

MARK J. SHAW, ESQ.  
ADMITTED IN PA AND OH  
DIRECT DIAL 814-870-7607  
E-MAIL: MSHAW@MIJB.COM

December 16, 2025

**VIA ELECTRONIC SUBMISSION**

Matthew Homsher, Secretary  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

Re: 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 the Deer Haven, L.L.C.; (2) the abandonment by Deer Haven, L.L.C. of wastewater service to the public in Palmyra Township, Pike County Pennsylvania; and (3) PL Utilities, LLC to offer, render, furnish and supply wastewater service to the public in portions of Palmyra Township, Pike County, Pennsylvania  
Docket Nos. A-2024-3049587 and A-2024-3049591

Dear Secretary Homsher:

Attached please find a Supplemental Status Report on Documentation Required by Ordering Paragraph No. 1 of the Commission's March 7, 2025 Opinion and Order as Modified by the September 26, 2025 Order Granting Joint Motion for Extension of Time for filing in the above-referenced matter.

Copies of this filing were served on the parties of record per the attached Certificate of Service.

Very truly yours,

MacDONALD, ILLIG, JONES & BRITTON LLP

By \_\_\_\_\_



Mark J. Shaw

MJS/nes/4929-9623-4882 v.1

Attachments

cc: Adeolu A. Bakare, Esq., Counsel for Deer Haven, L.L.C. (*Via electronic mail*)

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, by the manner indicated below on Tuesday, December 16, 2025, and in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party):

**SERVICE VIA ELECTRONIC MAIL AS FOLLOWS:**

---

Darryl Lawrence  
Melanie Joy El Atieh  
Barrett Sheridan  
Office of Consumer Advocate  
555 Walnut Street, 5th Floor  
Harrisburg, PA 17101-1923  
[ra-oca@paoca.org](mailto:ra-oca@paoca.org)  
[melatieh@paoca.org](mailto:melatieh@paoca.org)  
[bsheridan@paoca.org](mailto:bsheridan@paoca.org)

NazAarah Sabree  
Steven Gray  
Assistant Small Business Advocate  
Office of Small Business  
555 Walnut Street, 1st Floor  
Harrisburg, PA 17101  
[ra-sba@pa.gov](mailto:ra-sba@pa.gov)  
[sgray@pa.gov](mailto:sgray@pa.gov)

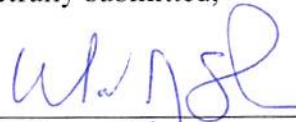
Kruti B. Patel, Esq.  
Courtney L. Schultz, Esq.  
Saul Eqing LLP  
1500 Market Street, 38th Floor  
Philadelphia, PA 19102  
[kruti.patel@saul.com](mailto:kruti.patel@saul.com)  
[courtney.schultz@saul.com](mailto:courtney.schultz@saul.com)

Alexander R. Stahl, Esq.  
Aqua America  
762 W. Lancaster Ave.  
Bryn Mawr, PA 19010  
[astahl@aquaamerica.com](mailto:astahl@aquaamerica.com)

Allison C. Kaster, Director  
Scott Granger  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
[akaster@pa.gov](mailto:akaster@pa.gov)  
[sgranger@pa.gov](mailto:sgranger@pa.gov)

Matthew T. Lamb, P. E.,  
Water/Wastewater Section of Bureau of  
Technical Utility Services  
[mlamb@pa.gov](mailto:mlamb@pa.gov)

Respectfully submitted,



---

Mark J. Shaw, Esq.  
MacDONALD, ILLIG, JONES & BRITTON LLP  
100 State Street, Suite 700  
Erie, Pennsylvania 16507-1459  
(814) 870-7607  
Attorneys for: PL Utilities, LLC

**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 :

**Supplemental Status Report on Documentation Required by  
Ordering Paragraph No. 1 of the Commission's March 7, 2025  
Opinion and Order as Modified by the September 26, 2025  
Order Granting Joint Motion for Extension of Time**

PL Utilities, LLC ("PLU"), Pocono Lakefront, LLC ("Pocono") and Deer Haven L.L.C. ("Deer Haven"), by and through their undersigned counsel, files this Supplemental Status Report on Documentation Required by Ordering Paragraph No. 1 of the Commission's March 7, 2025 Opinion and Order as Modified by the September 26, 2025 Order Granting Joint Motion for Extension of Time and states the following in Support thereof.

