

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

The Honorable Christopher P. Pell, Presiding

PETITION OF DEER HAVEN, LLC :
REQUESTING AN *EX PARTE* :
EMERGENCY ORDER ALLOWING : **Docket No. P-2024-3050545**
AQUA PENNSYLVANIA, INC. TO ACT :
AS A RECEIVER TO OPERATE THE : **Docket No. P-2024-3050549**
DEER HAVEN WATER AND SEWER :
SYSTEMS :

**PETITION TO TERMINATE AQUA PENNSYLVANIA WASTEWATER, INC. AS
RECEIVER FOR DEER HAVEN LLC'S SEWER SYSTEM**

Aqua Pennsylvania Wastewater, Inc. (“APW”) by and through its undersigned counsel files this Petition to Terminate APW’s Appointment of Receiver for the Deer Haven, LLC Sewer System in the above-captioned matter, pursuant to 52 Pa. Code § 1.15 and the August 15, 2024 Ex Parte Order (as ratified by the Commission’s Ratification Order on August 22, 2024) (the “DH Sewer Ex Parte Order”), Ordering Paragraph No. 5, Appendix A Paragraph 3., and in support of the Petition thereof avers as follows:

I. Background

1. In 2010, Deer Haven, LLC (“DH”) and Pocono Lakefront, LLC (“Pocono”) entered into a Grant of Capacity and Option to Purchase Agreement (“Option Agreement”) under which Pocono, or its successors and assigns, had the option to purchase the DH Water and Sewer Systems for \$1.00, subject to approval by the Commission.

2. In accordance with the Option Agreement, Pocono and DH entered into a Purchase Agreement in 2014 to effectuate the purchase by Pocono of the DH Water and Sewer systems (“Purchase Agreement”), again subject to Commission approval.

3. In accordance with the Purchase Agreement, PL Utilities, LLC (“PLU”) was formed to own, operate, and hold the Certificates of Public Convenience (“CPC”) of the Sewer System upon transfer from DH. In furtherance of the transfer, PLU moved forward with construction of a new wastewater treatment plant (“PLU WWTP”), which was substantially completed in 2023.

4. Pocono had subsequently informed DH – after execution of the Purchase Agreement – that it no longer intended to take possession of the Water System.

5. As such, on June 17, 2024, Pocono and DH filed with the Commission a Joint Application for CPCs seeking approvals necessary for the abandonment of DH’s sewer service and the commencement of sewer service by PLU (“Joint Application”) at Docket Nos. A-2024-3049587 and A-2024-3049591.

6. While the Joint Application was pending, on August 1, 2024, DH requested that the Commission issue an Emergency Order allowing Aqua Pennsylvania, Inc. (“AP”) to act as a receiver to operate the DH Water and Sewer Systems.

7. In response, the Commission initiated the DH 529 Investigation as part of its Ex Parte Emergency Orders for DH Water on August 7, 2024 (as modified by the Commission’s Ratification Order on August 26, 2024) and for DH Sewer on August 15, 2024 (as ratified by the Commission’s Ratification Order on August 22, 2024) (“Ex Parte Orders”). AP and APW were appointed by the Commission to act as Receivers for DH Water and DH Sewer systems, respectively, through the Ex Parte Orders.

8. As such, the Commission issued an order on August 26, 2024 staying the Commission’s evaluation of the Joint Application pending the outcome of the DH 529 Proceedings (the “Stay Order”).

9. APW and DH filed a Joint Motion to Lift the Stay of the proceedings on the Joint Application on December 18, 2024. On December 30, 2024, the Commission's Bureau of Investigation and Enforcement ("I&E") filed a letter of support for the Joint Motion.

10. On February 20, 2025, the Commission lifted the stay of the proceedings by Order. On March 7, 2025, the Commission entered an Order conditionally approving the Joint Application provided certain enumerated conditions were met by August 31, 2025 ("March 7 Order"), including certain filings and permits approved or transferred by the Pennsylvania Department of Environmental Protection ("PaDEP").

11. On August 26, 2025, APW, DH, and PLU filed a joint motion requesting an extension of the August 31, 2025 deadline to September 30, 2025. This request was granted by Order dated August 28, 2025 ("August 28 Order") thereby extending the deadline set in the March 7 Order to September 30, 2025. In the August 28 Order the Commission also bifurcated the issue of timing required for the submission of the Notice of Termination required relative to decommissioning the DH wastewater treatment plant ("DH WWTP").

12. On August 29, 2025, DH and Haven Development Company, LLC ("HDC") filed an Application *nunc pro tunc* with the Commission for the transfer of jurisdictional utility assets from DH and HDC to Pocono at Docket No. A-2025-3057204. Aqua filed a Petition to Intervene in that application on September 12, 2025.

