman

EXHIBIT N

The York Water Company

[Customer Address]

October 24, 2024

Dear Chanceford Manor Village Resident:

The York Water Company has heard from some of you, and we understand that there are some concerns regarding the proposed changes to your wastewater rates. To learn more, we are inviting you and your neighbors to a **Listening Session on Thursday, November 7 at 6:00 pm. We will gather at Fireside at the Fiddlers (1448 Main Street Ext, Brogue, PA).**

During this Listening Session, York Water representatives will be present to share more with you about the current status of your wastewater collection and treatment system and your current rates. We will also ensure there is time for us to hear from you. Any Chanceford Manor Village resident who wishes to speak during this session will be asked to sign up upon arrival.

We look forward to sharing more with you and listening.

Should you have any specific questions about this event, please contact our Customer Experience Manager, Nicole Bell at 717-845-3601 or email us at customer.service@yorkwater.com.

We look forward to meeting you. Thank you for your trust and support.

JT Hand
President and Chief Executive Officer
The York Water Company

EXHIBIT O

THE YORK WATER COMPANY

RATES, RULES AND REGULATIONS GOVERNING

THE PROVISION OF WASTEWATER COLLECTION, TREATMENT AND/OR

DISPOSAL SERVICE TO THE PUBLIC IN

THE BOROUGHS OF EAST PROSPECT, FELTON, JACOBUS, WEST YORK, AND

YORK HAVEN BOROUGH

AND THE

TOWNSHIPS OF CHANCEFORD, EAST MANCHESTER (ASBURY POINTE (C)

RESIDENTIAL SUBDIVISION), LOWER WINDSOR, NEWBERRY, SPRINGFIELD,

SHREWSBURY, WASHINGTON, AND WEST MANHEIM IN YORK COUNTY, PENNSYLVANIA

AND THE

TOWNSHIPS OF GREENE, HAMILTON, AND LETTERKENNY

IN FRANKLIN COUNTY, PENNSYLVANIA

AND THE

TOWNSHIP OF STRABAN IN ADAMS COUNTY, PENNSYLVANIA

AND THE

TOWNSHIP OF WEST DONEGAL IN LANCASTER COUNTY, PENNSYLVANIA

ISSUED: XXXXXX EFFECTIVE: XXXXXX

By: Joseph T. Hand
President and CEO
130 East Market Street
York, Pennsylvania

(C) Indicates Change

☞ **NOTICE**

Filed in compliance with the order of the Pennsylvania Public Utility Commission of XXXXXXX, at Docket No. A-XXXX-XXXXXXX.
(SEE PAGE NO. 2)

LIST OF CHANGES

This tariff supplement authorizes The York Water Company – Wastewater to begin to offer or furnish wastewater service to the public in a portion of Chanceford Township, York County, Pennsylvania in accordance with the Pennsylvania Public Utility Commission Order at Docket No. A-XXXX-XXXXXXX, entered XXXXXXXXXXX.

TABLE OF CONTENTS

(C) Indicates Change

PART I: SCHEDULE OF RATES AND CHARGES

Asbury Pointe Area, Felton Borough Area, Letterkenny Township Area, and Chanceford Township Area (C)

A flat rate of $86.90 per month per equivalent dwelling unit.

East Prospect and Lower Windsor Area, Jacobus Borough Area, and Straban Township Area

A metered rate (based on water consumption) as follows:

	Per Month	Rate
East Prospect and Lower Windsor Area	1st 4,000 Gals.	$86.90
Over	4,000 Gals.	$7.565 per 1,000 Gals.

West York Borough Area	Rate per Month
A flat rate per equivalent dwelling unit.	
Residential	$60.00
Commercial/Industrial	$69.55

Monaghan Township Area	Rate per Month
A flat rate per equivalent dwelling unit.	
Residential	$44.20

York Haven Borough and Newberry Township Area	Rate per Month
A flat rate per equivalent dwelling unit.	
Residential	$50.00
Commercial/Industrial	$102.67
A metered rate (based on water consumption).	
Commercial	$9.75 per 1,000 Gals.

Customers in York Haven Borough and Newberry Township that were served by York Haven Sewer Authority shall be billed by the Company based on York Haven Sewer Authority's allocation of equivalent dwelling unit(s), regardless of any conflicts with this tariff's definition of "Equivalent Dwelling Units (EDUs)." All other customers in York Haven Borough and Newberry Township will be assigned equivalent dwelling unit(s) and billed based thereon consistent with this tariff's definition of "Equivalent Dwelling Units (EDUs)."