1. On March 7, 2025, the Commission issued an Opinion and Order based upon its decision voted upon at its February 20, 2025 meeting, conditionally approving the Joint Application filed by the above parties.

2. The condition imposed by the Commission in that March 7, 2025 Order was that the parties submit the following documentation with the Secretary's Bureau at Docket Nos. A-2024-3049591 and A-2024-3049587:

- 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.

3. The Order gave the Joint Applicants until August 31, 2025 to submit the required documentation or the Joint Application would be automatically consolidated into the pending 66 Pa.C.S. § 529 proceeding at Docket No. P-2024-3050549.

4. On August 28, 2025, the Commission issued an Order granting a Joint Motion to extend the deadline by 30 days until September 30, 2025 and to modify Paragraph (1)(f) of the original order to reflect it being due within 180 days of when the new plant is approved and operational.

5. On September 26, 2025, the Commission issued an Order granted a joint motion to extend time seeking to further extend the deadline December 1, 2025 and reiterating the modification to Paragraph (1)(f) of the March 7, 2025 Order.

6. On December 11, 2025, PLU and Deer Haven submitted the Status Report on Documentation Required by Ordering Paragraph No. 1 of the Commission's March 7, 2025 Opinion and Order as Modified by the September 26, 2025 Order Granting Joint Motion for Extension of Time having believed that it had received everything from the Department needed under the Commission's Order.

7. Subsequent to the filing, PLU was contacted by the Department explaining that it had not issued the transfer of the Water Quality Management Permit originally issued to Pocono to PLU. PLU mistakenly believed it had received the approval of the transfer and submitted the documentation supporting that conclusion as Exhibit 2.

8. On December 15, 2025, we received the approval of the transfer of the Water Quality Management Permit from Pocono to PLU, which we are attaching hereto as Exhibit 2A.

9. Upon the receipt of Exhibit 2C, the Joint Applicants have completed each of the conditions required to be met by the Commission's Order.

10. With the submission of this evidence, PLU and Deer Haven have satisfied the conditions imposed by the Commission on the granting of the Certificate of Public Convenience to PLU and granting the abandonment by Deer Haven upon the connection of the new wastewater treatment plant to the Deer Haven collection system.

WHEREFORE, PLU and Deer Haven respectfully request the following:

- (a) in accordance with the Commission's March 7, 2025 Order, the Commission's Bureau of Technical Utility Services complete a review of the submitted documentation, and determine that all conditions have been satisfied;
- (b) the Secretary's Bureau then issue a Secretarial Letter noting the compliance with the conditions of the March 7, 2025 Order; and
- (c) following the issuance of the Secretary's letter, and following receipt of notice of the connection of the Deer Haven collection system to the PLU new wastewater treatment plant, a Certificate of Public Convenience be issued pursuant to Section 1101(a)(1) of the Public Utility Code, 66 Pa.C.S. § 1101(a)(1), authorizing PL Utilities, LLC to begin to offer, render, furnish, or supply wastewater 14 service in a portion of Palmyra Township, Pike County, previously served by Deer Haven, L.L.C.

