COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Adam M. Copenhaver,
Complainant,
v.
Columbia Water Company,
Respondent.

Docket No. C-2026-3060873

MOTION FOR EMERGENCY SUPERSEDEAS
PURSUANT TO 52 PA. CODE § 3.6
SUSPENSION OF TARIFF SUPPLEMENT 138
PENNVEST SURCHARGE $9.92 PER MONTH

I. INTRODUCTION

Complainant Adam M. Copenhaver, a residential ratepayer of Columbia Water Company (CWC or Respondent) residing at 339 Cherry Street, Columbia, Pennsylvania 17512, respectfully moves this Commission pursuant to 52 Pa. Code § 3.6 for an emergency supersedeas suspending Tariff Supplement 138 and the associated PENNVEST surcharge increase from $9.69 to $9.92 per month, effective February 1, 2026, pending resolution of Complainant's formal complaint docketed at C-2026-3060873.

This motion arises from a documented pattern of material misrepresentation spanning three stacked PENNVEST loans totaling $20,492,403, each certified by the same licensed professional engineer. Loan 80180 involved a 33% scope reduction with full loan retention and ineligible aesthetic expenditures certified as eligible on a federal safe drinking water loan. Loan 85182 was accompanied by a certification that current user fees were sufficient — immediately followed by an 18.4% surcharge increase. Loan 12823 was accompanied by a legally required public representation to PaDEP that ratepayer fees would not be impacted — followed by Tariff 138. Three categories of misrepresentation to state agencies. Three rate increases ratepayers cannot recover once paid. The foundational legitimacy of the $8.18 per month base surcharge — the floor upon which each successive increase has been stacked — has never been established in any adjudicated proceeding before this Commission.

Ratepayers cannot recover money once collected. Respondent can recover money through future rate proceedings if this petition is wrongly granted. The equities compel a stay.

II. JURISDICTION AND STANDARD

This Commission has authority to grant supersedeas pursuant to 52 Pa. Code § 3.6, which provides that a party may move for a stay of a Commission order or tariff provision pending the outcome of a formal complaint proceeding. The standard for supersedeas requires Complainant to demonstrate: (1) likelihood of success on the merits; (2) irreparable harm absent a stay; (3) that greater injury would result from refusing the stay than granting it; and (4) that a stay would not harm the public interest.

As demonstrated below, Complainant satisfies all four elements. Indeed, the public interest — including the constitutional guarantee of pure water under Article I, Section 27 of the Pennsylvania Constitution — affirmatively compels issuance of the stay.

III. FACTUAL BACKGROUND: THREE LOANS, THREE ASSURANCES, THREE RATE INCREASES

A. PENNVEST Loan No. 80180 — $15,250,000.00 (2012)

In 2012, CWC received PENNVEST Loan No. 80180 in the amount of $15,250,000.00, approved by the PENNVEST Board for the purpose of expanding the Walnut Street Water Treatment Plant from 3.0 million gallons per day (MGD) to 6.0 MGD. The PENNVEST application referenced 6.0 MGD capacity as the project deliverable.

CWC's President and General Manager, David T. Lewis, P.E. (PE048344E), admitted in a formal response to a Commission data request in Docket No. R-2014-2445660 that “bids came in higher than expected and as a result, the project was scaled back to 4.0 MGD to keep the project within the budget set by the Water Company”. The full $15,250,000.00 loan amount was retained. No corresponding cost reduction was made. The final contract sum was $14,761,703.60 — leaving $488,296.40 unreconciled between the loan amount and documented project expenditures. See Exhibit A.

Documented change orders from Loan 80180 identify the following ineligible aesthetic expenditures certified as eligible drinking water system improvements:

- $5,024.00 — specialty colored roof hatch, justified as 'improve appearance'
- $1,155.00 — copper vent pipe wrapping, justified as 'improve appearance'
- $1,523.00 — vestibule floor painting, justified as 'improve appearance'
- $914.00 — decorative cornerstone installation
- $1,877.00 — fence work

These expenditures are ineligible under PENNVEST's Safe Drinking Water Fund program, which restricts funding to system improvements directly related to drinking water quality and capacity. Aesthetic improvements to a water treatment plant do not qualify under 40 CFR 35.3520.

Further, Buchart Horn's own publication in Opflow (June 2017) described the project as delivering '4 MGD initially, 6 MGD in the future' — characterizing the reduced scope as planned phasing rather than the bid-driven reduction Lewis described under oath. These two accounts are materially irreconcilable. A Right to Know Law request seeking the original PENNVEST application and any formal scope reduction approval documentation is currently pending with PENNVEST. No such documentation has been produced in any prior proceeding. See Exhibit B.

A PENNVEST surcharge was implemented following Loan 80180. The foundational justification for that surcharge — a 6.0 MGD capacity expansion — was never delivered. Ratepayers have paid for a 4.0 MGD facility through a surcharge premised on a 6.0 MGD project *for over a decade*.

B. PENNVEST Loan No. 85182 — $3,747,717 (2021)

In 2021, CWC received PENNVEST Loan No. 85182 in the amount of $3,747,717. The funding agreement for Loan 85182 contained an explicit certification that 'current user fees are sufficient.' This certification was signed under penalty of applicable law by CWC's authorized representative.

Following completion of the Loan 85182 project, the PENNVEST surcharge increased from $8.18 to $9.69 per month — an increase of 18.4%. This increase directly contradicts the sufficiency certification contained in the funding agreement. Complainant submits that a certification of fee sufficiency followed immediately by a surcharge increase of 18.4% constitutes a material misrepresentation to PENNVEST and to this Commission. See Exhibit C.

Loan 85182 funded two intake screens with air burst and frazil ice protection, tank recoating, valve vault piping recoating, and emergency generator installation. Complainant submits that this loan was necessitated in whole or in part by Loan 80180's failure to deliver the promised 6.0 MGD capacity, thereby requiring additional expenditure to address system deficiencies that a properly completed Loan 80180 project would have resolved.

The engineer of record for Loan 85182 was Daniel A. Cargnel, P.E. (PE039776E) of Buchart Horn — the same engineer of record for Loan 80180.

C. PENNVEST Loan No. 12823 — $1,494,686 — Signed March 13, 2025

In August 2024, CWC published a legally required public notice in LancasterOnline pursuant to Pennsylvania Department of Environmental Protection requirements. The notice described a Tank Painting Project — the same project funded under PENNVEST Loan No. 12823 — involving painting and miscellaneous repairs for three above-ground water tanks. The notice stated explicitly: 'There will be no impacts to user fees as a result of this project.'

This representation was made by David T. Lewis, P.E. (PE048344E), President and General Manager of CWC, in a legally required regulatory notice directed to the public and to PaDEP.

On March 13, 2025, Lewis DocuSigned the PENNVEST Loan No. 12823 funding agreement. Notably, the 'current user fees are sufficient' language present in the Loan No. 85182 funding agreement was quietly removed from the Loan 12823 funding agreement.

Tariff Supplement 138, effective February 1, 2026, increased the PENNVEST surcharge from $9.69 to $9.92 per month. This increase directly and demonstrably contradicts Lewis's August 2024 public representation that no user fee impacts would result from the project funded by Loan 12823. See Exhibit D.

The project scope of Loan 12823 — tank blasting, recoating, weld repairs, and safety systems — constitutes routine operations and maintenance activity financed as 20-year capital debt at ratepayer expense. A grant equivalent of $560,945 was allocated to this project despite CWC's service area median household income exceeding the Pennsylvania state median, raising additional questions about grant eligibility determinations.

D. The Change Order Record — Documented Ineligible Expenditures and the NA Declaration

The change order documentation for Loan 80180 — obtained through Pennsylvania Right to Know Law requests — establishes the following specific findings:

First: PENNVEST's own Change Order Supplement Form for Change Order No. 3 ($492,407) contains a required question at item 3(e): 'Has the cost of all ineligible work been separated?' The answer recorded on the form submitted to PENNVEST is: 'NA.' Not 'Yes.' Not a dollar amount of ineligible costs separated. **NA.** On a change order that included ‘Fence Modifications’ and other aesthetic deviations. Buchart Horn, Inc. is identified as the Engineer on this form. PENNVEST accepted this response without inquiry. See Exhibit E.

