

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

Public Meeting held January 29, 2026

Commissioners Present:

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

Petition of Aqua Pennsylvania, Inc. for  
Approval of its Lead Service Line  
Replacement Program

Docket No.  
P-2023-3044459

**OPINION AND ORDER**

**BY THE COMMISSION:**

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is the Petition (Petition) of Aqua Pennsylvania, Inc. (Aqua), Utility Code 210104, for Commission approval of Aqua's Lead Service Line Replacement Program (LSLR Program) filed on November 27, 2023, as finally amended on October 3, 2025. Aqua's LSLR Program would allow Aqua to replace customer-owned lead service lines (COLSLs) and to recover those costs as provided in Section 1311(b)(2)(i) of the Pennsylvania Public Utility Code (Code), 66 Pa.C.S. § 1311(b)(2)(i). For the reasons outlined herein, we approve Aqua's Petition and LSLR Program.

**BACKGROUND**

On October 24, 2018, Governor Wolf signed Act 120 of 2018 (Act 120) into law, thereby amending the Code at 66 Pa.C.S. § 1311(b) to address the accelerated replacement of COLSLs and damaged wastewater sewer laterals (DWSLs). Act 120 set forth a uniform, minimum standard under which jurisdictional water or wastewater utilities, or "entities," may seek to replace lead service lines (LSLs) and DWSLs and

recover costs associated with replacement. Additionally, Act 120 provided for lead service line replacements (LSLRs) under a Commission-approved program and directed the Commission to establish certain standards, processes, and procedures by regulation. *See* 66 Pa.C.S. §§ 1311(b)(2)(i)-(vii).

The Commission promulgated regulations relating to COLSLs, DWSLs, and LSLRs at 52 Pa. Code §§ 65.51 – 65.62 (relating to LSLRs) and 66.1 – 66.42 (relating to DWSLs) that became effective July 23, 2022.

### **PROCEDURAL HISTORY**

On October 23, 2023, Aqua filed its Third Long-Term Infrastructure Improvement Plan (LTIIIP or Third LTIIIP) petition at Docket No. P-2023-3043755. Aqua’s LSLR plan was included as Attachment A to Aqua’s LTIIIP. On November 22, 2023, the Coalition for Affordable Utility Services Energy Efficiency in Pennsylvania (CAUSE-PA) and the Office of Consumer Advocate (OCA) each submitted comments, specifically regarding Aqua’s LSLR Program, at the LTIIIP docket. By an Opinion and Order entered June 13, 2024, the Commission approved Aqua’s LTIIIP petition and stated that it would address Aqua’s LSLR Program Petition at Docket No. P-2023-3044459.<sup>1</sup>

On November 27, 2023, Aqua filed the instant Petition with the Commission. On December 15, 2023, the Office of Small Business Advocate (OSBA) filed a Notice of Intervention. On December 18, 2023, CAUSE-PA filed a Petition to Intervene and Answer. On December 27, 2023, the Commission, by Secretarial Letter, served the Bureau of Technical Utility Services (TUS) Data Request Set 1. On January 18, 2024, the Office of Consumer Advocate (OCA) filed a Notice of Intervention.

The proceeding was assigned to the Office of Administrative Law Judge (OALJ) with Administrative Law Judge (ALJ) Charece Z. Collins presiding. On January 25, 2024, Aqua filed responses to TUS Data Request Set 1. On August 19, 2024, the

---

<sup>1</sup> *See*, Opinion and Order entered June 13, 2024, at Docket No. P-2023-3043755, Page 28, Ordering Paragraph 2.

Commission issued a Judge Change Notice, reassigning this matter from ALJ Collins to ALJs Gail M. Chiodo and Alphonso Arnold, III. Finally, on December 20, 2024, Aqua, OCA, OSBA, and CAUSE-PA (collectively, the Joint Petitioners) filed a Joint Petition for Settlement (Settlement).

On March 13, 2025, ALJs Chiodo and Arnold issued a Recommended Decision (RD) that recommended the Settlement be approved without modification. By Order entered April 10, 2025 (April 2025 Order), the Commission adopted the ALJs' RD and approved Aqua's LSLR plan, as modified by the Settlement. The April 2025 Order also directed certain actions for Aqua through the following Ordering Paragraphs:

4. That, within thirty days of the entry date of the Commission's Final Order in this matter, Aqua Pennsylvania, Inc. shall file an amended Long-Term Infrastructure Improvement Plan, Lead Service Line Replacement Plan, and tariff supplement at P-2023-3044459, that incorporates any modifications thereto consistent with these proceedings and findings herein with the Secretary's Bureau, and serve a copy upon [TUS] and all active Parties in this proceeding.

