

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

Public Meeting held November 6, 2025

Commissioners Present:

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

Application of Pennsylvania-American Water Company for approval, *nunc pro tunc*, of the right to offer, render, furnish or supply water service to the public in additional portions of Gilberton Borough and West Mahanoy, Ryan and New Castle Townships, Schuylkill County, Pennsylvania

Docket No.  
A-2025-3054442

**Public Version**

**ORDER**

**BY THE COMMISSION:**

By the application (Application) filed with the Pennsylvania Public Utility Commission (Commission) on April 7, 2025, Pennsylvania-American Water Company (PAWC), Utility Code 212285, seeks a certificate of public convenience pursuant to Section 1102(a)(1)(i) of the Pennsylvania Public Utility Code (Code), 66 Pa.C.S. § 1102(a)(1)(i), evidencing Commission approval, *nunc pro tunc*, of PAWC's right to offer, render, furnish or supply water service to the public in additional portions of Gilberton Borough and West Mahanoy, Ryan, and New Castle Townships, Schuylkill County, Pennsylvania.

## **I. AFFECTED ENTITIES AND BACKGROUND**

PAWC is a regulated public utility company, duly organized and existing under the laws of the Commonwealth with a mailing address of 852 Wesley Drive, Mechanicsburg, Pennsylvania 17055. PAWC provides water service to approximately 687,578 customers throughout Pennsylvania, including portions of Schuylkill County. PAWC provides wastewater service throughout Pennsylvania through its wastewater division, Pennsylvania-American Water Company – Wastewater Division, Utility Code 230073, and is a subsidiary of American Water Works Company, Inc.

During a recent review of its certificated service territory, PAWC identified four non-contiguous areas in Schuylkill County for which it has existing operational facilities that abut or are near other PAWC certificated service areas, but for which PAWC does not have certificates of public convenience to serve. These four areas were identified in the Application as the requested service territory (Requested Territory) and were labeled as Areas 1, 2, 3 and 4, respectively. PAWC indicated it began providing water service to Area 1 in 1904, to Area 2 in 1967, and to Areas 3 and 4 in 1993.

The Requested Territory includes 81 connections, comprised of 60 residential customers, 10 commercial customers, one public authority customer (Schuylkill County Fire School), one private fire service connection, and nine public fire hydrants. PAWC provided copies of signed Public Fire Hydrant Applications as the Application's Exhibit D. In supplemental information filed with the Commission, PAWC indicated that Gilberton Borough and West Mahanoy, Ryan and New Castle Townships do not have mandatory connection ordinances for water service. Wastewater service for the Requested Territory is provided by either on-lot sewer systems or by the Frackville Area Municipal Authority.

PAWC submitted proofs of publication and service to the appropriate entities. Notice of the Application was published in the *Pennsylvania Bulletin*, 55 Pa.B. 2971, on

Saturday, April 19, 2025. The protest period ended May 5, 2025. No protests were filed, and no hearings were held.

## **II. LOCATION AND DESCRIPTION OF REQUESTED TERRITORY**

In the Application, PAWC's Requested Territory consisted of four non-contiguous areas, together initially including approximately 301 acres, with each area situated just beyond PAWC's certificated territory. A map depicting PAWC's Requested Territory along with a written description of the Requested Territory's boundaries by bearing angles and distances were provided as the Application's Exhibits B-1 and B-2, respectively. According to PAWC, three of the four Requested Territory's boundaries abut PAWC's existing certificated territory in Schuylkill County. In confidential supplemental information filed with the Commission, PAWC provided revised Requested Territory maps and written descriptions for Areas 1, 2 and 4 to encompass only property parcels for PAWC's existing customers and the area of public rights-of-way between PAWC's existing territory and these parcels. The revised Requested Territory includes Area 3 and revised Areas 1, 2 and 4, discussed below, and comprises approximately **[BEGIN CONFIDENTIAL]** **[END CONFIDENTIAL]**.