Second: The decorative cornerstone installation ($914.00) was approved by David T. Lewis, P.E. personally via email dated January 10, 2014. The email chain — addressed to the general contractor and copied to Daniel Cargnel, P.E. — reads: 'Yes please proceed for $914.00.' Lewis, the President and General Manager holding PE048344E, personally directed the installation of a decorative precast medallion cornerstone on a federal safe drinking water treatment facility. Cargnel, holding PE039776E, received this email and certified the cost as eligible. See Exhibit F.

Third: Change Order No. 5 explicitly includes as item 5.4: 'Wrap Chem Room Vent Pipes in Copper.' This change order was prepared by Buchart Horn, Inc. as engineer of record and submitted to PENNVEST. The copper vent pipe wrapping is justified in subsequent documentation as 'improve the appearance of the vent pipes'. See Exhibit G.

Fourth: Fence modification change orders totaling $1,877.00 were emailed directly to Cargnel with Lewis copied. Removal of the plywood paneling for $3,662.00 was similarly submitted to Cargnel for approval. See Exhibit H.

The documentary record establishes that Daniel A. Cargnel, P.E. (PE039776E) was the direct recipient of many aesthetic change order requests. David T. Lewis, P.E. (PE048344E) personally approved the decorative cornerstone. Buchart Horn prepared the

change order form that declared ineligible costs as NA to PENNVEST. These are not ambiguous accounting entries. They are emails. They have dates. They have names. They have dollar amounts. They were submitted to PENNVEST on a form that asked specifically whether ineligible costs had been separated and received the answer NA.

The Commission is respectfully requested to consider what the word NA means on a federal Safe Drinking Water Fund change order supplement form when the change order simultaneously includes copper pipe wrapping for appearance, floor painting, fence work, and a decorative cornerstone — and when the engineer who declared NA collected $960,551.00 in engineering fees on the same project. See Exhibit I.

IV. THE DOCUMENTED PATTERN OF MISREPRESENTATION

The three loans present a documented pattern that this Commission cannot overlook in evaluating the legitimacy of the current surcharge:

- Loan 80180: PENNVEST board approval obtained for 6.0 MGD. 4.0 MGD delivered. Full $15,250,000 retained. Surcharge implemented.
- Loan 85182: Funding agreement certified current user fees sufficient. Surcharge increased 18.4% immediately after project completion.
- Loan 12823: Public notice to DEP certified no user fee impacts. Surcharge increased from $9.69 to $9.92 effective February 1, 2026.

Three loans. Three categories of misrepresentations to state agencies that ratepayer fees would be benefited, not be impacted, or that current fees were sufficient. Three rate increases.

Before addressing the individual loan misrepresentations, the Commission must understand what the Loan 80180 funding agreement itself — signed May 15, 2012 — documents on its face. Exhibit C of that agreement contains two descriptions of the project separated by a single heading change:

- Description of Project at Board Approval: 'The project will expand the treatment plant's capacity to 6.0 MGD and will provide improvements to the existing equipment for the safe and efficient operation of the treatment plant.'
- Description of Project at Settlement: 'The project will expand the treatment plant's capacity to 4.0 MGD and will provide improvements to the existing equipment for the safe and efficient operation of the treatment plant.'

This is not Complainant's interpretation. This is not Lewis's admission in a data request. This is PENNVEST's own executed funding agreement documenting in sequential paragraphs that the project approved by the PENNVEST Board at 6.0 MGD was settled at 4.0 MGD — while the full $15,250,000 loan amount was retained without adjustment. The funding agreement PENNVEST executed on May 15, 2012 contains both descriptions simultaneously. PENNVEST signed a document acknowledging the scope reduction and

funded the full amount anyway. No explanation for this decision has ever been produced in any regulatory proceeding.

A further conflict of interest runs through all three transactions. Buchart Horn, Inc. — the engineering firm employing Daniel A. Cargnel, P.E., the engineer of record across all three loans — billed engineering fees on each loan it certified as eligible. The project cost breakdowns across all three loans document the following architecture and engineering fees paid to Buchart Horn through PENNVEST ratepayer-funded loans:

- Loan 80180: $960,551.00 in PENNVEST-funded engineering fees plus $133,943.00 from other sources — totaling $1,094,494.00 — on a project that delivered 67% of promised capacity and won the 2017 ACEC/PA Diamond Honor Award for architectural excellence
- Loan 85182: $333,594.00 in engineering fees
- Loan 12823: **$187,058.00** in engineering fees — for a project PaDEP classified as three separate ***minor*** modification permits for routine tank painting. See Exhibit J.

Total engineering fees paid to Buchart Horn through PENNVEST ratepayer surcharges across all three loans: $1,481,203. One point four eight million dollars. To the same firm. Certifying its own work eligible. Across fourteen years. While ratepayers funded every dollar through surcharges, each increase preceded by assurances of no rate impacts.

The conflict of interest is structural and self-perpetuating. Buchart Horn designs the project, certifies costs as eligible, collects engineering fees funded through the loan, then designs the next project when the prior loan's failure to deliver promised scope necessitates additional work. Each loan failure generates the next loan. Each loan generates additional engineering fees. Ratepayers are the only party in this cycle who bear cost without receiving benefit.

Loan 12823's cost breakdown further documents $15,000 in legal fees funded through the PENNVEST loan. Columbia Water will now incur additional legal fees defending this proceeding — costs potentially recoverable as operating expenses in future rate proceedings. Ratepayers therefore face the prospect of having funded the lawyers who closed the disputed loan, and subsequently funding the lawyers defending the surcharge that loan generates, while having no mechanism to recover surcharge payments if this proceeding resolves in Complainant's favor.

David T. Lewis, P.E. is the common signatory across all three transactions in his capacity as President, General Manager, and licensed professional engineer. Daniel A. Cargnel, P.E. of Buchart Horn is the engineer of record across all three loans. Professional engineering complaints against both licensees — PE048344E and PE039776E respectively — are currently pending before the Pennsylvania Department of State, Professional Compliance Office, Case No. CP_26_004215, filed March 4, 2026.

The Commission is asked to consider whether ratepayers should continue funding a surcharge premised on representations that, across three separate financing transactions spanning fourteen years, have proven to be systematically inconsistent with subsequent rate actions.

V. WATER QUALITY FAILURE AND THE CONSTITUTIONAL DIMENSION

CWC's stated justification for PENNVEST Loan 80180 included the need to meet water quality requirements. The public water system monitoring data for CWC (PWSID 7360123) demonstrates that water quality has materially deteriorated following the completion of the loan-funded upgrades.

CWC's own public water system monitoring records under PWSID 7360123 document the following trihalomethane (TTHM) results within the current monitoring framework:

- Location 704, July 2025: 91.5 ppb — exceeding the federal MCL of 80 ppb
- Location 704, October 2025: 109.0 ppb — 36% above the federal MCL of 80 ppb
- Location 701, July 2025: 80.5 ppb – exceeding the federal MCL of 80 ppb

The federal maximum contaminant level for total trihalomethanes is 80 ppb. 109.0 ppb is not a close call. These are documented regulatory violations within CWC's own required monitoring submissions. A project certified as necessary to meet water quality requirements has been followed by documented federal MCL exceedances regarding the same treatment facility. The Commission need not resolve causation at this stage. The violations are in the record. Ratepayers are paying an increased surcharge for water that fails federal safety standards. See Exhibit K.

This Commission's own Focused Management and Operations Audit of CWC, Docket No. D-2025-3053425 (issued August 2025, approved 5-0), documented the following findings:

- CWC's current main replacement rate of 0.3 miles per year equates to a 570-year replacement cycle for the full distribution system.
- CWC's planned 2025-2029 replacement rate of 0.23 miles per year equates to a 715-year replacement cycle — the rate is decreasing, not improving.
- 26% of CWC's distribution system — approximately 43 miles of main — is of unknown pipe material type.
- Unaccounted-for-water has increased from 11.8% in 2020 to 13.5% in 2024.

CWC's Implementation Plan response to Recommendation V-1, filed September 2025 and accepted by this Commission, states the following in defense of the 715-year replacement rate: 'The current mains are providing excellent service as evidenced by our low unaccounted for water rates, low main-breaks-per-mile rates, excellent water quality history and low service interruption history.'

One month after CWC certified 'excellent water quality history' to this Commission, Location 704 recorded 109.0 ppb — 36% above the federal MCL. Unaccounted-for-water

was 13.5% at the time of the certification — a five-year high, not a low. The Commission accepted this implementation plan. Tariff Supplement 138 became effective four months later.