5. That [TUS] shall complete its review of the amended Lead Service Line Replacement Plan, modified Long-Term Infrastructure Improvement Plan, and tariff supplement subject to the schedule in place at the time the proceeding was assigned to [OALJ] for hearings in this matter and submit an order for Commission consideration.

6. That, the proceeding at Docket No. P-2023-3041855 [sic] shall remain open pending completion of the [TUS] review as ordered in Ordering Paragraph No. 5 above.<sup>2</sup>

April 2025 Order at 2-3.

On May 9, 2025, Aqua filed with the Commission, in compliance with the April 2025 Order, an amended LTIP, which included an updated LSLR plan, and a tariff supplement labelled as Supplement No. 2 Tariff Water-Pa P.U.C. No. 4 (Supplement No. 2). Supplement No. 2 specified an issued date of May 9, 2025, and an effective date of May 10, 2025.

On September 19, 2025, the Commission served a copy of TUS Data Request Set 2 upon Aqua. On October 3, 2025, Aqua filed responses to TUS Data Request Set 2 with the Commission that included a revised modified LTIP (Modified LTIP), a revised LSLR plan (LSLR Plan), and a *pro forma* tariff supplement (Pro Forma Tariff). The Petition, Modified LTIP, LSLR Plan, Supplement No. 2, and the Pro Forma Tariff collectively represent Aqua's proposed LSLR Program.

Aqua submitted proof of service to the appropriate entities. No other answers or comments were filed, and no additional hearings were held.

## LEGAL STANDARDS

The Commission's regulation at 52 Pa. Code § 5.41 governs Petitions generally and provides that petitions for relief must be in writing, state clearly and concisely the interest of the petitioner in the subject matters, the facts and the law and the relief sought. Petitions for relief must also comply with 52 Pa. Code § 1.51.

---

<sup>2</sup> The reference to Docket No. "P-2023-3041855" is a ministerial error. The correct reference is "P-2023-3044459".

In accordance with the Commission's regulations at 52 Pa. Code § 65.54, an entity shall file an LSLR program petition in accordance with 52 Pa. Code § 65.55(a). An entity that has a Commission-approved LTIP shall include with its LSLR program petition a modified LTIP containing an LSLR plan as a separate and distinct component of the entity's modified LTIP pursuant to 52 Pa. Code § 65.54(b). An entity that does not have a Commission-approved LTIP when filing its LSLR program petition shall include an LSLR plan meeting the requirements of 52 Pa. Code § 121.3.

Additionally, under Section 65.55 of the Commission's regulations, an entity's LSLR program must include a LSLR plan as described in 52 Pa. Code § 65.56, a *pro forma* tariff or tariff supplement containing the proposed changes necessary to implement the entity's LSLR program as described in 52 Pa. Code § 65.58, and information required by the Commission for filings under 66 Pa.C.S. § 1308 (Section 1308), including statements required by 52 Pa. Code § 53.52(a). A final Commission Order approving an entity's LSLR program will direct the entity to make any necessary revisions to the *pro forma* tariff or tariff supplement and resubmit the tariff or tariff supplement under Section 1308.

## **DISCUSSION**

### **I. INTRODUCTION**

Aqua is a regulated public utility company, duly organized and existing under the laws of the Commonwealth with offices located at 762 West Lancaster Avenue, Bryn Mawr, Pennsylvania 19010-3489. Aqua provides water service to approximately 450,000 customers throughout 32 counties in Pennsylvania. Aqua is a subsidiary of Essential Utilities, Inc. and an affiliate of Aqua Pennsylvania Wastewater, Inc. (APW), Utility Code 230240. APW provides wastewater service throughout the Commonwealth.

