

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

Public Meeting held February 19, 2026

Commissioners Present:

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

Application of Aqua Pennsylvania, Inc. for approval of the right to offer, render, furnish or supply water service to the public in an additional portion of East Brandywine Township, Chester County, Pennsylvania

Docket No.  
A-2025-3057896

**Public Version**

**ORDER**

**BY THE COMMISSION:**

By the application (Application) filed with the Pennsylvania Public Utility Commission (Commission) on October 9, 2025, Aqua Pennsylvania, Inc. (Aqua), Utility Code 210104, seeks a certificate of public convenience pursuant to Section 1102(a)(1)(i) of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 1102(a)(1)(i), evidencing Commission approval of Aqua's right to offer, render, furnish or supply water service to the public in an additional portion of East Brandywine Township, Chester County, Pennsylvania.

**I. AFFECTED ENTITIES AND BACKGROUND**

Aqua is a regulated public utility company, duly organized and existing under the laws of the Commonwealth with a mailing address of 762 West Lancaster Avenue, Bryn Mawr, Pennsylvania 19010. Aqua provides water service to approximately 523,000 customers throughout Pennsylvania, including portions of East Brandywine Township,

Chester County. 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.

Aqua identified the Downingtown Area School District (School District) as the entity requesting water service to an existing elementary school, Brandywine Wallace Elementary School (Elementary School), located at 435 Dilworth Road in East Brandywine Township. The Elementary School is currently served by an on-lot well which tested positive for perfluorooctane sulfonate (PFOS) and Aqua provided water sample test results noting the presence of PFOS in water in supplemental information filed with the Commission as A-10 Attachment 1. The existing well is currently being treated for PFOS on site, but the School District wishes to receive water service from Aqua. The Application's Attachment C included a copy of a letter from the School District dated May 1, 2025, requesting that Aqua provide water service to the Elementary School. Aqua averred that it is not affiliated with the School District.

Aqua indicated that the Elementary School will require one commercial service line, one private fire protection service line, and three public fire hydrants. In addition, Aqua's requested territory contained additional properties proximate to the Elementary School that included 21 prospective residential customers directly adjacent to the proposed main, 61 prospective residential customers in three communities that would require future main extensions, and the East Brandywine Township Park (Public Park). Aqua stated that it included the additional properties in its requested territory to allow it to expedite approval of future requests for public water service for homes that are likely to have PFOS in their well water. Aqua has not received any requests for service from the additional residential homes. However, East Brandywine Township indicated support for Aqua to have the right to provide service to the surrounding regions in a letter dated December 4, 2023, provided as the Application's Attachment D. Aqua stated that all prospective customers in the requested territory currently receive water through on-lot wells and wastewater service from on-lot septic tanks. Aqua averred in supplemental

information filed with the Commission that East Brandywine Township does not have a mandatory connection ordinance.

Aqua submitted proofs of publication and service to the appropriate entities. Notice of the Application was published in the *Pennsylvania Bulletin*, 55 Pa.B. 7483, on October 25, 2025. The protest period ended November 10, 2025. No protests were filed, and no hearings were held.

## **II. LOCATION AND DESCRIPTION OF REQUESTED TERRITORY**

The Application included a map depicting Aqua’s requested territory and a written description of the territory’s boundaries by bearing angles and distances, defining a contiguous area of approximately 229 acres of land, as Attachments A and B, respectively. The requested territory is situated in the central portion of East Brandywine Township, along the north side of Hopewell Road generally between Hopewell Road’s intersections with Ferndale Lane and Corner Ketch Road. The territory is comprised of the Elementary School, 82 residential single-family homes to the south, west, and east of the Elementary School, and the Public Park to the northwest of the Elementary School. The territory required to serve the Elementary School, the Public Park, and the 21 residential properties directly adjacent to the main extension represent approximately 99 acres of the requested territory. The remaining 61 residential single-family properties represent approximately 130 acres of Aqua’s requested territory that will not receive water service immediately upon completion of the construction outlined in this Application and described further below in Section III.

A plan set depicting the proposed location of the main extension to serve the Elementary School and the adjacent 21 prospective residential properties was included as the Application’s Attachment G. The main extension to provide service to the Elementary School will connect to Aqua’s existing facilities at the intersection of State Route 4015 (SR 4015) and Montpelier Drive and extend west to SR 4015’s intersection

with Dilworth Road and then north along Dilworth Road until it terminates at the Elementary School. In supplemental information filed with the Commission, Aqua provided a concept plan depicting the location and route of the future main extensions required to reach the 61 additional prospective residential customers in the requested territory as CONFIDENTIAL A-3 Attachment 1.

**[BEGIN CONFIDENTIAL]**

**[END**

**CONFIDENTIAL]**

### **III. DESCRIPTION OF FACILITIES FOR FURNISHING SERVICE**

Aqua specified that the facilities that will be installed to serve the Elementary School consist of approximately 2,245 linear feet (LF) of eight-inch-diameter ductile iron (DI) pipe, one two-inch-diameter copper service line, one six-inch-diameter DI fire service line, and three public fire hydrants. The Elementary School has expressed a desire to connect to the main extension upon its completion and water service will begin immediately upon project completion, expected to occur in the first or second quarter of 2026.