CWC's Implementation Plan response to Recommendation V-1 further states: 'Accelerating the replacement of these water mains simply because of their age or material type, in the absence of negative service or water quality issues, will simply put upward pressure on the rates of our customers without any measurable improvement in the service they are currently receiving.'

This statement was filed the same month Tariff Supplement 138 was being prepared — a surcharge increase not for pipe replacement, but for tank painting. CWC simultaneously argued that replacing aging infrastructure of unknown material would put upward pressure on rates, while implementing a surcharge increase for routine O&M activity financed as 20-year capital debt. The rate pressure CWC declined to impose for lead pipe identification it willingly imposed for tank recoating.

CWC's Implementation Plan response to Recommendation V-2 accepts the recommendation to identify unknown pipe material and commits to a GIS update by September 30, 2026 — eighteen months after the audit identified 43 miles of unknown pipe material. Under the Lead and Copper Rule Revisions effective 2024, those 43 miles default to lead classification today. CWC's response to a federal lead pipe identification mandate is a GIS update scheduled for eighteen months hence, with no remediation timeline.

Under the Lead and Copper Rule Revisions (LCRI) effective 2024, unknown service lines default to lead classification for regulatory purposes. CWC's own management audit — commissioned and accepted by this Commission — documents that 26% of its distribution system is of unknown material now legally presumed to constitute lead pipe. This Commission voted 5-0 to accept CWC's implementation plan in September 2025. Four months later, Tariff Supplement 138 increased ratepayer costs.

Article I, Section 27 of the Pennsylvania Constitution guarantees to the people the right to clean air, pure water, and the preservation of natural, scenic, historic, and aesthetic values of the environment. It is a profound constitutional irony that CWC has invoked historic and aesthetic preservation to justify copper pipe wrapping, specialty colored roof hatches, and vestibule floor painting as eligible drinking water costs — while the constitutional guarantee of pure water is being delivered at increasing cost through pipes that are 26% unknown material, with TTHM levels 36% above the federal legal limit, and a 715-year pipe replacement timeline.

Finally, Complainant respectfully draws the Commission's attention to the federal dimension of this matter. PENNVEST's Safe Drinking Water Fund is capitalized in part through federal grants administered under the Drinking Water State Revolving Fund (DWSRF) program pursuant to the Safe Drinking Water Act, 42 U.S.C. § 300j-12. Federal DWSRF program requirements restrict eligible project costs to improvements that facilitate compliance with national primary drinking water regulations or that significantly further

the health protection objectives of the Safe Drinking Water Act. The documented aesthetic expenditures certified as eligible costs under Loan 80180 — specialty colored roof hatches justified as 'improve appearance,' copper vent pipe wrapping justified as 'improve appearance,' vestibule floor painting justified as 'improve appearance,' and decorative cornerstone installation — do not satisfy federal DWSRF eligibility requirements by any reasonable interpretation of the program's statutory purpose. PENNVEST's acceptance of these costs as eligible, and its retention of the full $15,250,000 loan amount following a 33% scope reduction, raises questions about whether federal DWSRF program certifications accurately reflected the project as constructed. This Commission is respectfully requested to consider whether ratepayer surcharge recovery is appropriate for costs that are ineligible not only under PENNVEST program guidelines but under the federal statutory framework that capitalizes the program. Complainant separately will refer this matter to the United States Environmental Protection Agency Office of Inspector General for review of potential DWSRF program compliance issues.

Three state agencies — PENNVEST, PaDEP, and this Commission — have each separately interacted with Columbia Water Company's capital program. None has connected the pattern across all three loans. None has cross-referenced the sufficiency certifications against the subsequent surcharge increases. None has connected the water quality deterioration to the loan justifications. The constitutional right to pure water is not served by institutional silos that permit a utility to make contradictory representations to separate agencies without any single forum connecting the whole picture. This Commission has that authority. This petition asks it to exercise it.

VI. ARGUMENT

A. Likelihood of Success on the Merits

Complainant demonstrates substantial likelihood of success on the merits. The documentary record — drawn entirely from CWC's own documents, PENNVEST funding agreements, PaDEP public notices, Commission data request responses, and this Commission's own management audit — establishes:

- A 33% scope reduction on Loan 80180 with no corresponding cost reduction and $488,296.40 in unreconciled funds;
- Ineligible aesthetic expenditures certified as eligible drinking water costs;
- A sufficiency certification on Loan 85182 followed immediately by an 18.4% surcharge increase;
- A public representation to PaDEP of no user fee impacts from Loan 12823 followed by Tariff Supplement 138;
- Water quality deterioration involving TTHM level exceedances following upgrades certified as necessary to meet water quality requirements;
- This Commission's own documented findings of a 715-year pipe replacement rate and 26% unknown pipe material.

The foundational $8.18 per month surcharge — the base upon which $9.69 and now $9.92 have been stacked — was never adjudicated before this Commission in a proceeding that examined the legitimacy of the underlying loan. Until C-2026-3060873 is resolved, that foundation remains unexamined. Surcharge recovery premised on an unexamined foundation warrants suspension.

B. Irreparable Harm

Ratepayers cannot recover surcharge payments once made. Unlike a utility, which may seek future rate relief if a stay is wrongly granted, individual residential ratepayers have no mechanism to recover amounts paid under a surcharge subsequently found to be improperly authorized. Every billing cycle in which Tariff Supplement 138 remains in effect transfers money from ratepayers to Respondent that cannot be returned.

CWC serves a service territory that includes some of the most economically vulnerable communities in Lancaster County. The cumulative burden of three stacked PENNVEST surcharges on residents with limited disposable income constitutes irreparable harm that cannot be remedied by a post-hoc rate adjustment.

C. Balance of Harms

The balance of harms weighs decisively in favor of the stay. If the stay is granted and Complainant ultimately does not prevail, CWC may seek recovery of deferred surcharge revenue through normal rate proceedings. The utility suffers a delay in revenue collection, not a permanent loss.

If the stay is denied and Complainant prevails, ratepayers have permanently lost the surcharge payments collected during the pendency of this proceeding. There is no mechanism for refund. The asymmetry of harm is clear.

A further asymmetry compounds this inequity. Respondent will incur legal fees defending this proceeding. Under standard utility ratemaking practice, a utility's prudently incurred legal expenses are recoverable as operating costs in future rate proceedings. Ratepayers therefore face the prospect of funding both the disputed surcharge during the pendency of this proceeding and the legal costs Respondent incurs to defend it. The same ratepayers who cannot recover overpaid surcharge amounts may ultimately be required to subsidize the attorneys retained to oppose their petition. This Commission should weigh this compounding asymmetry in evaluating the balance of harms. A stay eliminates it entirely.

D. Public Interest

The public interest affirmatively supports the stay. The public interest is not served by permitting a utility to recover surcharge costs premised on representations to state agencies that are demonstrably inconsistent with the documentary record, while this Commission's own audit documents a 715-year pipe replacement rate and 26% unknown pipe material defaulting to lead classification.

The public interest is not served by institutional arrangements in which separate state agencies — PENNVEST, PaDEP, and this Commission — each accept representations from

the same utility without any forum connecting the contradictions across all three transactions.

The public interest is served by this Commission exercising the authority it possesses to pause cost recovery while the foundational legitimacy of that recovery is examined.

VII. RELIEF REQUESTED

Complainant respectfully requests that the Pennsylvania Public Utility Commission grant this Motion and:

- Grant an emergency supersedeas pursuant to 52 Pa. Code § 3.6 suspending Tariff Supplement 138 and the full PENNVEST surcharge pending resolution of Docket No. C-2026-3060873;
- In the alternative, order that the PENNVEST surcharge be held at $8.18 per month — the rate in effect prior to any surcharge increase attributable to the three disputed loans — pending resolution of this proceeding, on the grounds that the foundational $8.18 surcharge itself has never been adjudicated before this Commission in a proceeding examining the legitimacy of the underlying Loan 80180;
- In the further alternative, order that the PENNVEST surcharge be held at $9.69 per month pending resolution of this proceeding, preventing further collection under Tariff Supplement 138 while the Commission examines the pattern of misrepresentation across all three loans;
- Order Respondent to produce the original PENNVEST loan application for Loan No. 80180, including all project descriptions, capacity specifications, and engineering certifications submitted at the time of application, and any documentation of PENNVEST's formal approval of the scope reduction from 6.0 MGD to 4.0 MGD;
- Order Respondent to produce all documentation supporting the 'current user fees are sufficient' certification in the Loan 85182 funding agreement;
- Order Respondent to reconcile the $488,296.40 discrepancy between the Loan 80180 loan amount and the documented final contract sum;
- Order a hearing on the underlying formal complaint at C-2026-3060873 at the earliest practicable date;
- Grant such further relief as this Commission deems just and appropriate in the public interest.