## II. PETITION

In accordance with 52 Pa. Code §§ 65.55(b), Aqua's LSLR Program included an LSLR Plan as Attachment A to Aqua's LTIIIP, a *pro forma* tariff supplement as Exhibit A of Aqua's Petition, and responses to 52 Pa. Code § 53.52 as Exhibit B of Aqua's Petition. Aqua's LSLR Program was amended on January 25, 2024, in response to TUS Data Request Set 1, on May 9, 2025, in response to the Settlement, and subsequently further revised on October 3, 2025, in response to TUS Data Request Set 2. Aqua's LSLR Program, as modified by the Settlement and in response to TUS data requests, is discussed below.

## III. MODIFIED LTIIIP

Aqua's Third LTIIIP was approved by a Commission Opinion and Order entered June 13, 2024.<sup>3</sup> Aqua's amended Third LTIIIP is a five-year plan that spans the years 2023 through 2027 with approximately \$1.0 billion in Distribution System Improvement Charge (DSIC)-eligible spending. Aqua in its Third LTIIIP identified critical infrastructure that needs to be replaced to ensure reliability and quality of service to its customers. Aqua's Third LTIIIP already addressed the replacement of COLSLs pursuant to its then-approved plan (prior to the promulgation of 52 Pa. Code §§ 65.51 – 65.62).<sup>4</sup>

Aqua's Third LTIIIP addressed the eight required elements of an LTIIIP at the time it was approved. Therefore, we will only discuss the proposed changes to the Third LTIIIP that are outlined in the instant Petition.

---

<sup>3</sup> See, *Petition of Aqua Pennsylvania, Inc. for Approval of its Third Long-Term Infrastructure Improvement Plan*, at Docket No. P-2023-3043755.

<sup>4</sup> See, *Petition of Aqua Pennsylvania, Inc. for Tariff Changes Authorizing Replacement of Customer-owned Lead Service Lines*, at Docket No. P-2020-3021766 (Order entered July 15, 2021).

## LTIIP MODIFICATIONS

Aqua maintains that no changes have been made to its Third LTIIP except for the inclusion of an updated LSLR Plan. In supplemental information filed with the Commission, Aqua indicated that if it determines that a modification of its Third LTIIP is required, it will file a Petition for Modification of its Third LTIIP.<sup>5</sup>

### MODIFIED LTIIP SUMMARY

Commission review of an LTIIP must determine if the LTIIP:<sup>6</sup>

- Contains measures to ensure that the projected annual expenditures are cost-effective.
- Specifies the manner in which it accelerates or maintains an accelerated rate of infrastructure repair, improvement or replacement.
- Is sufficient to ensure and maintain adequate, efficient, safe, reliable and reasonable service.
- Meets the requirements of 52 Pa. Code § 121.3(a).

The utility has the burden of proof to demonstrate that its proposed LTIIP and associated expenditures are reasonable, cost effective and designed to ensure and maintain sufficient, safe, adequate, reliable, and reasonable service to consumers.<sup>7</sup>

The Commission has reviewed Aqua's Modified LTIIP and any resulting comments. The Commission finds that Aqua has met its burden of proof by demonstrating that its Modified LTIIP contains measures to ensure that the projected annual expenditures are cost-effective, specifies the manner in which it accelerates or maintains an accelerated rate of infrastructure repair, improvement, or replacement, is sufficient to ensure and maintain adequate, safe, reliable, and reasonable service, and

---

<sup>5</sup> See, Aqua's Response to TUS Data Request Set 2, Page 6, Data Request P-14.

<sup>6</sup> See, 52 Pa. Code § 121.4(e) (relating to LTIIP filing and Commission review procedures).

<sup>7</sup> See, 52 Pa. Code § 121.4(d).

meets the requirements of 52 Pa. Code § 121.3(a). Accordingly, Aqua's Modified LTIP is approved.

The Commission finds Aqua's Modified LTIP and the manner in which it was filed conforms to the requirements of Act 11 and our Regulations. The Modified LTIP, as approved herein, is designed to maintain safe, adequate, reliable, and reasonable service and, as such, Aqua shall be required to comply with the infrastructure replacement schedule and elements of that plan.

#### **IV. LSLR PLAN**

An LSLR Plan must contain, at a minimum, the components specified in 52 Pa. Code § 65.56 including a service line inventory, a description of planning and replacements, and communication, outreach, and customer education materials. We find that Aqua's LSLR Plan, as modified by the Settlement and in supplemental information filed with the Commission, contains adequate provisions that comply with these requirements, consistent with the following discussion.

