

MARK J. SHAW, ESQ.
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December 19, 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:

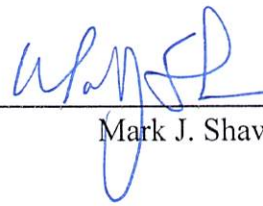
Attached please find a Second Supplemental Status Report on Documentation Required by Ordering Paragraph No. 1 of the Commission's March 7, 2025 Opinion and Order as Modified by the September 26, 2025 Order Granting Joint Motion for Extension of Time for filing in the above-referenced matter.

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/exm/4917-5892-4931 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 Friday, December 19, 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:

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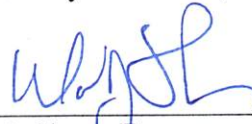
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Matthew T. Lamb, P. E.,
Water/Wastewater Section of Bureau of
Technical Utility Services
mlamb@pa.gov

Respectfully submitted,



Mark J. Shaw, Esq.
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(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 :

**Second 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 Pennsylvania Department of Environmental Protection ("Department") needed under the Commission's Order.

7. On December 16, 2025, PLU submitted 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 adding Exhibit 2C which was the approval of the transfer of the Water Quality Management Permit from Pocono to PLU. PLU had mistakenly believed it had already received the approval of the transfer and submitted the documentation it believed supporting that conclusion as Exhibit 2.

8. On December 18, 2025, PLU received additional permit information from the Department, providing copies of permits referenced in the permit transfer approval. We have attached these two permits as Exhibit 3A.

9. With the submission of this evidence, PLU and Deer Haven believe they 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)
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Erie, PA 16507
(814) 870-7607
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

Counsel for Deer Haven, LLC

Date: December 19, 2025

EXHIBIT 3A

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
BUREAU OF WATER QUALITY MANAGEMENT

WATER QUALITY MANAGEMENT PERMIT

NO. 5277401-T1

A. PERMITTEE: (Name and Address) 507 Properties L.P. c/o Mr. Clark Kingery, President R.D. 22 Greentown, PA 18426		B. PROJECT LOCATION Municipality <u>Palsyra Township</u> County <u>Pike</u>										
C. TYPE OF FACILITY (For industrial wastes, type of establishment) Gravity Sanitary Sewers		D. NAME OF PLANT, AREA SERVED, WQMA NO., ETC. White Beauty View Resort										
E. THIS PERMIT APPROVES:	1. Plans For Construction Of: <table border="0"> <tr> <td>a. <input checked="" type="checkbox"/> Retention Sewers and Appurtenances</td> <td>b. <input type="checkbox"/> Sewage Treatment Facilities</td> <td>c. <input type="checkbox"/> Industrial Waste Treatment Facilities</td> </tr> <tr> <td>d. <input type="checkbox"/> Injection Well</td> <td>e. <input type="checkbox"/> Outfall & headwall</td> <td>f. <input type="checkbox"/> Stream Crossing</td> </tr> <tr> <td colspan="3">g. <input type="checkbox"/> Impoundment</td> </tr> </table>			a. <input checked="" type="checkbox"/> Retention Sewers and Appurtenances	b. <input type="checkbox"/> Sewage Treatment Facilities	c. <input type="checkbox"/> Industrial Waste Treatment Facilities	d. <input type="checkbox"/> Injection Well	e. <input type="checkbox"/> Outfall & headwall	f. <input type="checkbox"/> Stream Crossing	g. <input type="checkbox"/> Impoundment		
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	g. <input type="checkbox"/> Impoundment											
2. The Discharge Of: <table border="0"> <tr> <td>a. <input type="checkbox"/> Treated</td> <td>b. <input type="checkbox"/> Untreated</td> <td>c. <input type="checkbox"/> Sewage</td> <td>d. <input type="checkbox"/> Industrial Wastes</td> </tr> </table>			a. <input type="checkbox"/> Treated	b. <input type="checkbox"/> Untreated	c. <input type="checkbox"/> Sewage	d. <input type="checkbox"/> Industrial Wastes						
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b. <input type="checkbox"/> Ground Water												
4. Preparedness, Prevention, Contingency (PPC) Plan <input type="checkbox"/>		5. An Erosion and Sedimentation Control Plan <input type="checkbox"/> Project Area is <u>N/A</u> Acres										
F. THIS APPROVAL IS SUBJECT TO THE FOLLOWING CONDITIONS												
1. ALL CONSTRUCTION, OPERATIONS, PROCEDURES AND DISCHARGE SHALL BE IN ACCORDANCE WITH APPLICATION NO. <u>5277401</u> DATED <u>1/3/77</u> ITS SUPPORTING DOCUMENTATION, AND AMENDMENTS DATED <u>None</u> SUCH APPLICATION, ITS SUPPORTING DOCUMENTATION AND AMENDMENTS ARE HEREBY MADE A PART OF THIS PERMIT.												
2. CONDITIONS NUMBERED <u>1, 2, 3, 4, 6, 9, 12, 14, 16, 20, 21 & 22</u> OF THE <u>sewerage</u> STANDARD CONDITIONS DATED <u>9/2/83</u> AND CONDITIONS NUMBERED <u>None</u> OF THE EROSION CONTROL STANDARD CONDITIONS DATED _____ WHICH CONDITIONS ARE ATTACHED AND MADE PART OF THIS PERMIT.												
3. SPECIAL CONDITIONS DESIGNATED <u>None</u> WHICH ARE ATTACHED AND ARE MADE A PART OF THIS PERMIT.												
G. THE AUTHORITY GRANTED BY THIS PERMIT IS SUBJECT TO THE FOLLOWING FURTHER QUALIFICATIONS:												
1. IF THERE IS A CONFLICT BETWEEN THE APPLICATION ON ITS SUPPORTING DOCUMENTS AND AMENDMENTS AND THE STANDARD OR SPECIAL CONDITIONS, THE STANDARD OR SPECIAL CONDITIONS SHALL APPLY.												
2. FAILURE TO COMPLY WITH THE RULES AND REGULATIONS OF THE DEPARTMENT OR WITH THE TERMS OR CONDITIONS OF THIS PERMIT SHALL VOID THE AUTHORITY GIVEN TO THE PERMITTEE BY THE ISSUANCE OF THE PERMIT.												
3. THIS PERMIT IS ISSUED PURSUANT TO THE CLEAN STREAMS LAW, ACT OF JUNE 22, 1937, P.L. 1987 AS AMENDED 35 P.S. 1691.1 ET SEQ. AND/OR THE DAM SAFETY AND ENCRoACHMENTS ACT OF NOVEMBER 26, 1978, P.L. 1375, AS AMENDED, 32 P.S. 1693.1 ET SEQ. ISSUANCE OF THIS PERMIT SHALL NOT RELIEVE THE PERMITTEE OF ANY RESPONSIBILITY UNDER ANY OTHER LAW.												
DEPARTMENT OF ENVIRONMENTAL RESOURCES												
PERMIT ISSUED DATE <u>October 1, 1987</u> BY <u>Lawrence A. Pawlush</u> TITLE <u>Water Quality Regional Manager</u>												