VIII. CONCLUSION

Three loans. Three misrepresentations to state agencies that ratepayers would be benefited, not be impacted, or that current fees were sufficient. Three rate increases. One

engineer of record across all three. One executive signing his name to contradictory representations across fourteen years. And water quality — the stated justification for the original investment — that has gotten measurably worse.

The people of Columbia, Pennsylvania are paying $9.92 per month for a surcharge whose foundational legitimacy has never been examined, through pipes that are 26% unknown material now presumed to be lead, with TTHM levels documented at 109 parts per billion against a federal limit of 80 parts per billion.

They will not get this money back.

This Commission has the authority and the obligation to pause this collection while the record is examined. Complainant respectfully requests that this Motion be granted.

Respectfully submitted,

Adam M. Copenhaver
339 Cherry Street
Columbia, Pennsylvania 17512
adamcopenhaver22@gmail.com
(570) 452-2344
Pro Se Complainant

Date: March 06, 2026

I, Adam Copenhaver, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief). I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

06 March 2026

Date

Signature

Adam M Copenhaver

Printed Name

CERTIFICATE OF SERVICE

I hereby certify that on the date indicated below, I served a true and correct copy of the foregoing Petition for Emergency Supersedeas upon the following:

Columbia Water Company
220 Locust Street / P.O. Box 350
Columbia, Pennsylvania 17512
Attn: David T. Lewis, P.E., President and General Manager

Service was made by hand delivery.

Adam M. Copenhaver
Date: March 06, 2026

Exhibit Index:

Exhibit A – Loan 80180 - Unreconciled Discrepancy
Exhibit B – Opflow 2017 - Burchart Horn Historic Building Press Release
Exhibit C – Loan 85182 – Project Settlement/Approval of user sufficiency.
Exhibit D – LNP – Project Advisement of user sufficiency.
Exhibit E – Change Order #3 – Eligible Costs
Exhibit F – Precast Medallion/Cornerstone - Eligible Cost Email Approval Chain
Exhibit G – Copper wrapping – Eligible Costs
Exhibit H – Fence Modifications & Wall Paneling Modifications – Eligible Costs
Exhibit I – Loan 80180 – Engineering Fees
Exhibit J – PADEP SOP – Modification Minor
Exhibit K – TTHM Exceedances DWRS-PWSID Data

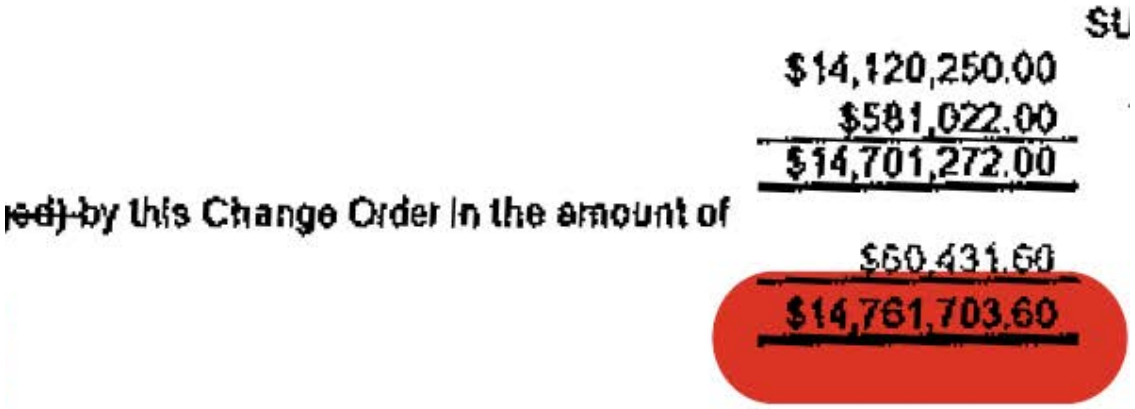
Exhibit A

PROJECT: Walnut Street Water Treatment Plant Upgrade
CONTRACT: 2012-01
CHANGE ORDER NO.: 6

ITEM NO.	DESCRIPTION	UNIT	UNIT PRICE	TOTAL UNITS ORIGINAL	TOTAL UNITS REVISED	ORIGINAL TOTAL COST	REVISED TOTAL COST	TOTAL ADDITION	TOTAL DEDUCTION
5.1	Chemical Feed Pump Control Panel Modifications					$0.00	$5,002.00	$5,002.00	
5.2	Infill Door F103					$0.00	$2,314.00	$2,314.00	
5.3	Replace Old Wood Lintel on Door F100					$0.00	$1,422.00	$1,422.00	
5.4	Wrap Chem Room Vent Pipes in Copper					$0.00	$1,155.00	$1,155.00	
5.5	Add Keypad Lock on Door F100					$0.00	$541.00	$541.00	
5.6	Special Coupling at Intake Connection					$0.00	$1,278.00	$1,278.00	
5.7	Re-Route Grit Pump Piping					$0.00	$2,513.00	$2,513.00	
5.8	Re-Route Intake Pipe and Provide Permanent Dewatering Can					$0.00	$5,914.00	$5,914.00	
5.9	Add Clean-out to RWPS Dewatering Pump Discharge					$0.00	$473.00	$473.00	
5.1	Modify Concrete Apron in Lagoon for Pipes					$0.00	$529.00	$529.00	
5.11	Remove Underground Concrete Flume, Piers, and Piping Between Lagoon and Screen Bldg					$0.00	$3,114.00	$3,114.00	
5.12	Modify Turbidity Meter Alcove					$0.00	$656.00	$656.00	
5.13	Delete Bird Control on Ice Wall					$0.00	-$1,055.00		$1,055.00
5.14	Delete Fire Extinguisher Installation					$0.00	-$850.00		$850.00
5.15	Add Inputs to PLC for Turbidity Meter Flow Switches					$0.00	$630.00	$630.00	
5.16	Install Missing Lintel Over Existing Door F108					$0.00	$3,459.00	$3,459.00	
5.17	Additional Support Beam for Grating in Screen Bldg					$0.00	$1,323.00	$1,323.00	
5.18	Extend Boiler Chimney and Add Manual Dampner on Exhaust Fan SF-7					$0.00	$3,939.60	$3,939.60	
5.19	Re-Route Filter Influent Level Sensor Signal Wire to Leopold Panel					$0.00	$2,783.00	$2,783.00	
5.20	Relocate Float Switches and Level Sensor in Sludge PS					$0.00	$1,155.00	$1,155.00	
5.21	Paint Vestibule Floor					$0.00	$1,523.00	$1,523.00	
5.22	Add Chemical Resistant Coating to RWPS First Floor					$0.00	$7,140.00	$7,140.00	
5.23	HVAC System Re-Programming					$0.00	$1,521.00	$1,521.00	
5.24	Sandblasting Paint From South Wall of Filter Building					$0.00	$1,575.00	$1,575.00	
5.25	Insulate South Interior Gable End Wall					$0.00	$562.00	$562.00	
5.26	Delete Duckbill Check Valve on 16 Inch to Lagoon					$0.00	-$260.00		$260.00
5.27	Credit Remaining from Cleaning and Re-Pointing of Chemical Storage Building					$0.00	-$695.00		$695.00
5.28	Extend Canopy over Chemical Fill Station					$0.00	$2,320.00	$2,320.00	
5.29	Additional Circuit Breakers in Chem Feed Panels					$0.00	$1,727.00	$1,727.00	
5.30	Install Two Bollards at Oil Tank Platform					$0.00	$1,213.00	$1,213.00	
5.31	Install Manual Dampers at SF-5 and SF-2					$0.00	$1,935.00	$1,935.00	
5.32	Install Temporary Screen in RWPS Wet Well					$0.00	$2,740.00	$2,740.00	
5.33	Supply and Install 2 Rows of Angle Supports at Chem Storage Bldg Canopy					$0.00	$2,835.00	$2,835.00	