(C) Indicates Change

EXHIBIT P

The York Water Company

"That good York water"
SINCE 1816

September 20, 2024

Dear Chanceford Manor Village Customer:

The York Water Company recently entered into an agreement to purchase substantially all of the Chanceford Manor Village (CMV) wastewater system to provide wastewater service to the community. After approval from our state regulators, York Water will become your wastewater service provider. Our goal is to provide a smooth transition to CMV residents.

York Water will soon apply to the Pennsylvania Public Utility Commission for a Certificate of Public Convenience ("PUC") to serve the wastewater needs of the CMV community. As a current CMV wastewater customer, there is nothing you will need to do to initiate wastewater service with York Water, nor will you incur any additional costs from the transition. Once approved by the PUC you will receive a follow-up letter informing you of the transition date. Until that time, you will continue to be customers of CMV Sewage Co. Inc. and you should contact their office for any wastewater-related questions.
After York Water acquires the system, you will receive a bill each month for your wastewater utility services. Once you are a wastewater customer of York Water and subject to approval by the PUC, residential customers will be billed a flat monthly rate of $86.90 per month. This rate is the same rate paid by the Felton customers nearby. York Water offers several convenient options to pay your bill. With our Timely Automatic Payment "TAP" plan, York Water can automatically deduct the amount of the monthly bill directly from your bank account. You may also choose to pay conventionally by mail, electronically through your banking system or by accessing York Water's online payment portal. Once you are a wastewater customer of York Water there are no convenience fees for paying your bill electronically by e-check, debit or credit card.

York Water has been locally owned and operated since 1816 and now provides water/wastewater service to 58 municipalities in York, Adams, Franklin, and Lancaster counties and we look forward to providing the same superior service to our new wastewater customers in the CMV community. Please read the back of this letter for Commonly Asked Questions. If you have any questions about this information or need additional information about the transition of wastewater service by York Water, please do not hesitate to contact the undersigned at nicoleb@yorkwater.com or one of York Water's helpful customer service representatives at (717) 845-3601.

Sincerely,

Nicole Bell
Senior Customer Experience Manager

THE YORK WATER COMPANY
TEL 717.845.3601

130 EAST MARKET STREET
FAX 717.843.2715

YORK, PENNSYLVANIA 17401-1219
www.yorkwater.com

The York Water Company

"That good York water"
SINCE 1816

The York Water Company
CMV Wastewater Project

Dear CMV Community Resident:

The York Water Company ("York Water") has entered into an agreement to provide wastewater service to the CMV Community. The following are commonly asked questions:

1. Why did CMV Sewage Co., Inc. decide to sell the wastewater system? Environmental regulations are making it more difficult for small wastewater systems to operate. The owners of CMV reviewed their options and determined that selling substantially all of the wastewater collection system is the best alternative for the long-term needs of the CMV residents. Eventually, we expect to connect CMV customers to the existing Felton plant for efficiency, convenience and to reduce environmental impacts.

2. When do I become a wastewater customer of York Water? Probably not for another 9-12 months. We will send out a "Welcome Packet" when that date gets closer.

3. Who must stay connected to the wastewater system? All current customers of CMV Sewage Co., Inc. will automatically become wastewater customers of York Water.

4. What must I do to become a wastewater customer of York Water? There is nothing you need to do at this time.

5. I see York Water employees around the area, what are they doing? We will have workers and contractors marking facilities, mains, services, and inventorying assets.

6. Are there any transfer fees? No.

7. How much will my wastewater service cost? Once you are a wastewater customer of York Water and subject to approval by the PUC, residential customers will be billed monthly at a flat rate of $86.90 per month.

THE YORK WATER COMPANY
TEL 717.845.3601
130 EAST MARKET STREET
FAX 717.843.2715
YORK, PENNSYLVANIA 17401-1219
www.yorkwater.com

CMV SEWAGE COMPANY, INC.
200 BAILEY DRIVE, SUITE 202
STEWARTSTOWN, PA 17363
717-993-6366
cmvsewage@gmail.com

October 4th, 2024

Dear Valued Customers:

I hope this message finds you well.