Respectfully Submitted,

*/s/ Mark J. Shaw*

---

Mark J. Shaw, Esq. (I.D. No. 50763)  
MacDonald, Illig, Jones & Britton, LLP  
100 State St. Suite 700  
Erie, PA 16507  
(814) 870-7607  
[mshaw@mijb.com](mailto:mshaw@mijb.com)

Counsel for Pocono Lakefront Inc, and PL Utilities,  
LLC

AND

*/s/ Adeolu A. Bakare*

---

Adeolu A. Bakare, Esq.  
McNees Wallace & Nurick LLC

100 Pine Street  
Harrisburg, PA 17101  
(717) 237-5290  
[abakare@mcneeslaw.com](mailto:abakare@mcneeslaw.com)

Counsel for Deer Haven, LLC

Date: December 16, 2025

**EXHIBIT 2C**



Pennsylvania  
Department of  
Environmental Protection

December 15, 2025

**VIA ELECTRONIC MAIL**

Jacob Goren  
PL Utilities, LLC  
40 Warren Street  
Paterson, NJ 07524

Re: Permit Transfer - Sewage  
Pocono Lakefront WWTP & Sewage Conveyance System  
WQM Permit No. 5215401 T-1  
Prior Permittee: Pocono Lakefront, LLC  
Palmyra Township, Pike County

Dear Permittee:

In accordance with your request received on July 30, 2025, the Department of Environmental Protection (DEP) has transferred the above referenced permit. Please study the permit carefully and direct any questions to this office.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board  
Rachel Carson State Office Building, Second Floor  
400 Market Street  
P.O. Box 8457  
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at [www.ehb.pa.gov](http://www.ehb.pa.gov) or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

Jacob Goren

- 2 -

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

**IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.**

If you have any questions, please contact Brian Burden at 570.826.2331 or [brburden@pa.gov](mailto:brburden@pa.gov).

Sincerely,

*Amy M. Bellanca*

Amy M. Bellanca, P.E.  
Environmental Program Manager  
Clean Water Program

Enclosures

cc: U.S. Environmental Protection Agency  
Delaware River Basin Commission  
Brian L. Book – CP Engineers, LLC



## WATER QUALITY MANAGEMENT PERMIT

<p>A. PERMITTEE (Name and Address):  <b>PL Utilities, LLC</b>  <b>40 Warren Street</b>  <b>Paterson, NJ 07524</b></p>	<p>CLIENT ID#: <b>394695</b></p> <p>B. PROJECT/FACILITY (Name):  <b>Pocono Lakefront WWTP and Sewage Conveyance System</b></p>	
<p>C. LOCATION (Municipality, County):  <b>Palmyra Township, Pike County</b></p>		
<p>SITE ID#: <b>773121</b></p>		
<p>D. This permit/transfer approves the operation/transfer of sewage facilities consisting of:</p> <p style="margin-left: 40px;">A wastewater treatment plant, sewage conveyance system and three (3) pump stations</p>		
<p>Pump Stations: <u>3</u></p> <p>Design Capacity: P.S. #1 <u>42</u> GPM                  P.S. #2 <u>120</u> GPM                  P.S. #3 <u>13</u> GPM</p>	<p>Manure Storage:                  Volume: _____ MG                  Freeboard: _____ inches</p>	<p>Sewage Treatment Facility:                  Annual Average Flow: <u>0.070</u> MGD                  Design Hydraulic Capacity: <u>0.070</u> MGD                  Design Organic Capacity: <u>240</u> lbs/day</p>
<p>E. APPROVAL GRANTED BY THIS PERMIT IS SUBJECT TO THE FOLLOWING:</p> <ol style="list-style-type: none"> <li>1. <b>Transfers:</b> Water Quality Management Permit No. <u>5215401</u> dated <u>November 3, 2015</u> and conditions, supporting documentation and addendums are also made part of this transfer.</li> <li>2. Permit Conditions Relating to Sewerage are attached and made part of this permit.</li> </ol>		
<p>F. THE AUTHORITY GRANTED BY THIS PERMIT IS SUBJECT TO THE FOLLOWING FURTHER QUALIFICATIONS:</p> <ol style="list-style-type: none"> <li>1. If there is a conflict between the application or its supporting documents and amendments and the attached conditions, the attached conditions shall apply.</li> <li>2. Failure to comply with the rules and regulations of DEP or with the terms or conditions of this permit shall void the authority given to the permittee by the issuance of this permit.</li> <li>3. This permit is issued pursuant to the Clean Streams Law Act of June 22, 1937, P.L. 1987, as amended 35 P.S. §691.1 <i>et seq.</i> Issuance of this permit shall not relieve the permittee of any responsibility under any other law.</li> </ol>		
<p>PERMIT ISSUED:</p> <p><u>December 15, 2025</u></p>	<p>BY: <u>Amy M. Bellanca</u></p> <p>TITLE: <b>Amy M. Bellanca, P.E.</b>  <b>Clean Water Program Manager</b>  <b>Northeast Regional Office</b></p>	