		SUBTOTALS:	$63,291.60 $2,860.00
The original Contract sum was	$14,120,250.00		
Net change by previously authorized Change Orders	$581,022.00	TOTAL COST CHANGE:	$60,431.60
The Contract sum prior to this Change Order was	$14,701,272.00		
The Contract sum will be (increased) ~~(decreased)~~ ~~(unchanged)~~ by this Change Order in the amount of	$60,431.60		
The new Contract sum including this Change Order will be	$14,761,703.60		

Exhibit A.1 - Aforementioned Magnified

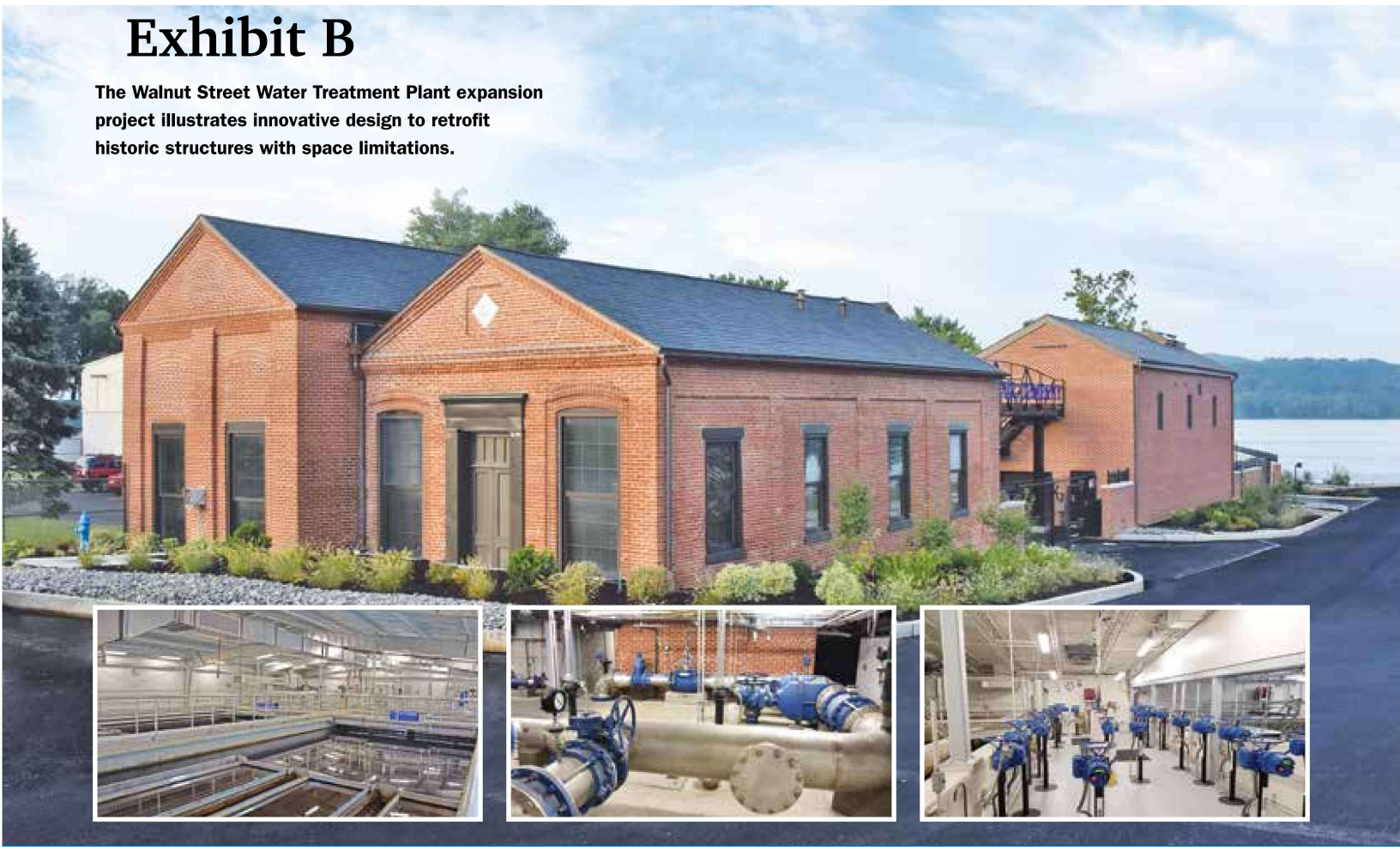


Finished Water

A PHOTOGRAPHIC PROFILE

Exhibit B

The Walnut Street Water Treatment Plant expansion project illustrates innovative design to retrofit historic structures with space limitations.



WATER TREATMENT PLANT UPGRADE SHOWCASES RETROFIT SUCCESS

Located in red-brick landmark buildings adjacent to the Susquehanna River in the historic Columbia Borough (population 10,383) of Lancaster County, Pa., Columbia Water Company's water treatment plant required upgrades and expansion to ensure safe drinking water as well as enhance plant flexibility and resiliency in the event of flooding. The company underwent a three-year, multiphase project to provide new treatment processes to double the plant's future capacity to 6 mgd.

Key elements included new raw water screening, grit removal, and pumping and new filters constructed inside the historic building. Two new flocculation/sedimentation basins were constructed, including two-stage flocculation and inclined plate settlers. All electrcal and mechanical equipment is located on the second floor to allow the plant to continue to operate through a flood event.

The project's notable achievement is its blend of advanced treatment technology and construction techniques within the scale and footprint of existing historical structures. The result is a renewed community resource that provides both architectural continuity and forward-looking resilience for water supply and quality. Other historic areas can look to the Walnut Street Water Treatment Plant project as an example of how to use creative design strategies to retrofit locations with site constraints that would otherwise limit project options.

PROJECT NAME: Walnut Street Water Treatment Plant Uprade and Expansion
OPERATOR/CONTRACTOR: Columbia Water Company
CONTRACTOR: Walabax Construction Services
DESIGNER: Buchart Horn
COMPLETION DATE: August 2016
WATER SOURCE: Susquehanna River and several deep wells
PROJECT COST: $15 million
SERVICE: 4 mgd initially, 6 mgd in the future
STAFF SIZE: 18
NUMBER OF OPERATORS: 5
AWARDS OR SPECIAL FEATURES: 2017 Diamond Honor Award for Engineering Excellence from American Council of Engineering Companies of Pennsylvania.

PHOTOS: BUCHART HORN

Exhibit C

EXHIBIT C
DESCRIPTION OF SYSTEM / PROJECT

Loan Number: 85182 **Project Number:** 361478042101-CW **Current Status:** Loan Closing

Project Title: Columbia Water Company - Intake and Distribution System Improvements

Recipient: Columbia Water Company

Owner / Operator Status

Does Recipient own the System? Yes

Does Recipient operate the System? Yes

Description of System

The system withdraws water from the Susquehanna River and uses conventional treatment to treat the water prior to distribution to the customers. The system serves approximately 10,100 customers in the boroughs of Columbia, Mountville and Marietta, and in the townships of West Hempfield, Manor, East Donegal and Hellam in Lancaster and York Counties. The system has 9 finished water tanks, 6 pumping stations and 136 miles of water main.

Description of Project

Description of Project at Board Approval

The project will construct two new intake screens with air burst and a frazil ice protection system. The water tank and valve vault piping will be recoated; grout along the foundation joint will be repaired; hatch gaskets, roof vent and overflow screens will be replaced; metal may need repaired to maintain shell thickness; all safety climb systems will be upgraded; and, an additional handrail will be installed on the roof. A new natural gas emergency/standby generator will be installed at the existing Spruce Street booster station.

This system serves 9,900 residential customers. The population impacted by this project has a median household income level greater than the state median household income level. This is an existing system, and current user fees are sufficient.

Changes to Description of Project at Settlement, If any

None.

Exhibit D

The Columbia Water Company (CWC) is applying to the Pennsylvania Department of Environmental Protection to

Staff Writer
Aug 2, 2024

The Columbia Water Company (CWC) is applying to the Pennsylvania Department of Environmental Protection to authorize a Tank Painting Project involving painting and miscellaneous repairs for three above ground water tanks in the CWC system: Columbia Tank, Columbia, PA, 17512; Manor/Mountville Tank, Mountville, PA, 17554; and Coffee Goss Tank, Marietta, PA, 17547. This project is being considered for an environmental review categorical exclusion. There will be no impacts to user fees as a result of this project. Project documents are available for review at Columbia Water Company, 220 Locust Street, Columbia, PA, 17512. Public comments must be submitted in writing within 30 days of the date of this publication and directed to: dlewis@columbiawater.net or David T. Lewis, P.E., President and General Manager, Columbia Water Company, P.O. Box 350, Columbia, PA, 17512.

