

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Application of Deer Haven, L.L.C. :
and PL Utilities, LLC for approval of: (1) :
PL Utilities, LLC’s acquisition of certain :
wastewater system assets of Deer Haven, :
L.L.C.; (2) the abandonment by Deer : **Docket No. A-2024-3049587**
Haven, L.L.C. of wastewater service to the :
public in Palmyra Township, Pike County, : **Docket No. A-2024-3049591**
Pennsylvania; and (3) authorization of PL :
Utilities, LLC to offer, render, furnish and :
supply wastewater service to the public in :
a portion of Palmyra Township, Pike :
County, Pennsylvania :

JOINT MOTION FOR AN EXTENSION OF THE DECEMBER 1, 2025 DEADLINE

Aqua Pennsylvania Wastewater, Inc. (“APW”), Deer Haven, LLC (“DH”), and PL Utilities, LLC (“PLU”) by and through their undersigned counsel files this Joint Motion for an Extension of the Deadline within the Order dated March 7, 2025 and extended twice before by the Orders dated September 26, 2025 (the “September 26 Order”) and August 28, 2025 in the above-captioned matter, pursuant to 52 Pa. Code § 1.15, and in support of the Motion thereof aver as follows:

I. Background

1. In 2010, DH and Pocono Lakefront, LLC (“Pocono”) entered into a Grant of Capacity and Option to Purchase Agreement (“Option Agreement”) under which Pocono, or its successors and assigns, had the option to purchase the DH Water and Sewer Systems for \$1.00, subject to approval by the Commission.

2. In accordance with the Option Agreement, Pocono and DH entered into a Purchase Agreement in 2014 to effectuate the purchase by Pocono of the DH Water and Sewer systems (“Purchase Agreement”), again subject to Commission approval.

3. In accordance with the Purchase Agreement, PLU was formed to own, operate, and hold the Certificates of Public Convenience (“CPC”) of the Sewer System upon transfer from DH. In furtherance of the transfer, PLU moved forward with construction of a new wastewater treatment plant (“PLU WWTP”), which was substantially completed in 2023, but has yet to be interconnected to the existing sewer lines from the DH sewer wastewater treatment plant (“DH WWTP”).

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

5. As such, on June 17, 2024, Pocono and DH filed with the Commission a Joint Application for CPCs seeking approvals necessary for the abandonment of DH’s sewer service and the commencement of sewer service by PLU (“Joint Application”).

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

7. In response, the Commission initiated the DH 529 Investigation as part of its Ex Parte Emergency Orders for DH Water on August 7, 2024 (as modified by the Commission’s Ratification Order on August 26, 2024) and for DH Sewer on August 15, 2024 (as ratified by the Commission’s Ratification Order on August 22, 2024) (“Ex Parte Orders”) in Docket Nos. P-2024-3050545 and P-2024-3050549, respectively.

8. As such, the Commission issued an order on August 26, 2024 staying the Commission’s evaluation of the Joint Application pending the outcome of the DH 529 Proceedings (the “Stay Order”).

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

10. APW and DH filed a Joint Motion to Lift the Stay of the proceedings on December 18, 2024. On December 30, 2024, the Commission's Bureau of Investigation and Enforcement ("I&E") filed a letter of support for the Joint Motion.

11. On February 20, 2025, the Commission lifted the stay of the proceeding by Order. On March 7, 2025, the Commission entered an Order conditionally approving the Joint Application provided certain enumerated conditions were met by August 31, 2025 ("March 7 Order").

12. On August 26, 2025, APW, DH, PLU filed a joint motion requesting an extension of the August 31, 2025 deadline to September 30, 2025. This request was granted by Order dated August 28, 2025 ("August 28 Order") thereby extending the deadline set in the March 7 Order to September 30, 2025. In the August 28 Order the Commission also bifurcated the issue of timing required for the submission of the Notice of Termination required relative to decommissioning the DH WWTP.