Area 1 initially consisted of approximately 51 acres and was situated in the eastern portion of Butler Township, the southwestern portion of Gilberton Borough and the northwestern portion of West Mahanoy Township, north of West and East High Streets and west of State Route 924 and abutted the northern border of PAWC's existing certificated territory. PAWC's revised Area 1, provided as Confidential A-29\_Attachment, is situated in **[BEGIN CONFIDENTIAL]**

**[END CONFIDENTIAL]**. Area 2 initially consisted of approximately 36 acres and was situated in the northeastern portion of New Castle Township, north of Interstate 81 and west of State Route 61 and abutted the southern

border of PAWC's existing certificated territory. PAWC's revised Area 2, provided as Confidential A-30\_Attachment, is situated in **[BEGIN CONFIDENTIAL]**

**[END CONFIDENTIAL]**.

Area 3 consists of approximately 113 acres and is situated in the northwestern portion of Ryan Township and the southcentral portion of West Mahanoy Township, including areas along Firemans Road in Ryan and West Mahanoy Townships, along Morea Road in West Mahanoy Township, and within the Laurel Ridge Development in West Mahanoy Township, which extends northwest from the intersection of Lia Road and Morea Road and abuts the eastern border of PAWC's existing certificated territory. Finally, the Application's Area 4 initially consisted of approximately 101 acres and was situated in the southcentral portion of West Mahanoy Township, northeast of Area 3 at the northern end of Eleanor Avenue and includes the property of the Gilberton Power – John B. Rich Memorial Power Station (Gilberton Power Plant). PAWC's revised Area 4, provided as Confidential A-28\_Attachment, is situated in **[BEGIN CONFIDENTIAL]**

**[END CONFIDENTIAL]**.

### **III. DESCRIPTION OF FACILITIES FOR FURNISHING SERVICE**

In supplemental information filed with the Commission, PAWC indicated its water service facilities in Area 1 include 85 linear feet (LF) of four-inch-diameter cast iron (CI) pipe, 324 LF of two-inch-diameter CI pipe, seven one-inch corporation stops and curb stops, two 3/4-inch blow-off valves and one four-inch gate valve. In Area 2, PAWC indicated that it does not have existing water facilities. In Area 3, PAWC indicated its water system assets include 2,799 LF of 12-inch-diameter ductile iron (DI) pipe, 3,895 LF of eight-inch-diameter DI pipe, 682 LF of six-inch-diameter DI pipe, nine public fire hydrants, seven two-inch blow-off valves, 102 one-inch corporation stops and curb stops, six 12-inch gate valves, 18 eight-inch gate valves, 12 six-inch gate valves, four four-inch gate valves, one 12-inch by 12-inch tee, four eight-inch by six-inch tees,

one six-inch flow meter, five sample stations and one eight-inch by eight-inch tap sleeve. In Area 4, PAWC indicated that it does not have existing water facilities. Finally, PAWC identified that water facilities in the Requested Territory also include one four-inch water meter, one three-inch water meter, one two-inch water meter, five one-inch water meters and 63 5/8-inch water meters.

As noted above, PAWC indicated that there are no water facilities in Areas 2 or 4. In supplemental information filed with the Commission, PAWC clarified that for Area 2, PAWC's water facilities end at the intersection of Votech Road and Maple Street and that water service is being provided by a customer-owned service line in Votech Road. In addition, PAWC clarified that for Area 4, PAWC's water facilities end approximately 15 feet from a point of connection on Judy Lane within the Laurel Ridge Development and that water service is being provided by a customer-owned service line that extends to the Gilberton Power Plant.

Operations for the Requested Territory will continue through PAWC's Center Street Water Treatment Plant (WTP) and a system interconnection with the Schuylkill County Municipal Authority (SCMA Interconnection). The Center Street WTP obtains raw water from four wells in Schuylkill County and serves Frackville Borough and the surrounding municipalities. The SCMA Interconnection obtains finished water from SCMA and serves portions of West Mahanoy Township. Areas 1 and 2 are part of PAWC's Frackville water system and are supplied by the Center Street WTP. Area 3 is partially supplied by the Frackville water system and the SCMA Interconnection. Area 4 serves the Gilberton Power Plant and is supplied only by the SCMA Interconnection.