##### **1. SERVICE LINE INVENTORY**

An entity's LSLR Plan must include a service line inventory (SLI) that complies with United States Environmental Protection Agency (EPA) regulation at 40 CFR §§ 141.1-143.20 as monitored by the Pennsylvania Department of Environmental Protection (DEP), inclusive of future changes as those regulations may be amended. Additionally, an entity shall identify any assumptions relied on to compile its SLI and, until the SLI is complete, provide detailed information regarding the progress of its SLI as part of its annual LSLR program report. 52 Pa. Code §§ 65.56(a)(1), (4) and (5).

Aqua provided a copy of its SLI as of January 2024 in supplemental information filed with the Commission as P-1 Attachment 1. In its LSLR Plan, Aqua averred that it is developing its SLI, consistent with the intent and guidance of the EPA's Lead and

Copper Rule Revisions, using all available information sources to establish service line material designations for each portion of the service line. According to Aqua’s LSLR Plan, Aqua’s SLI has material types for 92% of company-owned service lines and 83% of customer-owned service lines, as summarized below in Table 1:

**Table 1: Service Line Inventory Summary**

<b>Material Type</b>	<b>Company-Owned</b>	<b>Customer-Owned</b>
Lead	64	166
Galvanized requiring replacement (GRR)	634	9,666
Non-lead	431,131	379,193
Lead status unknown	38,195	81,009
<b>Total</b>	<b>470,024</b>	<b>470,024</b>

In supplemental information filed with the Commission, Aqua acknowledged that its Third LTIP and its SLI as of January 2024 identified 434,910 company-owned service lines, rather than the 470,024 company-owned service lines identified in the LSLR Plan and Table 1 above. Aqua noted that it updated its SLI for reporting to the DEP in October 2024 to account for dual service lines, where one company-owned service line is split into two customer service lines. Aqua indicated that it updated its service line counts based on this DEP reporting requirement.

Aqua’s LSLR Plan identified various methods used to determine service line materials for the SLI and to designate certain galvanized service lines as GRR. For galvanized service lines which are or were downstream from LSLs and/or Aqua cannot prove that they were never downstream from an LSL or lead gooseneck, Aqua assigns these service lines as GRR and the service lines will be considered candidates for replacement unless the home and service line were built during or after 1991. Consistent with the Settlement’s Paragraph 34, Aqua agreed to complete replacements of all LSLs identified through its SLI by December 31, 2037, or such other date as modified by the EPA or DEP.

For future water distribution system acquisitions, Aqua specified that where it acquires a water system before an acquired system's deadline to complete its inventory, Aqua will take over the water system's efforts to identify and incorporate service line materials into Aqua's SLI. For water systems acquired after the deadline to complete its inventory, Aqua will incorporate the water system's inventory into Aqua's SLI if the inventory is complete and up to applicable standards. However, if a satisfactory inventory is not available, Aqua will work with the selling entity and will continue inventory efforts after closing. In these situations, Aqua will explain its plans to complete the SLI for the to-be-acquired system, identify how those efforts will continue post-closing, and provide updates to the Commission on the progress of the SLI for the acquired system in its LSLR Program Report. In supplemental information filed with the Commission, Aqua confirmed that its SLI does not include any service lines from acquired water distribution systems that are not included in Aqua's LTIP.

## **2. PLANNING AND REPLACEMENTS**

Aqua's LSLR Plan provided for up to 1,500 customer-owned LSLRs per year. Anticipated financing sources for LSLRs include Aqua short-term debt that will later be converted into long-term debt and equity. Also, Aqua is exploring low cost and no cost financing from PENNVEST and other sources as they become available.

When developing its LSLR Plan, Aqua considered certain prioritization criteria for LSLR projects for individual properties and for water distribution systems. For individual properties, Aqua considered prioritizing LSLR projects that involve emergency repairs revealing LSLs, homes with elevated lead concentrations in samples, schools and licensed day care facilities, homeowners that request replacements, and homeowners in systems that do not have widespread LSLs. For water distribution systems, Aqua considered prioritizing LSLR projects that involve systems with higher projected LSLRs, systems where PENNVEST or other funding is available, and systems with aging water mains that require replacement.

