

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

Public Meeting held April 16, 2026

Commissioners Present:

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

Application of Pennsylvania-American Water
Company – Wastewater Division for approval of the
right to offer, render, furnish or supply wastewater
service to the public in an additional portion of
Newberry Township, York County, Pennsylvania

Docket No.
A-2025-3057974

ORDER

BY THE COMMISSION:

By the application (Application) filed with the Pennsylvania Public Utility Commission (Commission) on October 14, 2025, Pennsylvania-American Water Company – Wastewater Division (PAWC-WD), Utility Code 230073, 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 PAWC-WD's right to offer, render, furnish or supply wastewater service to the public in an additional portion of Newberry Township, York County, Pennsylvania.

I. AFFECTED ENTITIES AND BACKGROUND

PAWC-WD is a regulated public utility company, duly organized and existing under the laws of the Commonwealth with a mailing address of 852 Wesley Drive, Mechanicsburg, Pennsylvania 17055. PAWC-WD provides wastewater service to approximately 116,367 customers throughout Pennsylvania, including portions of Newberry Township, York County. PAWC-WD is a division of Pennsylvania-American

Water Company (PAWC), Utility Code 212285. PAWC provides water service throughout the Commonwealth and is a wholly owned subsidiary of American Water Works Company, Inc.

Escambia Properties, LLC (Developer) is a limited liability company with a mailing address of 18 Sage Crest Circle, Enola, Pennsylvania 17025. The Developer requested that PAWC-WD provide public wastewater service to a proposed residential development in Fairview and Newberry Townships, York County, called Southern Crossings (Development). A copy of a letter from Integrated Consulting LLC on behalf of the Developer sent to PAWC-WD requesting wastewater service, dated March 24, 2023, was provided as the Application's Exhibit E. In supplemental information filed with the Commission, PAWC-WD indicated the Development will include 99 homes in Newberry Township, York County, to be constructed in Phase II of the Development. Phase I will include 100 homes that will be constructed in a portion of Fairview Township, York County, that is already part of PAWC-WD's certificated service territory. PAWC-WD indicated that PAWC will provide water service in the requested territory, and PAWC has filed a separate application for Commission approval to provide water service to the requested territory.¹

PAWC-WD submitted proofs of publication and service to the appropriate entities. Notice of the Application was published in the *Pennsylvania Bulletin*, 55 Pa.B. 7482, on Saturday, 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 requested territory is situated in the northcentral portion of Newberry Township, York County, east of Old Trail Road's intersection with Beinhower Road and includes approximately 26.28 acres of land along the east side of Old Trail Road. The

¹ See, PAWC Application at Docket No. A-2025-3059514.

requested territory's northern boundary abuts PAWC-WD's existing certificated territory in Fairview Township. At full buildout, the requested territory will include 99 residential, single-family townhomes in the Development's Phase II. A map of the requested service territory and a written description of the requested territory's boundaries by bearing angles and distances were included in the Application as Exhibits B-1 and B-2, respectively.

III. DESCRIPTION OF FACILITIES FOR FURNISHING SERVICE

In supplemental information filed with the Commission, PAWC-WD provided an estimate that listed the planned facilities, including 2,307 linear feet (LF) of eight-inch-diameter SDR-26 polyvinyl chloride (PVC) pipe, 2,490 LF of four-inch-diameter PVC service laterals, and 13 manholes. PAWC-WD indicated that construction of the Development will begin in late 2025 or early 2026. In PAWC's water service application filed with the Commission at Docket No. A-2025-3059514, PAWC indicated that construction in Phase II of the Development will begin in winter of 2027.

Wastewater facilities for the requested territory will be directly connected to PAWC-WD's Beinhower Road Pump Station, conveyed through PAWC-WD's existing collection system and ultimately treated at PAWC-WD's Fairview South wastewater treatment plant (WWTP). The Fairview South WWTP has a design and permitted maximum monthly flow of 0.940 million gallons per day (MGD). In 2024, Fairview South WWTP had an actual average monthly flow of 0.695 MGD and an actual maximum daily flow of 1.522 MGD. At full buildout, the Development's Phase II is projected to generate an average hydraulic load of 23,175 gallons per day (GPD). In supplemental information filed with the Commission, PAWC-WD indicated that the Development is projected to generate an average organic load of 79.6 pounds per day.

In the Application's Exhibit J, PAWC-WD provided a copy of its 2024 Chapter 94 Municipal Wasteload Management Report (Chapter 94 Report) for the Fairview South WWTP, filed with the Pennsylvania Department of Environmental Protection (DEP).

The Chapter 94 Report indicated that the Fairview South WWTP is not hydraulically overloaded, nor is it projected to be hydraulically overloaded in the next five years. However, the Chapter 94 Report also indicated that the Fairview South WWTP was organically overloaded in 2024. In the Chapter 94 Report, PAWC-WD indicated that it believes this was due to two isolated organic loading events and that the plant has sufficient organic capacity. The Chapter 94 Report also indicated that PAWC-WD's Beinhower Road Pump Station has a rated capacity of 2,242,080 GPD and a maximum monthly flow of 872,200 GPD, and that the pump station was not hydraulically overloaded, nor is it projected to be hydraulically overloaded in the next two years. Finally, PAWC-WD averred that the Fairview South WWTP has plenty of capacity to take on the additional customers in the Development's Phase II.