In supplemental information filed with the Commission, PAWC indicated that the maximum capacities of the Center Street WTP and the SCMA Interconnection are 1,000,800 gallons per day (GPD) and 400,000 GPD, respectively. In 2024, the average system delivery was 320,000 GPD from the Center Street WTP and 100,000 GPD from

the SCMA Interconnection. PAWC averred that it has adequate capacity to meet present and future water service needs within the Requested Territory.

In addition, PAWC provided a copy of the current SCMA Water Purchase Agreement (Purchase Agreement), dated March 17, 1993, between PAWC and SCMA that was filed with the Commission at Docket No. U-00932197 on April 22, 1993. PAWC indicated that the Purchase Agreement will be renegotiated upon approval of this Application. Therefore, we will direct PAWC to file a copy of the renegotiated Purchase Agreement with the Commission upon completion of the renegotiation, pursuant to Section 507 of the Code, 66 Pa. C.S. § 507 (relating to contracts between public utilities and municipalities).<sup>1</sup>

#### **IV. ADDITIONAL CAPITAL REQUIREMENTS**

In the Application, PAWC indicated that no additional mains or facilities are required to continue providing water service in the Requested Territory.

#### **V. PROPOSED RATES**

PAWC will charge its existing Rate Zone 1 rates within the Requested Territory as set forth in its effective water tariff. In Exhibit I of the Application, PAWC provided a copy of its estimated revenue and expenses. The estimate indicated approximately \$94,295 in annual revenue and \$19,010 in annual expenses resulting in an annual net income of approximately \$75,285. This revenue is based on an anticipated average monthly usage for 71 customers using 302,387 gallons per month and the revenue from the nine public fire hydrants and one private fire service connection.

PAWC's effective water tariff includes New Castle and West Mahanoy Townships in PAWC's list of territories served, but it does not include Gilberton Borough and Ryan

---

<sup>1</sup> See, Ordering Paragraph 4.

Township.<sup>2</sup> In supplemental information filed with the Commission as Attachment A-14, PAWC provided a copy of a *pro forma* tariff supplement that included proposed tariff changes to incorporate a portion of Gilberton Borough and a portion of Ryan Township into PAWC's water tariff. Through this Order, we will direct PAWC to file a compliance tariff supplement that is consistent with PAWC's *pro forma* tariff supplement.<sup>3</sup>

## **VI. PERMITS, EASEMENTS, AND RIGHTS-OF-WAY REQUIRED**

In the Application, PAWC indicated that no permits, easements or right-of-way are required to continue providing water service in the Requested Territory.

## **VII. LAND-USE PLANNING COMPLIANCE**

The Application's Exhibit E included letters from PAWC to Schuylkill County, Gilberton Borough, and New Castle, Ryan and West Mahanoy Townships, all dated April 3, 2025. PAWC stated that it has sent multiple letters to these municipalities but has not received a response. Because PAWC did not receive a response, PAWC's Senior Project Engineer, Mr. Bruce Brubaker, reviewed the comprehensive plans of New Castle and West Mahanoy Townships and confirmed that the Application is consistent with these plans.

In supplemental information filed with the Commission, PAWC provided a copy of PAWC's land use compliance verification form letter completed by the Schuylkill County Planning and Zoning Commission that indicated the Application is consistent with the Schuylkill County Comprehensive Plan. PAWC indicated that it has not received correspondence from Ryan Township or Gilberton Borough and has no knowledge of the existence of the officially adopted comprehensive plans and applicable zoning designation, including any amendments for these municipalities. PAWC averred

---

<sup>2</sup> See, PAWC's Water Tariff, Pages 9-14.

<sup>3</sup> See, Ordering Paragraph 3.

that it assumes both municipalities have adopted Schuylkill County's Comprehensive Plan which the Application complies with, as discussed above.