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF POINT AND NON-POINT SOURCE MANAGEMENT

**PERMIT CONDITIONS RELATING TO SEWERAGE**  
For use in Water Quality Management Permits

(Check boxes that apply)

**General**

- 1. The Department of Environmental Protection (DEP) considers the licensed Professional Engineer whose seal is affixed to the design documents to be fully responsible for the adequacy of all aspects of the facility design.
- 2. The permittee shall adopt and enforce an ordinance requiring the abandonment of privies, cesspools or similar receptacles for human waste and onlot sewage disposal systems on the premises of occupied structures accessible to public sewers. All such structures must be connected to the public sewers.
- 3. The outfall sewer or drain shall be extended to the low water mark of the receiving body of water. Where necessary to ensure proper mixing and waste assimilation, an outfall sewer or drain may be extended with appurtenances below the low water mark and into the bed of a navigable stream provided that the permittee has secured an easement, right-of-way, license or lease from DEP in accordance with Section 15 of the Dam Safety and Encroachments Act, the Act of November 26, 1978, P.L. 1375, as amended.
- 4. The approval is specifically made contingent on the permittee acquiring all necessary property rights, by easement or otherwise, providing for the satisfactory construction, operation, maintenance and replacement of all sewers or sewerage structures in, along or across private property with full rights of ingress, egress and regress.
- 5. When construction of the approved sewerage facilities is completed and before they are placed in operation, the permittee shall notify DEP in writing so that a DEP representative may inspect the facilities.
- 6. The approval of the plans, and the authority granted in this permit, if not specifically extended, shall cease and be null and void 5 years from the issuance date of this permit unless construction or modification of the facilities covered by this permit has begun on or before the fifth anniversary of the permit date.
- 7. If, at any time, the sewerage facilities covered by this permit create a public nuisance, including but not limited to, causing malodors or causing environmental harm to waters of the Commonwealth, DEP may require the permittee to adopt appropriate remedial measures to abate the nuisance or harm.
- 8. If, after the issuance of this permit, DEP approves a municipal sewerage facilities official plan or an amendment to an official plan under Act 537 (Pennsylvania Sewage Facilities Act, the Act of January 24, 1966, P.L. 1535 as amended) in which sewage from the herein approved facilities will be treated and disposed of at other planned facilities, the permittee shall, upon notification from the municipality or DEP, provide for the conveyance of its sewage to the planned facilities, abandon use and decommission the herein approved facilities including the proper disposal of solids, and notify DEP accordingly. The permittee shall adhere to schedules in the approved official plan, amendments to the plan, or other agreements between the permittee and municipality. This permit shall then, upon notice from DEP, terminate and become null and void and shall be relinquished to DEP.
- 9. This permit does not relieve the permittee of its obligations to comply with all federal, interstate, state or local laws, ordinances and regulations applicable to the sewerage facilities.
- 10. This permit does not give any real or personal property rights or grant any exclusive privileges, nor shall it be construed to grant or confirm any right, easement or interest in, on, to or over any lands which belong to the Commonwealth.
- 11. The authority granted by this permit is subject to all effluent requirements, monitoring requirements and other conditions as set forth in the NPDES Permit and all subsequent amendments and renewals. No discharge is authorized from these facilities unless approved by an NPDES Permit.

**Construction**

- 12. This permit is issued under the authorization of The Clean Streams Law and 25 Pa. Code Chapter 91. The permittee shall obtain all necessary permits, approvals and/or registrations under 25 Pa. Code Chapters 102, 105 and 106 prior to commencing construction of the facilities authorized by this permit, as applicable. The permittee should contact the DEP office that issued this permit if there are any questions concerning the applicability of additional permits.