First published 08/02/2024

LNP Media Group, Inc.

[

Exhibit E

BUCHART HORN, INC.
Strengthening Communities®

October 3, 2014

DEPT OF ENV PROTECTION
Safe Drinking Water Program
OCT 6 2014
909 Elmerton Avenue
Harrisburg, PA 17110-8200

Mr. Michael Hess
PA Dept of Environmental Protection
Water Supply Management Program
Southcentral Regional Office
909 Elmerton Avenue
Harrisburg, PA 17110-8200

Reference: Columbia Water Company
Walnut Street Water Treatment Plant Upgrade
Change Order No. 3

Dear Mr. Hess:

Please find attached Changer Order No. 3 and supporting documentation including: Change Order to be submitted to PENNVEST, the DEP Supplement Form, and the Technical Description of the Change Order.

Do not hesitate to contact me at 443-297-0092 if you have any questions or would like additional information.

Very truly yours,
BUCHART HORN, INC.

Daniel Cargnel, P.E.
Project Manager

cc: David Lewis, General Manager - Columbia Water Co.

Suite 305 || 3700 Koppers Street || Baltimore, MD 21227-1044
T: (410) 247-3501 || F: (410) 247-3502 || E: corpinfo@bh-ba.com
www.bh-ba.com
Pennsylvania | Louisiana | Maryland | Mississippi | New Jersey | Tennessee | West Virginia | Germany

PENNVEST / DEP CHANGE ORDER SUPPLEMENT FORM
(to accompany all change orders)

Loan No.: 80180 **Contract No.:** 2012-01
Borrower: Columbia Water Company **Contractor:** Walabax Construction Services
Municipality: Columbia Borough **Change Order No.:** 3
County: Lancaster **Change Order Amount (+/-)** + $492,407.00
Engineer: Buchart Horn, Inc. **Time Extension:** 120 **days**

1. **Who initiated the change?** Columbia Water Company

   Has it been completed? **Yes** X **No** X If Yes, date completed Some of the work was completed in the first two quarters of 2014.

2. a. **Reason for change:** ____ Time extension ____ Errors and Omissions X Design Improvements
   X Unforseen site conditions ____ Relocation of facilities
   ____ Other: _____ (name)

   b. **Explain necessity of change in detail** Refer to the attached technical description.

   c. **Does the change directly relate to work eligible under the Contract?** Yes X No ____
   If yes, reference: Plan Sheet(s) Multiple
   Specification Section(s) Multiple

   d. **Does this change relate to or is it a result of any other change orders?** Yes ____ No X
   If yes, list related change order(s): _____

3. a. **Has an itemized price breakdown been included?** Yes X No ____

   b. **How was the price determined?** Unit Price X Lump Sum X Cost Reimbursement X

   c. **Contractor's Cost Estimate** $492,407 **Engineer's Cost Estimate** $492,407

   d. **How was the final cost for the change order agreed upon?** Contractor provided proposed change orders which were reviewed by the Engineer and approved by the Owner.

   e. **Has the cost of all ineligible work been separated?** Yes ____ No ____ Amount Ineligible NA

4. **What other alternatives were considered for this change?** Alternatives to reduce the cost were considered for most of the changes.

   Why were the alternatives rejected?
   The most cost effective alternative was selected in all cases.

5. **Is there any redesign or rework involved with the change?** Yes ____ No X
   If yes, describe _____

   Cost of redesign or rework _____

Columbia Water Company – Walnut Street Water Treatment Plant Upgrade
Change Order Technical Description
Change Order No. 3

Existing:

2.1 The size roof hatch designed will make it more difficult to remove one of the Raw Water Pumps.

2.2 The existing fence would have obscured the view of one of the restored historic building.

2.3 The chemical containment piping was specified to be clear.

2.4 No corner stone was included in the design to indicate the date of renovation of the building.

2.5 In the original design, the duct work would have interfered with head space at the elevated walkway.

2.6 The original design was based on two of the existing filter tanks remaining in-place.

2.7 The seals for the High service Pumps were changed from mechanical seals to packing. No seal drain piping was provided.

2.8 Last winter snow slid off the roof onto the walkway below.

2.9 As designed, the connection to the existing water main would not have allowed flexibility during start-up of the system.

2.10 The plywood on the interior walls is damaged from previous floods, but was to remain.

2.11 The flange coupling adapters specified were not suitable to restrain stainless steel pipe.

2.12 The design for the small shed roof off the Filter Building was for membrane roofing.

2.13 The roof hatches could not be located over the future High Service Pump location due to a valley in the roof.

2.14 A drop ceiling was to be added over Filter No. 1 and 2.

2.15 The watertight hatches on the wetwell were not allowing adequate air flow to vent the wetwell.

2.16 The existing wetwell was found to be constructed of loose laid bricks and was not suitable as a foundation for the new Pump Station

Purpose:

2.1 Make it easier to remove the Raw Water Pumps.

2.2 Improve the appearance of plant.

Exhibit F

[redacted]

Cargnel, Daniel

From: estimating@walabax.com
Sent: Monday, July 14, 2014 2:07 PM
To: Cargnel, Daniel
Subject: Fwd: RE: Precast Medallion

Dan,
Below is the info on the precast cornerstone.

Jim

---------- Original Message ----------
From: Dave Lewis <dlewis@pa.net>
To: estimating@walabax.com
Cc: "'Cargnel, Daniel'" <dcargnel@BH-BA.com>, cnapolitan@pa.net
Date: January 10, 2014 at 8:34 AM
Subject: RE: Precast Medallion

Jim,

Yes please proceed for $914.00.

Thank you,

Dave

From: estimating@walabax.com [mailto:estimating@walabax.com]
Sent: Thursday, January 09, 2014 8:54 AM
To: Dave Lewis
Subject: RE: Precast Medallion

Dave,
The total cost from the mason to furnish and install this precast cornerstone is $ 914.00. Please advise if we should proceed with this.

Jim Howard
Walabax Construction Services, Inc.

On December 30, 2013 at 10:32 AM Dave Lewis <dlewis@pa.net> wrote:

Jim,

Attached is a sketch of the precast cornerstone that gives wording and size.

Thanks,

Dave

David T. Lewis, P.E.
Vice-President and
General Manager
(717) 684-2188
(717) 684-4566 (fax)

Columbia Water Company
220 Locust Street
P.O. Box 350
Columbia, PA 17512

From: estimating@walabax.com [mailto:estimating@walabax.com]
Sent: Wednesday, December 11, 2013 4:15 PM
To: Cargnel, Daniel; Davis Lewis Columbia Water Co
Cc: cnapolitan@pa.net
Subject: Precast Medallion

Dan/Dave,

Attached is the shop drawing for the precast medallion located at the gable end of the Filter Building addition. Please review and let me know if this is OK to release for fabrication.

Also, can you supply us with a sketch of the precast cornerstone including size and wording ?

Jim Howard
Walabax Construction Services, Inc.