I want to take a moment to address some important developments regarding the operation of the CMV Sewage Co., Inc. and its future.

As you may be aware, our plant has been facing significant challenges that have made it increasingly difficult to operate effectively.

For many years now, CMV has been borrowing money to subsidize the costs of operating the system. This has kept customer rates artificially low but has led us to a point of financial instability. Unfortunately, the current conditions are unsustainable, and the company is effectively insolvent.

Moreover, the Pennsylvania Department of Environmental Protection (PADEP) has mandated several critical updates to the plant.

The rate increases that would be required to secure financing for CMV to implement these upgrades and properly operate the system going forward would far exceed what York Water has proposed.

In light of these challenges, we believe that the acquisition of the CMV Sewage Co., Inc. by York Water represents the best and most cost-effective solution for our customers.

This transition will not only ensure compliance with regulatory requirements but also provide a more stable and reliable sewer service moving forward.

We understand that this situation may raise questions and concerns. Please rest assured that our primary goal is to prioritize your needs and ensure that you receive safe and affordable sewer service.

Thank you for your understanding and support during this transition.

We are committed to keeping you informed and will provide further updates as we move forward.

Should you have any questions or require additional information, please do not hesitate to reach out.

Sincerely,

Sam Juffe
President

The York Water Company

"That good York water"
SINCE 1816

March 3, 2025

Dear Chanceford Manor Resident:

This letter provides an update regarding the transition from your current wastewater utility, CMV Sewage Company, to The York Water Company. As you may be aware, York Water hosted an informational session for Chanceford Manor customers on Thursday, November 7, 2024. During that meeting, we shared that Red Lion Municipal Authority currently provides your utility company with water meter readings quarterly upon which your current sewer charge is based. York Water had reached out to the Authority a number of times prior to the informational session to secure the same arrangement so that we too can bill Chanceford Manor customers based upon actual usage rather than charge a flat monthly rate. It is always our preference to charge based upon actual usage to empower our customers to control their expenses. The Red Lion Municipal Authority had not agreed to provide such meter readings to York Water at that time. The residents who attended our informational session on November 7th strongly supported a consumption-based sewer rate, and York Water committed to attending the next meeting of the Authority to advance that goal.

Since our informational session, York Water has continued to pursue this with Red Lion Municipal Authority as it is beneficial to our future customers. A York Water representative attended the November 20, 2024, meeting of the Authority and was pleased to see familiar faces from Chanceford Manor also attending. At that meeting York Water provided a draft agreement through which the meter reads could be provided to York Water. York Water hadn't received a response or suggested modifications to the agreement and therefore attended the Authority's February 26, 2025, meeting to again solicit the Authority for an agreement. At that meeting the Authority indicated York Water should receive a reply within the next one to two weeks.

Once we have this agreement in place, York Water will submit an application to the PA Public Utility Commission to allow us to serve the Chanceford Manor community with the goal to include in that application a consumption-based rate structure. When that occurs, you will receive written notice from York Water.

THE YORK WATER COMPANY *130 EAST MARKET STREET* *YORK, PENNSYLVANIA 17401-1219*
TEL 717.845.3601 *FAX 717.843.2715* *www.yorkwater.com*

The York Water Company

"That good York water"
SINCE 1816

We thank you for your interest and your patience as we assemble an agreement with the Red Lion Municipal Authority that benefits our future customers. If you have questions, please contact me at nicoleb@yorkwater.com.

Sincerely,

Nicole Bell
Senior Customer Experience Manager

AFFIDAVIT

:

COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF YORK : SS.

:

JOSEPH T. HAND, being duly sworn according to law, deposes and states that he is Chief Executive Officer of THE YORK WATER COMPANY; that he is authorized to and does make this affidavit for it; and that the facts set forth herein are true and correct to the best of his knowledge, information and belief; and that he expects THE YORK WATER COMPANY to be able to prove the same at any proceeding hereof and relating hereto.

JOSEPH T. HAND

SWORN TO AND SUBSCRIBED

before me this 31st day

of March 31, 2025.

Molly Elizabeth Houck

Notary Public

My Commission Expires: March 3, 2029

Commonwealth of Pennsylvania - Notary Seal
Molly Elizabeth Houck, Notary Public
York County
My commission expires March 3, 2029
Commission number 1307000
Member, Pennsylvania Association of Notaries