- 13. The facilities shall be constructed under the supervision of a Pennsylvania licensed Professional Engineer in accordance with the approved reports, plans and specifications.
- 14. A Pennsylvania licensed Professional Engineer shall certify that construction of the permitted facilities was completed in accordance with the application and design plans submitted to DEP, using the "Post Construction Certification" form (3800-PM-WSFR0179a). It is the permittee's responsibility to ensure that a Professional Engineer is on-site to provide the necessary oversight and/or inspections to certify the facilities. The certification must be submitted to DEP before the facility is placed in operation. As-built drawings, photographs (if available) and a description of all deviations from the application and design plans must be submitted to DEP within 30 days of certification.
- 15. Manhole inverts shall be formed to facilitate the flow of the sewage and to prevent the stranding of sewage solids. The manhole structure shall be built to prevent undue infiltration, entrance of street wash or grit and provide safe access to facilitate manhole maintenance activities.
- 16. The local Waterways Conservation Officer of the Pennsylvania Fish and Boat Commission (PFBC) shall be notified when the construction of any stream crossing and/or outfall is started and completed. A written permit must be secured from the PFBC if the use of explosives in any waterways is required and the permittee shall notify the local Waterways Conservation Officer when explosives are to be used.

**Operation and Maintenance**

- 17. The permittee shall maintain records of "as-built" plans showing all the treatment facilities as actually constructed together with facility operation and maintenance (O&M) manuals and any other relevant information that may be required. Upon request, the "as-built" plans and O&M manuals shall be filed with DEP.
- 18. The sewers shall have adequate foundation support as soil conditions require. Trenches shall be back-filled to ensure that sewers will have proper structural stability, with minimum settling and adequate protection against breakage. Concrete used in connection with these sewers shall be protected from damage by water, freezing, drying or other harmful conditions until cured.
- 19. Stormwater from roofs, foundation drains, basement drains or other sources shall not be admitted directly to the sanitary sewers.
- 20. The approved sewers shall be maintained in good condition, kept free of deposits by flushing or other cleaning methods and repaired when necessary.
- 21. The sewerage facilities shall be properly operated and maintained to perform as designed.
- 22. The attention of the permittee is called to the highly explosive nature of certain gases generated by the digestion of sewage solids when these gases are mixed in proper proportions with air and to the highly toxic character of certain gases arising from such digestion or from sewage in poorly ventilated compartments or sewers. Therefore, at all places throughout the sewerage facilities where hazard of fire, explosion or danger from toxic gases may occur, the permittee shall post conspicuous permanent and legible warnings. The permittee shall instruct all employees concerning the aforesaid hazards, first aid and emergency methods of meeting such hazards and shall make all necessary equipment and material accessible.
- 23. An operator certified in accordance with the Water and Wastewater Systems Operator Certification Act of February 21, 2002, 63 P.S. §§1001, *et seq.* shall operate the sewage treatment plant.
- 24. The permittee shall properly control any industrial waste discharged into its sewerage system by regulating the rate and quality of such discharge, requiring necessary pretreatment and excluding industrial waste, if necessary, to protect the integrity or operation of the permittee's sewerage system.
- 25. There shall be no physical connection between a public water supply system and a sewer or appurtenance to it which would permit the passage of any sewage or polluted water into the potable water supply. No water pipe shall pass through or come in contact with any part of a sewer manhole.
- 26. All connections to the approved sanitary sewers must be in accordance with the official Act 537 Plan and, if applicable, a corrective action plan as contained in the approved Title 25 Pa. Code Chapter 94 Municipal Wasteload Management Annual Report.
- 27. Collected screenings, slurries, sludge and other solids shall be handled and disposed of in compliance with Title 25 Pa. Code Chapters 271, 273, 275, 283 and 285 (related to permits and requirements for land filling, land application, incineration and storage of sewage sludge), Federal Regulations 40 CFR 257 and the Federal Clean Water Act and its amendments.