When Aqua uncovers an LSL while completing emergency repairs to its system, if the entire service line is lead (i.e., both the customer-owned and company-owned portions of the service line), Aqua will contact the customer or property owner and any residents that occupy the premises, provide them with LSLR Plan information and materials, and prioritize the replacement of the entire service line. Where emergency work requires replacement of a company-owned service line, Aqua will replace the company-owned service line up to the curb stop but will not make the connection, and this excavation will reveal the customer-owned service line. If there is a COLSL, Aqua will neither make the connection nor restore service, and Aqua will provide any residents with LSLR Plan information and materials and immediately coordinate and prioritize replacement of the COLSL. Upon verification that there is not a COLSL, Aqua will complete the company-owned service line replacement and restore service.

After identifying a COLSL and making contact with a resident, Aqua personnel will ask whether the resident is the owner or renter of the building. If the resident is not the property owner, Aqua will obtain the property owner's contact information from the resident and then call the property owner to explain the LSLR Program. If the resident or property owner expresses that they want to participate in Aqua's LSLR Program after their service line has been identified as an LSL, Aqua will provide an agreement (LSLR Agreement) to allow a third-party licensed professional to enter the property and complete the LSLR and other LSLR Plan information and materials. A copy of the LSLR Agreement was provided as the LSLR Plan's Exhibit F.

The LSLR Plan included a description of Aqua's processes for LSLRs under normal conditions and under atypical conditions, coordination with customers and property owners throughout the LSLR process, and LSLR completion or closeout. Additional procedures are detailed for no customer or property owner response or upon an unsuccessful attempt to obtain acceptance, and for refusal of an LSLR. In certain circumstances, Aqua shall use, or may use, Step-In Rights as described in its tariff to

perform a LSLR where it will avoid termination of service to an occupant or customer that is not the property owner.

When LSLRs occur, Aqua's vendors will attempt to pull the entire service line and dispose of lead materials at a recycling center. For customer-owned LSLRs, no proceeds are provided to Aqua for recycled materials removed by vendors. For company-owned LSLRs, any lead materials that are removed will be put in Aqua's recycling containers. Recycled scrap metal proceeds are booked in a salvage account and amortized over five years.

### **3. COMMUNICATIONS, OUTREACH AND EDUCATION**

To address 52 Pa. Code § 65.56(c)(1), Aqua included copies of print and broadcast materials that it plans to distribute under its LSLR Program as the LSLR Plan's Exhibits A1 through W. Additionally, Aqua developed a LSLR section of its website that provides information on sources of lead, the health effects of lead, Aqua's compliance with lead requirements, how residents can protect against lead exposure, and a help line for residents requiring assistance in determining their service line material.<sup>8</sup> The website also includes information on the status of Aqua's efforts to replace LSLs, flushing instructions post-replacement, a video showing how to take a water sample with the sample bottles provided by Aqua, and reimbursement requirements.

In its LSLR Plan, Aqua indicated that it developed an online tool to show service line material which is available on its website.<sup>9</sup> Also, Aqua is developing an online tool that will show its replacement schedule by geographic location, at least six months into the future, and that will allow customers/property owners to determine whether they may be eligible for a reimbursement. This tool will be completed and available on Aqua's

---

<sup>8</sup> See, [www.aquawater.com/lead](http://www.aquawater.com/lead), accessed January 7, 2026.

<sup>9</sup> See, [www.aquawater.com/leadmap](http://www.aquawater.com/leadmap), accessed January 7, 2026.

website within 12 months of Commission approval of Aqua's LSLR Program, consistent with 52 Pa. Code § 65.56(c)(2).

## **V. SUPPLEMENT NO. 2 AND PRO FORMA TARIFF**

Aqua submitted Supplement No. 2 and its Pro Forma Tariff containing the proposed changes necessary to implement its LSLR Plan. Aqua's *pro forma* tariff or tariff supplement must address, at a minimum, the components specified in 52 Pa. Code § 65.58. We find that Aqua's Supplement No. 2 and the Pro Forma Tariff meet these requirements, consistent with the following discussion.

### **1. LSLR PROGRAM ANNUAL CAP**

Supplement No. 2 included Aqua's proposed cap of 1,500 COLSL replacements per year, subject to adjustment for customer reimbursements that cause Aqua to exceed its annual cap.