IV. ADDITIONAL CAPITAL REQUIREMENTS

In the Application, PAWC-WD stated that the Developer will pay for the cost to provide wastewater service to the Development through an agreement with PAWC-WD. PAWC-WD provided an unexecuted copy of its standard Sewer Main Extension Agreement as the Application's Exhibit H. In supplemental information filed with the Commission as A-4_Attachment, PAWC-WD provided an updated estimated cost of approximately \$259,210 for the Development's Phase I facilities, approximately \$209,500 for the Development's Phase II facilities, and \$242,820 in permit, inspection, testing expenses and contingencies for the Development. Wastewater flows from Phase II of the Development will pass through Phase I facilities before reaching PAWC-WD's existing collection system.

V. PROPOSED RATES

In the Application, PAWC-WD indicated that it will charge its existing Rate Zone 1 rates for wastewater service within the requested territory, as set forth in its effective wastewater tariff. In supplemental information filed with the Commission as A-6_Attachment, PAWC-WD provided a revised estimate of the annual revenue and

expenses for providing service to the requested territory. PAWC-WD estimated approximately \$130,151 in annual revenue and \$26,863 in annual expenses, which would result in an approximate annual net income of \$103,288 upon completion.

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

According to PAWC-WD, the proposed main from the Development to PAWC-WD's existing facilities will be constructed within public rights-of-way. For any additional easements needed within the Development, PAWC-WD will obtain the easements from the Developer at the Developer's cost. In supplemental information filed with the Commission, PAWC-WD indicated that the Development will require, and the Developer will finance, a national pollutant discharge elimination system permit that will cost approximately \$50,000 and a DEP/United States Army Corps of Engineers joint permit that will cost approximately \$75,000.

VII. ACT 537 SEWAGE FACILITIES PLAN AND LAND-USE PLANNING COMPLIANCE

In supplemental information filed with the Commission, PAWC-WD indicated that the Developer was preparing the Act 537 Planning Module pertaining to the requested territory for submission. However, PAWC-WD filed a supplemental response on March 18, 2026, that included a copy of a letter from DEP's Southcentral Regional Office dated March 11, 2026, that indicated the Development is exempt from the requirement to revise the Act 537 Official Sewage Facilities Plan.

PAWC-WD indicated that it requested comprehensive planning letters from Newberry Township and York County and that as of the filing of the Application, PAWC-WD had not received responses. However, as part of the Application's Exhibit C, PAWC-WD provided a copy of meeting minutes from the Newberry Township Board of Supervisors October 24, 2023, meeting, indicating that the Newberry Township Board of Supervisors conditionally approved the preliminary land development plan for the

Development. Also, PAWC-WD averred that the Development complies with the Newberry Township and York County comprehensive plans.

VIII. OTHER CONSIDERATIONS

In the Application, PAWC-WD averred that, to the best of its knowledge, Newberry Township had rights to furnish wastewater service to the Development but has voted to approve an EDU Transfer Agreement² between Newberry Township and the Developer, allowing PAWC-WD to serve the Development. According to the EDU Transfer Agreement, Newberry Township's wastewater collection system is not currently adjacent to the requested territory, while PAWC-WD's Fairview Township system has existing facilities in nearby Beinhower Road. For Newberry Township to allow PAWC-WD to serve the requested territory, the Developer agreed to pay Newberry Township an EDU transfer fee of \$580 per EDU, or a total of \$57,420 for the 99 planned EDUs. A copy of the EDU Transfer Agreement was provided as the Application's Exhibit L. In addition, PAWC-WD averred that no competitive condition will be created.

PAWC-WD indicated that Application approval is in the public interest because there is a need for public wastewater service, as evidenced by a request for service, and PAWC-WD is fit to provide service. DEP's Southcentral Regional Office advised Commission staff that it did not have any relevant pending actions or outstanding complaints against PAWC-WD. Finally, PAWC-WD has no outstanding fines or assessments due to the Commission and is current with Commission reporting requirements.

IX. CONCLUSION

Based upon the facts that there is a need to make public wastewater service available within the requested territory; that PAWC-WD will expand its service territory

² While the EDU Transfer Agreement does not define the term EDU, common usage and context suggests that it refers to an Equivalent Dwelling Unit.

to new customers in compliance with Commission regulations; and that PAWC-WD is fit to provide service, the Commission finds that granting approval of PAWC-WD'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 Pennsylvania-American Water Company - Wastewater Division at Docket No. A-2025-3057974, 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 Pennsylvania-American Water Company - Wastewater Division to begin to offer, render, furnish or supply wastewater service to the public in an additional portion of Newberry Township, York 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 Pennsylvania-American Water Company - Wastewater Division 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 Pennsylvania-American Water Company - Wastewater Division, the Commission's Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate, the Newberry Township Board of Supervisors, the Newberry Township Planning Commission, the York County Commissioners, the York County Planning Commission, and the Pennsylvania Department of Environmental Protection – Southcentral Regional Office and its Bureau of Regulatory Counsel.

5. That the proceeding at Docket No. A-2025-3057974 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, 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: April 16, 2026

ORDER ENTERED: April 17, 2026