

**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 Buck Hill Water Company for
Approval of its Lead Service Line
Replacement Program

Docket No.
P-2025-3053570

OPINION AND ORDER

BY THE COMMISSION:

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is the Petition (Petition) of Buck Hill Water Company (Buck Hill), Utility Code 210260, for Commission approval of Buck Hill's Lead Service Line Replacement Program (LSLR Program) filed on April 25, 2025. Buck Hill's LSLR Program would allow Buck Hill 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 Buck Hill'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 February 24, 2025, Buck Hill filed a letter with the Commission that requested the deadline to submit an LSLR program petition be extended 30 days. On February 27, 2025, the Office of Small Business Advocate (OSBA) filed a Notice of Appearance. On February 28, 2025, the Commission, by Secretarial Letter, granted Buck Hill's requested time extension until March 26, 2025.

On March 14, 2025, OSBA filed a Notice of Intervention. In its NOI, OSBA requested that the Commission deny any aspect of the Petition that is not proven to be lawful, just, reasonable, and non-discriminatory. However, OSBA did not request hearings.

On March 25, 2025, Buck Hill filed a letter with the Commission that requested the deadline to submit an LSLR program petition be extended an additional 30 days. On March 28, 2025, the Commission, by Secretarial Letter, granted Buck Hill's requested time extension until April 25, 2025.

On April 25, 2025, Buck Hill filed its Petition with the Commission. Buck Hill submitted proof of service to the appropriate entities. No answers or comments were filed, and no 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.

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 long-term infrastructure improvement plan (LTIIP) shall include with its LSLR program petition a modified LTIIP containing an LSLR plan as a separate and distinct component of the entity's modified LTIIP pursuant to 52 Pa. Code § 65.54(b). An entity that does not have a Commission-approved LTIIP 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

Buck Hill is a regulated public utility company, duly organized and existing under the laws of the Commonwealth with a mailing address of 270 Golf Drive, P.O. Box 426, Buck Hill Falls, Pennsylvania 18360. Incorporated on April 11, 1902, to provide water service to the unincorporated community of Buck Hill Falls, Barrett Township, Monroe County, Buck Hill provides water service to approximately 328 customers.

II. PETITION

Buck Hill's proposed LSLR Plan, Pro Forma Tariff, and responses to 52 Pa. Code § 53.52 were included as the Petition's Appendices C, A, and B, respectively. Buck Hill's LSLR Program is discussed below.

III. 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 Buck Hill's LSLR Plan 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).

In its LSLR Plan, Buck Hill indicated that it has prepared a SLI consistent with 40 CFR §§ 141.1-143.20 that identifies the material types for all known service lines within the water distribution system and that categorizes each as lead, galvanized requiring replacement (GRR), lead status unknown, or non-lead. Buck Hill provided a working electronic copy and a hard copy of its SLI dated October 16, 2024, as the LSLR Plan’s Exhibits 1 and 2, respectively. Service line material type data from this SLI is summarized in Table 1, below:

Table 1: Service Line Inventory Summary

Material Type	Number of Service Lines
Lead	0
GRR	0
Lead Status Unknown	217 (66%)
Non-Lead	111 (34%)
Total	328

Buck Hill identified assumptions in its SLI and committed to include a detailed progress report of its SLI as part of its annual LSLR Program report. After the SLI is complete, Buck Hill will incorporate the SLI into its next LSLR Plan update.

2. PLANNING AND REPLACEMENTS

Buck Hill’s LSLR Plan identified a projection of approximately 10 LSLRs per calendar year. Buck Hill indicated that its projection was based on a review of its SLI, the absence of confirmed LSLs, contractor scheduling and availability, and financial planning based on an annual capital expenditure of approximately \$80,000 phased over 20 years. Funding for LSLRs is expected to be sourced from base rate filings, capital planning, or cost recovery mechanisms such as a Distribution System Improvement Charge. Buck Hill believes that its replacement pace is achievable and consistent with its technical and financial capacity and regulatory expectations.

In its LSLR Plan, Buck Hill indicated that it would prioritize LSLRs for service lines requiring immediate action due to an emergency, those in high-risk areas, and homes with known vulnerable occupants such as children and the elderly. If an LSL is discovered during emergency repairs, Buck Hill will notify the customer or property owner, initiate immediate replacement with appropriate consent, and document all work and notifications.

Prior to the commencement of any LSLR project, Buck Hill will obtain written acceptance from the affected party through a standardized consent process. If the customer is the property owner, Buck Hill will provide advance written notice outlining the scope of work, health risks associated with lead, and the public benefits of the program. This notice includes EPA-mandated disclosures and a Consent Agreement Form (LSLR Agreement), which must be signed and returned prior to any replacement activity. A copy of the LSLR Agreement was included as the LSLR Plan's Exhibit 3. If the customer is not the property owner, Buck Hill will provide parallel notification to both the customer and the property owner, requesting authorization to proceed.

The LSLR Plan included a description of Buck Hill'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.