## **VIII. OTHER CONSIDERATIONS**

PAWC averred that to the best of its knowledge, no corporation, partnership or individual are currently furnishing or have corporate or franchise rights to furnish service similar to that rendered by PAWC within the Requested Territory and, therefore, no competitive condition will be created. PAWC also indicated that approval of the Application will result in customers continuing to receive service from PAWC's water system and benefiting from PAWC's customer services.

PAWC has no outstanding fines or assessments due to the Commission and is current with Commission reporting requirements. In email correspondence with DEP's Northeast Regional Office, DEP advised Commission staff that it does not have any pending actions or outstanding complaints against PAWC's water system associated with the Application's requested territory.

## **IX. CONCLUSION**

Based upon the facts that there is a need to continue to make public water service available within the Requested Territory; that PAWC will continue to provide clean, reliable water service to all customers in the Requested Territory in compliance with Commission regulations; that the economies of scale of an expanded customer base have a beneficial effect on existing customers; and that PAWC is fit to provide service, the Commission finds that granting approval of PAWC's Application is necessary or proper for the service, accommodation, convenience, or safety of the public and is in the public interest; **THEREFORE,**

**IT IS ORDERED:**

1. That the Application of Pennsylvania-American Water Company at Docket No. A-2025-3054442, as supplemented, is hereby approved, consistent with this Order.

2. That a Certificate of Public Convenience shall be issued pursuant to Section 1102(a)(1)(i) of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 1102(a)(1)(i), authorizing Pennsylvania-American Water Company, *nunc pro tunc*, to offer, render, furnish or supply water service to the public in additional portions of Gilberton Borough and West Mahanoy, Ryan and New Castle Townships, Schuylkill County, consistent with the Application's Exhibit B-1 and B-2 for Area 3, and the Application's Areas 1, 2, and 4 as revised by the supplemental information filed with the Commission on October 6, 2025, as Confidential A-28\_Attachment, Confidential A-29\_Attachment and Confidential A-30\_Attachment.

3. That within ten (10) days of the entry date of this Order, Pennsylvania-American Water Company shall file with the Secretary's Bureau at Docket No. A-2025-3054442 a compliance tariff supplement, to become effective on one day's notice, consistent with the *pro forma* tariff supplement attached as Attachment A-14 to PAWC's Reply to Set 1 Data Requests - PAWC, filed on June 6, 2025, to incorporate a portion of Gilberton Borough and a portion of Ryan Township.

4. That Pennsylvania-American Water Company shall file with the Secretary's Bureau at Docket No. A-2025-3054442 a copy of the renegotiated water purchase agreement with the Schuylkill County Municipal Authority pursuant to Section 507 of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 507, upon completion of the renegotiation.

5. That nothing herein shall be construed as an approval or determination of costs or expenses for the purposes of just or reasonable rates or to exempt Pennsylvania-American Water Company from obtaining all necessary permits, licenses, and approvals from other federal, state, and local government agencies having jurisdiction.

6. That a copy of this Order be served upon Pennsylvania-American Water Company, the Commission's Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate, the Gilberton Borough Council, the Gilberton Borough Planning Commission, the New Castle Township Board of Supervisors, the New Castle Township Planning Commission, the Ryan Township Board of Supervisors, the Ryan Township Planning Commission, the West Mahanoy Township Board of Supervisors, the West Mahanoy Township Planning Commission, the Schuylkill County Board of Commissioners, the Schuylkill County Planning Commission, and the Pennsylvania Department of Environmental Protection – Northeast Regional Office and its Bureau of Regulatory Counsel.

7. That the proceeding at Docket No. A-2025-3054442 be closed after a Certificate of Public Convenience is issued in accordance with Ordering Paragraph 2.

**BY THE COMMISSION,**



Matthew L. Homsher  
Secretary

(SEAL)

ORDER ADOPTED: November 6, 2025

ORDER ENTERED: November 6, 2025