Ryk Smith 9/21/2015, 7:22 AM

RE: RE: Copper roof vent caps

To - Walabax Construction

Jim,

To wrap 2 vent pipes and cap with a copper cap ($1,100.00)

~~To supply and install shingles, fascia a soffit on the canopy ($525.00)~~

Ryk Smith
Estimator
Richard L Sensenig Co.
717 733 0364
ryks@rsensenig.com

Sensenig Cost 1,100
+5% Walabax O:P 55

TOTAL COST $1,155.00

Proposed:

5.1 Rewire relays in control panel.

5.2 Infill door with block and brick.

5.3 Remove the old wooden lintel and install a new steel lintel.

5.4 Wrap the PVC vent pipes in copper.

5.5 Install a keypad so anyone that knows the code can open the door.

5.6 Provided special couplings for the connection.

5.7 The piping had to be re-routed to allow the pump to be moved.

5.8 Re-align the new pipe to connect to the existing pipe and provide a permanent dewatering can.

5.9 Add a cleanout to the RWPS dewatering pump discharge.

5.10 Cut the lagoon apron, install pipes and restore lagoon apron.

5.11 Concrete was removed.

5.12 Frame the ceiling with metal studs and install dry wall.

5.13 Get a credit for deletion of the bird control spikes.

5.14 Get a credit from the contractor for the fire extinguisher installation.

5.15 Add inputs to the main control panel for the turbidimeter flow switches.

5.16 Add a lintel for door F108.

5.17 Add an additional support beam for the grating.

5.18 Extend the boiler chimney and add a manual dampner on Exhaust Fan SF-7.

5.19 Move the filter influent level sensor wiring to the filter control panel.

5.20 Relocate the sensor and switches.

5.21 Paint the floor to improve the appearance.

5.22 Provide a chemical resistant coating on the floor.

5.23 Program the system to put a small amount of flow through each coil in freezing temperatures.

5.24 Paint was sandblasted from the building.

5.21 The appearance of the vestibule floor was not acceptable.

5.22 Permanganate spillage was staining the concrete floor.

5.23 There was a risk of the heating coils freezing at several locations.

5.24 Old paint remained on the south wall of the filter building.

5.25 The gable end wall of the attic was not insulated in the contract.

5.26 The duckbill check valve on the pipe into the lagoon was not required.

5.27 Repointing of the entire chemical storage building was not required, but other masonry repairs were required.

5.28 The canopy over the truck unloading station did not extend to cover the control panel.

5.29 The circuit breakers in 2 chemical feed panels were improperly sized.

5.30 Owner concerned about damage to the piping at the oil storage tank.

5.31 Chemical feed room ventilation not design to provide return air recirculation.

5.32 Leaves and debris were clogging the raw water pumps prior to the traveling screen being installed.

5.33 New angle supports were required to extend the truck unloading canopy.

Purpose:

5.1 Change the voltage to 24 V.

5.2 Provide room for conduits and piping.

5.3 Provide a suitable lintel for the new design.

5.4 Improve the appearance of the vent pipes.

5.5 Eliminate the need for everyone to have a key to the door.

5.6 Allow connection of the piping.

5.7 Relocate grit pump to take advantage of the existing sump.

5.8 Allow connection of the new intake pipe to the existing intake pipe and provide a permanent means of dewatering for excavation in the future.

5.9 Provide a means of cleaning out the RWPS dewatering pump discharge.

PENNVEST / DEP CHANGE ORDER SUPPLEMENT FORM
(to accompany all change orders)

Loan No.: 80180 **Contract No.:** 2012-01
Borrower: Columbia Water Company **Contractor:** Walabax Construction Services
Municipality: Columbia Borough **Change Order No.:** 5
County: Lancaster **Change Order Amount (+/-)** + $60,431.60
Engineer: Buchart Horn, Inc. **Time Extension:** 0 **days**

1. **Who initiated the change?** Columbia Water Company
   Has it been completed? **Yes** X **No** X If Yes, date completed Over the past 6 months

2. a. **Reason for change:** ___ Time extension X Errors and Omissions X Design Improvements
   X Unforseen site conditions ___ Relocation of facilities
   ___ Other: _____ (name)

   b. **Explain necessity of change in detail** Refer to the attached technical description.

   c. **Does the change directly relate to work eligible under the Contract?** Yes X No ___
   If yes, reference: Plan Sheet(s) Multiple
   Specification Section(s) Multiple

   d. **Does this change relate to or is it a result of any other change orders?** Yes ___ No X
   If yes, list related change order(s): _____

3. a. **Has an itemized price breakdown been included?** Yes X No ___

   b. **How was the price determined?** Unit Price X Lump Sum X Cost Reimbursement X

   c. **Contractor's Cost Estimate** $60,431.60 **Engineer's Cost Estimate** $60,431.60

   d. **How was the final cost for the change order agreed upon?** Contractor provided proposed change orders which were reviewed by the Engineer and approved by the Owner.

   e. **Has the cost of all ineligible work been separated?** Yes ___ No ___ Amount Ineligible NA

4. **What other alternatives were considered for this change?** Alternatives to reduce the cost were considered for most of the changes.
   Why were the alternatives rejected?
   The most cost effective alternative was selected in all cases.

5. **Is there any redesign or rework involved with the change?** Yes ___ No X
   If yes, describe _____

   Cost of redesign or rework _____

BUCHART HORN
ENGINEERS · ARCHITECTS · PLANNERS

PWS File 2 e
PWSID No. 7360123
Lancaster Co.

May 27, 2016

DEPT OF ENV PROTECTION
Safe Drinking Water Program
JUN 9 2016
909 Elmerton Avenue
Harrisburg, PA 17110-8200

Mr. Michael Hess
PA Dept of Environmental Protection
Water Supply Management Program
Southcentral Regional Office
909 Elmerton Avenue
Harrisburg, PA 17110-8200

Reference: Columbia Water Company
Walnut Street Water Treatment Plant Upgrade
Change Order No. 5

Dear Mr. Hess:

Please find attached Changer Order No. 5 and supporting documentation including: Change Order to be submitted to PENNVEST, the DEP Supplement Form, and the Technical Description of the Change Order.

Do not hesitate to contact me at 443-297-0092 if you have any questions or would like additional information.

Very truly yours,
BUCHART HORN, INC.

Daniel Cargnel, P.E.
Project Manager

cc: David Lewis, General Manager - Columbia Water Co.

Suite 540 · 3700 Koppers Street · Baltimore, MD 21227-1019
T: (410) 247-3501· F: (410) 247-3502 · www.bucharthorn.com

PROJECT: Walnut Street Water Treatment Plant Upgrade
CONTRACT: 2012-01
CHANGE ORDER NO.: 5

TOTAL DAYS CONTRACT ALTERED BY THIS CHANGE: 0

REASON: _____

SUMMARY CONTRACT TIME

PRESENT CONTRACT TIME:	**877** CALENDAR DAYS	SUBSTANTIAL COMPLETION:	October 31, 2014
THIS CHANGE:	**0** CALENDAR DAYS		
REVISED CONTRACT TIME:	**877** CALENDAR DAYS	REVISED SUBSTANTIAL COMPLETION:	October 31, 2014

APPROVED: Buchart Horn, Inc.

Daniel Cargnel, P.E., Project Manager

DATE: May 23, 2016

APPROVED: Walabax Construction Services, Inc.

Kevin E. Smith, President

DATE May 23, 2016

APPROVED: Columbia Water Company

Donald H. Nikolaus, President 5/24/16

DATE 5/24, 2016

Exhibit H

ATTACHMENT 2

Cargnel, Daniel

From: estimating@walabax.com
Sent: Monday, January 20, 2014 12:01 PM
To: Cargnel, Daniel
Cc: Davis Lewis Columbia Water Co; cnapolitan@pa.net
Subject: Fence Changes

Dan,

The cost to remove 40' of existing fence in front of the Chemical Storage Building and install (4) new posts and re-install existing fabric and rails would be $ 1,419.00.

The cost to install (1) new end post and reinstall the existing fence where the new Ice Wall intersects the existing chain link fence would be $ 458.00.

Please advise if you wish to proceed with this work.

Jim Howard
Walabax Construction Services, Inc.

ATTACHMENT 10

Cargnel, Daniel

From: estimating@walabax.com
Sent: Wednesday, April 09, 2014 11:58 AM
To: Cargnel, Daniel
Cc: Davis Lewis Columbia Water Co; cnapolitan@pa.net
Subject: Plywood Removal at Chemical Storage Building

Dan,

The total cost to remove the plywood paneling in Room C103 of the Chemical Storage Building is $ 3,662.