Aqua's Great Valley Division, which is a part of its Friendship Water System, PWSID Number PA61150137, will provide the requested territory with water supplied from a combination of Aqua's UGS North System, Spring Run System, and Ingrams Mill Water Treatment Plant (Ingrams Mill WTP). The UGS North System draws water from nine wells with a combined permitted maximum withdrawal capacity of 24.1 million gallons per month (GPM). There are six storage tanks connected to the UGS North System with a combined storage capacity of 2.15 million gallons per day. The UGS North System receives additional supply from the Spring Run System through an interconnection in West Bradford Township, and the Spring Run System also receives flows from the Ingrams Mill WTP. The Spring Run System draws water from eight wells with a combined permitted maximum withdrawal capacity of 52 million GPM and includes five storage tanks with a combined storage capacity of 2.5 million GPM.

In supplemental information filed with the Commission, Aqua indicated that the UGS North System is supplemented by an additional average of 6.4 million GPM from the Spring Run System and 6.2 million GPM from the Ingrams Mill WTP. According to Aqua, the current average monthly and maximum monthly demand for the UGS North System are 24.9 million GPM and 29 million GPM, respectively. The Spring Run System's current average monthly and maximum monthly demands are 31.3 million GPM and 36.7 million GPM, respectively. For the Ingrams Mill Water Treatment plant, the permitted average monthly supply capacity is 180 million GPM, and the current average monthly and maximum monthly demands are 138.4 million GPM and 154.9 million GPM, respectively.

In the Application, Aqua identified that the Elementary School's projected demand is approximately 53,400 GPM. Aqua also estimated the projected demand for each residential customer is approximately 3,870 GPM, or a total of 317,340 GPM for the 82 prospective residential customers. The total projected demand for the Elementary School and the 82 prospective customers is approximately 370,740 ( $317,340 + 53,400 = 370,740$ ) GPM and the UGS North System will serve the entire requested territory with a

combined available capacity of approximately 11.8 (24.1 + 6.4 + 6.2 - 24.9 = 11.8) million GPM. In supplemental information filed with the Commission, Aqua averred that there is adequate supply, treatment, storage and distribution capacity to meet present and future needs of existing customers, the Elementary School, the Public Park, and all 82 single-family homes upon receiving formal requests for service.

**IV. ADDITIONAL CAPITAL REQUIREMENTS**

In the Application, Aqua indicated that the School District and Aqua will share portions of the costs of the proposed facilities through a Contribution in Aid of Construction Agreement (Agreement) with Aqua, which will be executed after the Application is approved. Aqua estimated that the main extension construction will cost \$625,529. Based on a domestic annual revenue estimate of \$11,299.80 from serving the Elementary School, Aqua’s bona-fide contribution will be \$290,198 and the School District will contribute \$335,331. Aqua will install a two-inch domestic meter for water service to the Elementary School and a 5/8-inch bypass meter for fire service that will cost \$400 and \$200, respectively. For the 21 prospective residential customers abutting the new main, Aqua estimated an average cost of \$2,675 to extend one-inch-diameter copper service lines and \$200 to install 5/8-inch meters for each residence upon request for service and will fund these installations with cash on hand. Aqua averred that it intends to use cash on hand to fund its portion of the construction of the main extension, meters and service lines for the requested territory. Aqua also provided the following proposed main extension cost breakdown by major plant categories:

<b>Account No.</b>	<b>Account Description</b>	<b>Cost (\$)</b>
331	Transmission and Distribution Mains	591,311
335	Hydrants	24,656
333	Services to Customers	9,562

In supplemental information filed with the Commission, Aqua estimated the total cost of the future main extensions required to serve the 61 residential customers that are

not adjacent to the Elementary School main extension will be \$2,680,750 and stated it will finance the construction with cash working capital and short-term debt. Aqua also provided the following future main extension construction cost breakdown to extend mains to these remaining customers:

<b>Street</b>	<b>Main Extension Length (LF)</b>	<b>Cost (\$)</b>
Keller Way	2,300	632,000
School Lane	2,350	646,250
Kristen Circle	2,600	715,000
Quail Hill Lane	2,500	687,500
<b>Total</b>	<b>9,750</b>	<b>2,680,750</b>

## **V. PROPOSED RATES**

Aqua will charge its existing Rate Zone 1 rates within the requested territory as set forth in its effective water tariff. In the Application, Aqua provided a detailed breakdown of its estimated revenue in the requested territory. For the Elementary School’s domestic and private fire service connections and the public fire hydrants, the estimate indicated approximately \$15,589 in annual revenue. In supplemental information filed with the Commission, Aqua provided one-year, five-year and 10-year estimates of the number of customers that will request service and associated revenues and expenses. Aqua estimated at the end of the first year that water service would be provided to the Elementary School, the Public Park, three public fire hydrants, one private fire service for the Elementary School, and approximately two residential customers, resulting in approximately \$24,708 in revenue, \$1,329 in expenses and a net income of \$23,379. At the end of the fifth year, Aqua estimated that there will be approximately 25 residential customers resulting in approximately \$49,785 in revenue, \$8,969 in expenses and a net income of \$40,816, and at the end of the tenth year there will be approximately 50 residential customers resulting in approximately \$77,042 in revenue, \$17,273 in expenses and a net income of \$59,769.