13. On September 24, 2025, APW, DH and PLU filed a joint motion requesting an extension of the September 30, 2025 deadline to December 1, 2025. This request was granted by the Order dated September 26, 2025 (the "September 26 Order") thereby extending the deadline set in the August 28 Order to December 1, 2025. The September 26 Order also revised the deadline for Notice of Termination (in Paragraph 1(f) of the March 7 Order) to be due within 180 days of when the PLU WWTP is approved and operational. On November 11, 2025, APW, DH, and PLU

moved again to further extend the deadline until December 16, 2025, which request was again granted.

14. On December 24, 2025, the Commission’s Bureau of Technical Utility Services issued a letter advising that it completed review of the supplemental documentation submitted by PLU and DH and that the supplemental documentation satisfied the conditions in Ordering Paragraphs 1(a) through (e) and (g) of the March 7 Order.

15. PLU notified ALJ Pell and the parties that the Commission issued a CPC to PLU effective December 31, 2025. On January 6, 2026, PLU filed its initial tariff.

16. On January 19, 2026, PLU advised ALJ Pell that “[u]nder its Consent Order and Agreement with PaDEP, PLU is required to complete the construction of the PLU WWTP on or before February 19, 2026. Absent some unforeseen circumstance, PLU expects to meet this deadline.”

17. A month later, PLU advised ALJ Pell that PLU obtained another extension from PaDEP until April 20, 2026 to complete the construction of the PLU WWTP.

18. PLU later advised ALJ Pell on April 30, 2026, that a component of the treatment system at the PLU WWTP needed replacement and PLU sought a further extension from PaDEP to complete the start-up of the PLU WWTP.

19. PLU also advised ALJ Pell on May 13, 2026, that the component of the PLU WWTP had been replaced and the PLU WWTP was being prepared to accept certain wastewater flow to seed the PLU WWTP. PLU expects the PLU WWTP to be fully operational by May 29, 2026

II. Argument

20. The Commission appointed APW as Receiver to ensure “the provision of adequate, efficient, safe, and reasonable service and facilities to the public and ensure that customers of a

small sewer utility and the affected public will receive safe and adequate service during the pendency of a Section 529 proceeding.” *See* DH Sewer Ex Parte Order.

21. PLU has stated that the Commission has issued a CPC to PLU and as of May 15, 2026, PLU has satisfied its requirements under the Consent Order and Agreement with PaDEP and has completed construction of the PLU WWTP and expects to have the PLU WWTP fully operational by May 29, 2026.

22. Upon the PLU WWTP being fully operational and interconnection to the existing DH Sewer System, PLU can provide safe and reliable wastewater service to the DH Sewer customers, accordingly APW’s duties and responsibilities as Receiver will no longer be needed.

23. Paragraph 3 of Appendix A to the DH Sewer Ex Parte Order provides that Aqua “may petition the Commission for modification or termination of this receivership”

24. Accordingly, APW requests that its Receivership of the DH Sewer System be terminated as of the date the PLU WWTP is fully operational and that the DH Section 529 proceeding be concluded, as it relates to the DH Sewer System.

25. APW will file a notice with the Commission setting forth the date it ceased operations.

III. Conclusion

WHEREFORE, for the foregoing reasons, Aqua Pennsylvania Wastewater, Inc. respectfully requests that the Commission grant this Petition to Terminate Aqua Pennsylvania Wastewater, Inc.’s Receivership for the Deer Haven, LLC Sewer System in the above-captioned matter upon the PL Utilities, LLC wastewater treatment plant being fully operational, pursuant to 52 Pa. Code § 1.15 and the August 15, 2024 Ex Parte Order (as ratified by the Commission’s Ratification Order on August 22, 2024), Ordering Paragraph No. 5, Appendix A, Paragraph 3.

Respectfully submitted,

**AQUA PENNSYLVANIA WASTEWATER,
INC.**

By: /s/ Courtney L. Schultz

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Dated: May 15, 2026

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Application of Deer Haven, L.L.C. :
and PL Utilities, LLC for approval of: (1) :
PL Utilities, LLC’s acquisition of certain :
wastewater system assets of Deer Haven, :
L.L.C.; (2) the abandonment by Deer : **Docket No. A-2024-3049587**
Haven, L.L.C. of wastewater service to the :
public in Palmyra Township, Pike County, : **Docket No. A-2024-3049591**
Pennsylvania; and (3) authorization of PL :
Utilities, LLC to offer, render, furnish and :
supply wastewater service to the public in :
a portion of Palmyra Township, Pike :
County, Pennsylvania :

CERTIFICATE OF SERVICE

I hereby certify that I have this 15th day of May, 2026, served a true and correct copy of the foregoing Petition of Aqua Pennsylvania Wastewater, Inc. upon the persons and in the manner set forth below:

VIA E-FILING AND ELECTRONIC MAIL

PA PUC

E-file Only

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