### **2. SERVICE LINE DEMARCATION**

Supplement No. 2 included a definition for COLSL that is consistent with 52 Pa. Code § 65.52 and provisions for Aqua to perfect its ownership of the portion of the service line located at or near the customer's property line. Aqua may install a shutoff valve to serve as a point of demarcation between the property's service line and the property's interior water distribution piping if a shutoff valve is not located within five feet of a structure.

### **3. PARTIAL LSLRS**

Supplement No. 2 and the Pro Forma Tariff included appropriate provisions concerning partial LSLRs. A partial LSLR must result in termination of service under Aqua's tariff. Also, where a customer or property owner elects to replace the COLSL, the customer or property owner must replace the COLSL concurrent with Aqua replacing

the company-owned LSL, subject to the customer or property owner providing Aqua at least 90 days' notice prior to replacing the COLSL.

#### **4. REIMBURSEMENTS**

Supplement No. 2 included the appropriate provisions for customer or property owner reimbursement for customers or property owners that replaced their COLSL including the statement that if the reimbursement would cause Aqua to exceed its current annual cap, Aqua will increase its current annual cap by the number of reimbursements and decrease its next annual cap by the same amount.

#### **5. WARRANTY**

Supplement No. 2 and the Pro Forma Tariff included appropriate warranty provisions. Aqua will provide a two-year warranty for workmanship, materials, and the restoration of surfaces of any COLSL that Aqua or its contractor replaces limited to \$20,000, so long as the customer or property owner allows access to the property for repairs.

### **VI. OTHER CONSIDERATIONS**

We note that Aqua's Commission-approved LSLR Program will remain effective indefinitely and cannot be terminated or modified except by Commission Order. *See* 52 Pa. Code §§ 65.55(d) and 65.57. The Commission may release Aqua from Commission-imposed LSLR Plan requirements if Aqua demonstrates the absence of LSLs through its SLI and proposes a reasonable tariffed process to address any LSLs that may be discovered thereafter. Otherwise, Aqua shall update its LSLR Plan for Commission review at least once every five years.<sup>10</sup> Pursuant to 52 Pa. Code § 65.57(b), the Commission will review Aqua's updates and related public input to determine, among other things, if changes are necessary to maintain and improve the efficiency, safety,

---

<sup>10</sup> *See*, Ordering Paragraph 4.

adequacy and reliability of Aqua's LSLR Program. Additionally, Aqua provided adequate statements to address the proposed changes as required by the Commission for filings under Section 1308, including statements required by 52 Pa. Code § 53.52(a).

As described in Ordering Paragraph 2, we will direct Aqua to file its tariff supplement with the Commission which will be reviewed by Commission staff for the required form and content of tariffs and tariff changes pursuant to 52 Pa. Code §§ 53.1-53.26. Commission staff will address any necessary ministerial tariff changes with Aqua, such as page numbering and table of contents changes.

Finally, by this Order, we will eliminate certain annual reporting requirements that the Commission imposed on Aqua for its preexisting LSLR activities. On July 15, 2021, the Commission entered an Order at Docket No. P-2020-3021766 (July 2021 Order) that approved Aqua's petition to perform LSLR activities, as modified by Aqua's Joint Petition for Settlement filed with the Commission on April 23, 2021, at Docket No. P-2020-3021766 (April 2021 Settlement).<sup>11</sup>

The April 2021 Settlement required Aqua to provide to the Commission's Bureau of Investigation and Enforcement, OCA, and OSBA an annual report on the number of and location of COLSLs replaced, the cost of replacements, and an indication of whether the replacements were Part 1 or Part 2 replacements.<sup>12</sup> Under the April 2021 Settlement and the related tariff supplement included as Exhibit 2 of the April 2021 Settlement, Part 1 replacements included LSLRs for COLSLs encountered as part of Aqua's ongoing main replacement work and Part 2 replacements included LSLRs for COLSLs replaced at a customer's request and subject to certain conditions.<sup>13</sup>

On March 1, 2023, Aqua filed a letter with the Commission at Docket No. P-2020-3021766. In its letter, Aqua indicated that following the Commission's approval

---

<sup>11</sup> See, July 2021 Order, Ordering Paragraphs 2 and 3.

<sup>12</sup> See, April 2021 Settlement, Page 12, Section II.G.37.