## **VI. PERMITS, EASEMENTS, AND RIGHTS-OF-WAY REQUIRED**

In the Application, Aqua stated that one East Brandywine Township road opening permit and one Pennsylvania Department of Transportation highway occupancy permit are required to construct the main extension. The permits will cost approximately \$6,450 and \$420, respectively, which will be paid by the School District and Aqua as part of the Agreement.

## **VII. LAND-USE PLANNING COMPLIANCE**

The Application's Attachment D included a copy of a letter from East Brandywine Township's Manager dated December 4, 2023, which indicated that East Brandywine Township is in support of Aqua's requested territory including the Elementary School, the Public Park, and certain adjacent existing developments. However, this letter did not address the portion of Aqua's requested territory containing single-family residences along both sides of School Lane. In supplemental information filed with the Commission, Aqua provided a copy of a letter from East Brandywine Township's Manager dated November 19, 2025, that indicated the Application and requested territory is consistent with the applicable comprehensive plans and zoning ordinances.

In the Application, Aqua also provided a copy of a letter sent to the Chester County Planning Commission dated July 16, 2025, requesting confirmation that the Application is consistent with any adopted comprehensive plans or zoning ordinances as the Application's Attachment E. According to Aqua, Chester County did not provide a response to Aqua's letter. However, Aqua averred that it has confirmed that its project is consistent with Chester County's land use planning considerations.

## **VIII. OTHER CONSIDERATIONS**

Aqua averred that to the best of its knowledge, no corporation, partnership or individual is currently furnishing or has corporate or franchise rights to furnish service like that to be rendered by Aqua within the requested territory and that no competitive condition will be created. Further, Aqua averred that no alternative water utility or authority exists that can provide service to the Elementary School and surrounding residential homes and Aqua's existing territory abuts the requested territory. Aqua also indicated that Application approval will result in economies of scale through an expanded customer base which has a beneficial effect on existing customers and there is a need for public water in the requested territory. The Elementary School's existing well has tested positive for PFOS and Aqua is qualified and financially fit to provide water service that is treated for PFOS.

In supplemental information filed with the Commission, Aqua averred that it has neither solicited nor received any requests for service in the portions of its requested territory that would be served by future main extensions. However, Aqua contended that approving the requested territory is prudent and eliminates future time and expense to undertake additional applications to provide water service for homes that are likely to have PFOS in their well water.

Aqua has no outstanding fines or assessments due to the Commission and is current with Commission reporting requirements. DEP advised Commission staff that it did not have any open violations or outstanding complaints against Aqua's water facilities that will provide service in the requested territory.

## **IX. CONCLUSION**

Based upon the facts that there is a need to make public water service available within the requested territory; that Aqua will expand its service territory to customers in compliance with Commission regulations; that the economies of scale of an expanded

customer base will have a beneficial effect on existing customers; and that Aqua is fit to provide service, the Commission finds that granting approval of Aqua's Application is necessary or proper for the service, accommodation, convenience, or safety of the public and is in the public interest; **THEREFORE,**

**IT IS ORDERED:**

1. That the Application of Aqua Pennsylvania, Inc. at Docket No. A-2025-3057896 is hereby approved, consistent with this Order.

2. That a Certificate of Public Convenience shall be issued pursuant to Section 1102(a)(1)(i) of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 1102(a)(1)(i), authorizing Aqua Pennsylvania, Inc. to begin to offer, render, furnish, or supply water service to the public in an additional portion of East Brandywine Township, Chester County, Pennsylvania, consistent with this Order.

3. That nothing herein shall be construed as an approval or determination of costs or expenses for the purposes of just or reasonable rates or to exempt Aqua Pennsylvania, Inc. from obtaining all necessary permits, licenses, and approvals from other federal, state, and local government agencies having jurisdiction.

4. That a copy of this Order be served upon Aqua Pennsylvania, Inc., the Commission's Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate, the East Brandywine Township Board of Supervisors, the East Brandywine Township Planning Commission, the Chester County Board of Commissioners, the Chester County Planning Commission, and the Pennsylvania Department of Environmental Protection – Southeast Regional Office and its Bureau of Regulatory Counsel.

5. That the proceeding at Docket No. A-2025-3057896 be closed after a Certificate of Public Convenience is issued in accordance with Ordering Paragraph 2.

**BY THE COMMISSION,**

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

Matthew L. Homsher  
Secretary

(SEAL)

ORDER ADOPTED: February 19, 2026

ORDER ENTERED: February 19, 2026