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
BUREAU OF WATER QUALITY MANAGEMENT

WATER QUALITY MANAGEMENT PERMIT

NO. 5274401-T1

A. PERMITTEE: Name and Address: <u>507 Properties, L.P.</u> <u>c/o Mr. Clark Kingery, President</u> <u>R. D. #2</u> <u>Greentown, PA 18426</u>		B. PROJECT LOCATION Municipality <u>Palmyra Township</u> County <u>Pike</u>										
C. TYPE OF FACILITY (For industrial wastes, type of establishment) <u>Sanitary sewage collection system,</u> <u>pump stations, force main, STP, outfall</u>		D. NAME OF XXXX AREA SERVED XXXXXXXXXXXX <u>White Beauty View Resort</u>										
E. THIS PERMIT APPROVES:	1. Plans For Construction Of <table border="0"> <tr> <td>a. <input checked="" type="checkbox"/> Pump Stations, Sewers and Appurtenances</td> <td>b. <input checked="" type="checkbox"/> Sewage Treatment Facilities</td> <td>c. <input type="checkbox"/> Industrial Wastes Treatment Facilities</td> </tr> <tr> <td>d. <input type="checkbox"/> Injection Well</td> <td>e. <input checked="" type="checkbox"/> Outfall & headwell</td> <td>f. <input type="checkbox"/> Stream Crossing</td> </tr> <tr> <td colspan="3">g. <input type="checkbox"/> Impoundment</td> </tr> </table>		a. <input checked="" type="checkbox"/> Pump Stations, Sewers and Appurtenances	b. <input checked="" type="checkbox"/> Sewage Treatment Facilities	c. <input type="checkbox"/> Industrial Wastes Treatment Facilities	d. <input type="checkbox"/> Injection Well	e. <input checked="" type="checkbox"/> Outfall & headwell	f. <input type="checkbox"/> Stream Crossing	g. <input type="checkbox"/> Impoundment			
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F. THIS APPROVAL IS SUBJECT TO THE FOLLOWING CONDITIONS												
1. ALL CONSTRUCTION, OPERATIONS, PROCEDURES AND DISCHARGE SHALL BE IN ACCORDANCE WITH APPLICATION NO. <u>5274401</u> DATED <u>04/01/74</u> ITS SUPPORTING DOCUMENTATION, AND AMENDMENTS DATED <u>4/5/74, 4/19/74 & 4/25/74</u> . SUCH APPLICATION, ITS SUPPORTING DOCUMENTATION AND AMENDMENTS ARE HEREBY MADE A PART OF THIS PERMIT.												
2. CONDITIONS NUMBERED <u>1,2,3,4,5,6,8,9,10,11,12,13,14,15,16,18,19,20,21,22&23</u> OF THE <u>sewerage</u> STANDARD CONDITIONS DATED <u>09/02/63</u> OF THE AND CONDITIONS NUMBERED <u>None</u> OF THE EROSION CONTROL STANDARD CONDITIONS DATED WHICH CONDITIONS ARE ATTACHED AND MADE PART OF THIS PERMIT.												
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PERMIT ISSUED DATE <u>October 2, 1987</u>		DEPARTMENT OF ENVIRONMENTAL RESOURCES BY <u>LAWRENCE A. PAWLUSH</u> TITLE <u>WATER QUALITY REGIONAL MANAGER</u>										