<sup>13</sup> See, April 2021 Settlement, Page 5, Section II.A.11. Supplement No. 2 and the Pro Forma Tariff do not include tariff language that would continue to use the terms Part 1 replacement or Part 2 replacement.

of Aqua’s petition, the Commission issued final regulations regarding Act 120, which included provisions on annual reporting of customer-owned LSLRs in annual asset optimization plan (AAOP) filings. Aqua also specified that starting with its 2022 AAOP and going forward, information on Aqua’s customer-owned LSLRs would be included in its AAOP filing.

Considering the Commission’s adoption of uniform LSLR program annual reporting requirements pursuant to 52 Pa. Code § 65.59(a), we find that the annual reporting required by the July 2021 Order is no longer necessary. Aqua’s LSLR program annual report will provide the Commission and interested parties with similar LSLR data, and parties may request additional LSLR information from Aqua in the context of an appropriate proceeding. In addition, ending this requirement should marginally reduce administrative costs for both Aqua and the Commission. Therefore, after the entry date of this Order, Aqua is no longer required to complete annual reporting required by the July 2021 Order.<sup>14</sup>

## **VII. CONCLUSION**

Investigation and analysis of Aqua’s LSLR Program indicates that Commission approval of Aqua’s LSLR Program appears to be lawful, just, reasonable, and consistent with the public interest. As such, we approve Aqua’s LSLR Program and direct Aqua to file an LSLR Program tariff supplement with the Commission under Section 1308 and consistent with this Opinion and Order; **THEREFORE,**

### **IT IS ORDERED:**

1. That the Petition of Aqua Pennsylvania, Inc. at Docket No. P-2023-3044459, as amended, is approved, consistent with this Opinion and Order.

---

<sup>14</sup> See, Ordering Paragraph 7.

2. That within ten (10) days following the entry date of this Opinion and Order, Aqua Pennsylvania, Inc. shall file a tariff supplement with the Secretary's Bureau at Docket No. P-2023-3044459, consistent with this Opinion and Order, the *pro forma* tariff supplement provided as the Petition's *pro forma* tariff filed with the Commission on October 3, 2025, and Commission regulations for the required form and content of tariffs and tariff changes pursuant to 52 Pa. Code §§ 53.1-53.26, to become effective upon at least ten (10) days' notice, and which shall demonstrate to the Commission's satisfaction that the filed tariff changes comply with this Opinion and Order.

3. That within ten (10) days following the entry date of this Opinion and Order, Aqua Pennsylvania, Inc. shall file at Docket Nos. P-2023-3043755 and P-2023-3044459 a final version of its Modified Long-Term Infrastructure Improvement Plan that includes its final version of its Lead Service Line Replacement Plan, consistent with this Opinion and Order and 52 Pa. Code § 65.54(b).

4. That Aqua Pennsylvania, Inc. shall file a copy of its updated Lead Service Line Replacement Plan with the Commission at least once every five years, until further Order of the Commission.

5. That Aqua Pennsylvania, Inc. shall file a copy of its Lead Service Line Replacement Program Report with the Commission by March 1 of each year, until further Order of the Commission.

6. That Aqua Pennsylvania, Inc. shall continue to include information in regard to main breaks and non-revenue water for its two main service areas, Southeast Pennsylvania and Greater Pennsylvania, in its Annual Asset Optimization Plans, consistent with Ordering Paragraph 3 of the Commission's Opinion and Order entered June 13, 2024, at Docket No. P-2023-3043755.

7. That as of the entry date of this Opinion and Order, Aqua Pennsylvania, Inc. is no longer required to complete annual reporting required by the Commission's Order entered July 15, 2021, at Docket No. P-2020-3021766.

8. That a copy of this Opinion and Order be served upon Aqua Pennsylvania, Inc., the Commission's Bureau of Investigation and Enforcement, the Office of Consumer Advocate, and the Office of Small Business Advocate.

9. That a copy of this Opinion and Order be served upon the Commission's Bureau of Technical Utility Services, Finance/Tariff and Water/Wastewater Sections, for monitoring and compliance.

10. That upon acceptance by the Commission of the tariff supplement filed by Aqua Pennsylvania, Inc. pursuant to Ordering Paragraph 2, the proceeding at Docket No. P-2023-3044459 be closed.

**BY THE COMMISSION,**



Matthew L. Homsher  
Secretary

(SEAL)

ORDER ADOPTED: January 29, 2026

ORDER ENTERED: January 29, 2026