Jim Howard
Walabax Construction Services, Inc.
(P) 215-721-6446

Exhibit I

EXHIBIT I
PROJECT COST BREAKDOWN

Loan Number: 80180 **Project Number:** 36027021108-CW **Current Status:** Loan Closing

Project Title: Columbia Water Company - Walnut Street Water Treatment Plant Upgrade

Funding Recipient: COLUMBIA WATER COMPANY

Project Cost Breakdown

	Total Approved By Board [Original + Amendments]			Total Cost Pending Approval			Final Costs at Settlement			Required Adjustments to
Cost Category	PENNVEST Funding -A-	Other Sources -B-	Total -C(A+B)-	PENNVEST Funding -D-	Other Sources -E-	Total -F(D+E)-	PENNVEST Funding -G-	Other Sources -H-	Total -L(G+H)-	PENNVEST Funding -J(A-G)-
1. Administrative Costs	$20,000.00	$0.00	$20,000.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$20,000.00
2. Legal Fees	$69,000.00	$0.00	$69,000.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$69,000.00
3. Financing / Accounting Charges	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
4. Interest During Construction	$625,000.00	$0.00	$625,000.00	$0.00	$0.00	$0.00	$465,600.00	$0.00	$465,600.00	$159,400.00
5. Architecture/Engineering Fees	$928,000.00	$0.00	$928,000.00	$0.00	$0.00	$0.00	$960,551.00	$133,943.00	$1,094,494.00	($32,551.00)
6. Permits	$8,000.00	$0.00	$8,000.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$8,000.00
7. Land	$100,000.00	$0.00	$100,000.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$100,000.00
8. Construction	$13,500,000.00	$0.00	$13,500,000.00	$0.00	$0.00	$0.00	$13,822,824.00	$297,426.00	$14,120,250.00	($322,824.00)
9. Contingency [5.00%]	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$1,025.00	$0.00	$1,025.00	($1,025.00)
10. Other	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
TOTAL	$15,250,000.00	$0.00	$15,250,000.00	$0.00	$0.00	$0.00	$15,250,000.00	$431,369.00	$15,681,369.00	$0.00

Exhibit I.1 - Aforementioned Magnified

	Total Approved By Board [Original + Amendments]			Total Cost Pending Approval			Final C
Cost Category	PENNVEST Funding -A-	Other Sources -B-	Total -C(A+B)-	PENNVEST Funding -D-	Other Sources -E-	Total -F(D+E)-	PENNVEST Funding -G-
1. Administrative Costs	$20,000.00	$0.00	$20,000.00	$0.00	$0.00	$0.00	$0.00
2. Legal Fees	$69,000.00	$0.00	$69,000.00	$0.00	$0.00	$0.00	$0.00
3. Financing / Accounting Charges	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
4. Interest During Construction	$625,000.00	$0.00	$625,000.00	$0.00	$0.00	$0.00	$465,600.00
5. Architecture/Engineering Fees	$928,000.00	$0.00	$928,000.00	$0.00	$0.00	$0.00	$960,551.00

Exhibit J

TABLE 1: EXAMPLES OF MAJOR AND MINOR MODIFICATIONS AND MODIFICATIONS NOT REQUIRING A PERMIT		
MAJOR MODIFICATIONS	***MINOR MODIFICATIONS***	***MODIFICATIONS NOT REQUIRING PERMIT***
New Sources	Changes in treatment chemicals, except where otherwise specified	Changes in chemical brand to perform the same function
Addition, deletion or modification of treatment techniques or processes	Replacement of storage tank or reservoir linings or similar materials in contact with the water supply	Replacement of like for like (e.g. replacement of submersible pumps or chemical feed pumps with same capacity)
Pumping Stations	Covering of reservoirs	Waterline extensions
Storage Reservoirs	Construction of prefabricated storage tanks and standpipes to standard specifications	Water main extensions with no potential to adversely affect water quality or quantity
Mixing systems to meet an MCL (e.g. TTHM/HAA5 MCL)	Transmission mains	Modifications to buildings or electrical components, where the modifications do not affect the safety, security, and operations of the public water system
Increases in source or plant capacity	Interconnections	
Conversion to the following disinfection practices: gas, chloramines, ozone and chlorine dioxide	Water main extensions with the potential to adversely affect water quality (e.g. increase DBPs, deplete disinfectant residuals) or quantity (e.g. cause diminution or pressure problems)	
	Mixing systems to minimize deicing	
	Conversion from gas to liquid (disinfection)	
	Bulk water loading stations	
	Changes in legal status, such as transfers of ownership, incorporation or mergers	
	Deletion of sources	
	Installation of contact piping to meet CTs	
	Moving chemical application points	

Exhibit K

Detail Sample Information: 01JAN2025 - 31DEC2025

Sample Location	Contaminant ID	Analysis Result	MCL In Effect	Sample Date
704	BROMOFORM (THM)	0.001	.	10/14/2025
704	BROMODICHLOROMETHANE (THM)	0.0211	.	10/14/2025
704	CHLORODIBROMOMETHANE (THM)	0.0094	.	10/14/2025
704	TRIHALOMETHANES (TTHM)	0.109	0.08	10/14/2025

Detail Sample Information: 01JAN2025 - 31DEC2025

Sample Location	Contaminant ID	Analysis Result	MCL In Effect	Sample Date
300	SUVA	1.72	.	06/24/2025
300	SUVA	2.82	.	06/24/2025
300	ALKALINITY - TOTAL	72.6	.	07/07/2025
300	DOC	1.69	.	07/07/2025
300	DOC	2.73	.	07/07/2025
300	TOC	1.35	.	07/07/2025
300	TOC	2.35	.	07/07/2025
300	UV254	0.022	.	07/07/2025
300	UV254	0.07	.	07/07/2025
300	SUVA	1.3	.	07/07/2025
300	SUVA	2.58	.	07/07/2025
701	MONOCHLOROACETIC ACID (HAA)	0	.	07/14/2025
701	DICHLOROACETIC ACID (HAA)	0.0268	.	07/14/2025
701	TRICHLOROACETIC ACID (HAA)	0.0215	.	07/14/2025
701	MONOBROMOACETIC ACID (HAA)	0	.	07/14/2025
701	DIBROMOACETIC ACID (HAA)	0	.	07/14/2025
701	HALOACETIC ACIDS (HAA5)	0.0483	0.06	07/14/2025
701	CHLOROFORM (THM)	0.0638	.	07/14/2025
701	BROMOFORM (THM)	0	.	07/14/2025
701	BROMODICHLOROMETHANE (THM)	0.0133	.	07/14/2025
701	CHLORODIBROMOMETHANE (THM)	0.0034	.	07/14/2025
701	TRIHALOMETHANES (TTHM)	0.0805	0.08	07/14/2025
702	MONOCHLOROACETIC ACID (HAA)	0	.	07/14/2025
702	DICHLOROACETIC ACID (HAA)	0.025	.	07/14/2025
702	TRICHLOROACETIC ACID (HAA)	0.0282	.	07/14/2025
702	MONOBROMOACETIC ACID (HAA)	0	.	07/14/2025

Detail Sample Information: 01JAN2025 - 31DEC2025

Sample Location	Contaminant ID	Analysis Result	MCL In Effect	Sample Date
704	BROMODICHLOROMETHANE (THM)	0.0121	.	07/14/2025
704	CHLORODIBROMOMETHANE (THM)	0.0026	.	07/14/2025
704	TRIHALOMETHANES (TTHM)	0.0915	0.08	07/14/2025
300	ALKALINITY - TOTAL	84	.	10/07/2025
300	DOC	1.36	.	10/07/2025
300	DOC	2.01	.	10/07/2025
300	TOC	1.29	.	10/07/2025
300	TOC	2.02	.	10/07/2025
300	UV254	0.017	.	10/07/2025
300	UV254	0.044	.	10/07/2025
300	SUVA	1.25	.	10/07/2025
300	SUVA	2.19	.	10/07/2025
701	MONOCHLOROACETIC ACID (HAA)	0	.	10/14/2025
701	DICHLOROACETIC ACID (HAA)	0.0144	.	10/14/2025
701	TRICHLOROACETIC ACID (HAA)	0.00923	.	10/14/2025
701	MONOBROMOACETIC ACID (HAA)	0	.	10/14/2025
701	DIBROMOACETIC ACID (HAA)	0.0019	.	10/14/2025
701	HALOACETIC ACIDS (HAA5)	0.0255	0.06	10/14/2025
701	CHLOROFORM (THM)	0.035	.	10/14/2025
701	BROMOFORM (THM)	0	.	10/14/2025
701	BROMODICHLOROMETHANE (THM)	0.0147	.	10/14/2025
701	CHLORODIBROMOMETHANE (THM)	0.0078	.	10/14/2025
701	TRIHALOMETHANES (TTHM)	0.0575	0.08	10/14/2025
702	MONOCHLOROACETIC ACID (HAA)	0	.	10/14/2025
702	DICHLOROACETIC ACID (HAA)	0.0165	.	10/14/2025
702	TRICHLOROACETIC ACID (HAA)	0.0102	.	10/14/2025