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

14. On September 24, 2025, APW, DH and PLU filed a joint motion requesting an extension of the September 30, 2025 deadline to December 1, 2025. This request was granted by the September 26 Order thereby extending the deadline set in the August 28 Order to December 1, 2025. The September 26 Order also revised the deadline for Notice of Termination (in

Paragraph 1(f) of the March 7 Order) to be due within 180 days of when the new plant is approved and operational.

15. APW, DH, and PLU now move to further extend the deadline until December 16, 2025, for the reasons stated herein.

II. Argument

16. The March 7 Order conditionally approved the Joint Application, provided that DH and PLU satisfactorily file the following documents:

- a. An application filed by Deer Haven, L.L.C. for Commission approval, nunc pro tunc, for the transfer of jurisdictional utility assets to Pocono Lakefront;
- b. Evidence that the Pennsylvania Department of Environmental Protection issued PL Utilities, LLC a water quality management permit to operate the wastewater treatment plant constructed under Water Quality Management Permit No. 5215401, that includes a copy of the signed and stamped water quality management Post Construction Certification Form;
- c. Evidence that all other water quality management permits necessary for the operation of wastewater facilities in the requested service territory have been transferred to PL Utilities, LLC, that includes a copy of said permits;
- d. Evidence that the Pennsylvania Department of Environmental Protection transferred National Pollutant Discharge Elimination System Permit No. PA-0041912 from Deer Haven, L.L.C. to PL Utilities, LLC;
- e. Evidence of the Pennsylvania Department of Environmental Protection's approval of an Official Sewage Facilities Act 537 Plan Revision that transfers wastewater service from Deer Haven to PL Utilities and identifies PL Utilities, LLC as the sole provider of wastewater service within the requested service territory;
- f. A copy of the Notice of Termination filed with the Pennsylvania Department of Environmental Protection indicating that the Deer Haven, L.L.C. Wastewater Treatment Plant was decommissioned.
- g. A copy of an executed Consent Order and Agreement between the Pennsylvania Department of Environmental Protection, PL Utilities, LLC, and Deer Haven, L.L.C., resolving Deer Haven, L.L.C.'s open violations.

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

18. Additionally, the September 26 Order imposed a deadline of December 1, 2025 for the Commission to receive these submissions and for TUS to complete review of the documentation and determine whether all conditions have been satisfied.

19. PLU has provided the DEP many of the required submissions listed in Paragraph 13, *supra*, as required by the March 7 Order well ahead of the original August 31, 2025 deadline. These items include executing a Consent Order and Agreement with the DEP and DH (“COA”), submitting the needed permit transfer applications, and submitting the Act 537 Plan. PLU and the Department have had several exchanges with PLU providing additional information as requested by DEP. Most recently, on November 18, 2025, the Department submitted an email to PLU with three additional requests. PLU intends to respond to these requests by November 21, 2025. Assuming the responses are acceptable to the Department, the Department has advised that the approvals could be issued next week.

20. Given that next week is a holiday week and the PLU submission is due on Monday, December 1, 2025, out of an abundance of caution, APW, DH, and PLU request that the current December 1, 2025 deadline be extended by fifteen (15) days to December 16, 2025.

III. Conclusion

WHEREFORE, for the foregoing reasons, Aqua Pennsylvania Wastewater, Inc., Deer Haven, LLC and PL Utilities, LLC respectfully request that the Commission grant this Motion to Extend the Deadline in the Commission’s March 7, 2025 Order, as further extended by the August 28, 2025 and September 26, 2025 Orders entered in this proceeding, from December 1, 2025 to December 16, 2025.

Respectfully submitted,

**AQUA PENNSYLVANIA WASTEWATER,
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Dated: November 20, 2025

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CERTIFICATE OF SERVICE

I hereby certify that I have this 20th day of November, 2025, served a true and correct copy of the foregoing Joint Motion of Aqua Pennsylvania Wastewater, Inc., Deer Haven, LLC and PL Utilities, LLC upon the persons and in the manner set forth below:

VIA E-FILING AND ELECTRONIC MAIL

PA PUC

E-file Only

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