Buck Hill will dispose of removed LSLs in accordance with DEP regulations and will use certified recycling facilities for recovered lead materials. Any proceeds obtained from recycling lead piping will be credited to Buck Hill's LSLR Program and applied to offset LSLR capital expenditures, thereby reducing the recoverable costs from ratepayers.

3. COMMUNICATIONS, OUTREACH, AND EDUCATION

Buck Hill provided a copy of customer outreach materials as the LSLR Plan's Exhibit 5. Buck Hill's LSLR Plan indicated that it would implement a multi-channel communications strategy to ensure customers and property owners are well-informed about the LSLR Program, including through digital bulletin notices, targeted owner communications, and direct customer notices delivered by mail, email, or door tags.

IV. PRO FORMA TARIFF

Buck Hill submitted its Pro Forma Tariff containing the proposed changes necessary to implement its LSLR Plan. Buck Hill's *pro forma* tariff or tariff supplement must address, at a minimum, the components specified in 52 Pa. Code § 65.58. We find that Buck Hill's Pro Forma Tariff meets these requirements, consistent with the following discussion.

1. LSLR PROGRAM ANNUAL CAP

The Pro Forma Tariff included Buck Hill's proposed cap of 12 COLSL replacements per year, subject to certain adjustments for customer reimbursements or an emergency LSLR that causes Buck Hill to exceed its annual cap.

2. SERVICE LINE DEMARCATION

The Pro Forma Tariff included a definition for COLSL that is consistent with 52 Pa. Code § 65.52 and includes provisions for Buck Hill to perfect its ownership of the portion of the service line located within the then-existing right-of-way. Buck Hill 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 12 inches of a structure.

3. PARTIAL LSLRS

The Pro Forma Tariff included appropriate provisions concerning partial LSLRs. A partial LSLR must result in termination of service under Buck Hill'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 Buck Hill replacing the Company-owned LSL, subject to the customer or property owner providing Buck Hill at least 180 days' notice prior to replacing the COLSL.

4. REIMBURSEMENTS

The Pro Forma Tariff included 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 Buck Hill to exceed its current annual cap, Buck Hill will increase its current annual cap by the number of reimbursements and decrease its next annual cap by the same amount.

5. WARRANTY

The Pro Forma Tariff included appropriate warranty provisions. Buck Hill will provide a two-year warranty for workmanship, materials, and the restoration of surfaces of any COLSL that Buck Hill or its contractor replaces limited to 125% of Buck Hill's cost for the LSLR work, so long as the customer allows access to the property for repairs.

V. OTHER CONSIDERATIONS

We note that Buck Hill'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 Buck Hill from Commission-imposed LSLR Plan requirements if Buck Hill demonstrates the absence of LSLs through its SLI and proposes a reasonable tariffed process to address any LSLs that may be discovered thereafter. Otherwise, Buck Hill shall update its LSLR Plan for

Commission review at least once every five years.¹ Pursuant to 52 Pa. Code § 65.57(b), the Commission will review Buck Hill's updates and related public input to determine, among other things, if changes are necessary to maintain and improve the efficiency, safety, adequacy, and reliability of Buck Hill's LSLR Program. Additionally, Buck Hill provided adequate statements to address the changes proposed by the Pro Forma Tariff 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 Buck Hill 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 Buck Hill, such as page numbering and table of contents changes.

VI. CONCLUSION

Investigation and analysis of Buck Hill's LSLR Program indicates that Commission approval of Buck Hill's LSLR Program appears to be lawful, just, reasonable, and consistent with the public interest. As such, we approve Buck Hill's LSLR Program and direct Buck Hill 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 Buck Hill Water Company at Docket No. P-2025-3053570, is approved, consistent with this Opinion and Order.
2. That within ten (10) days following the entry date of this Opinion and Order, Buck Hill Water Company shall file a tariff supplement with the Secretary's

¹ See, Ordering Paragraph 4.

Bureau at Docket No. P-2025-3053570, consistent with this Opinion and Order, the *pro forma* tariff supplement provided as the Petition's Appendix A, 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 Buck Hill Water Company 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.

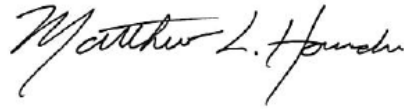
4. That Buck Hill Water Company shall file a copy of its Lead Service Line Replacement Program Report with the Commission by March 1 of each year, until further Order of the Commission.

5. That a copy of this Opinion and Order be served upon Buck Hill Water Company, the Commission's Bureau of Investigation and Enforcement, the Office of Consumer Advocate, and the Office of Small Business Advocate.

6. 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.

7. That upon acceptance by the Commission of the tariff supplement filed by Buck Hill Water Company pursuant to Ordering Paragraph 2, the proceeding at Docket No. P-2025-3053570 be closed.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Matthew L. Homsher". The signature is written in a cursive style with a large initial "M".

Matthew L. Homsher
Secretary

(SEAL)

ORDER ADOPTED: January 29, 2026

ORDER ENTERED: January 29, 2026