



June 12, 2026

**VIA E-FILE**

**Michael D. Klein**

Direct Phone 717-703-5903

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mklein@cozen.com

Matthew L. Homsher, Secretary  
Pennsylvania Public Utility Commission  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

**Re: Application of Veolia Water Pennsylvania, Inc., Pursuant to Section 1102 (a)(3) of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 1102 (a)(3), for Approval of the Acquisition of Certain Real Estate, Consisting of Easements, in Upper Allen Township, Cumberland County. Docket No. A-2026-\_\_\_\_\_**

**APPLICATION OF VEOLIA WATER PENNSYLVANIA, INC. AND REQUEST FOR EXPEDITED CONSIDERATION**

Dear Secretary Homsher:

Enclosed for filing with the Pennsylvania Public Utility Commission is the Application of Veolia Water Pennsylvania, Inc., and Request for Expedited Consideration in the above-referenced matter. **This Application does not request a service area expansion.** The requisite filing fee of \$350 will be paid via the firm's credit card.

Please note that the **CONFIDENTIAL** version of the Application has been eFiled to the Commission's SharePoint website. The **CONFIDENTIAL** version of the Application should be maintained by the Commission in non-public folders. **Also, copies of the CONFIDENTIAL version are being provided to the parties so identified on the attached Certificate of Service on the basis the parties treat the material as if it is subject to a Protective Order.** Those parties are the following: Office of Consumer Advocate, Office of Small Business Advocate, the Pennsylvania Public Utility Commission's Bureau of Investigation & Enforcement, and the Bureau of Technical Utility Services.

If you have any questions regarding this filing, please contact me. Thank you for your attention to this matter.

Matthew L. Homsher, Secretary

June 12, 2026

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Sincerely,

COZEN O'CONNOR



By: Michael D. Klein

Counsel for *Veolia Water Pennsylvania, Inc.*

MDK:kmg

Enclosure

cc: Paul T. Diskin, Director, Bureau of Technical Utility Services (*electronic and hard copies*)  
Per Certificate of Service  
Larry Finnicum, Regional President of Veolia Water Pennsylvania, Inc. (*email only*)  
Michael Corona, Esq., Veolia (*email only*)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Veolia Water Pennsylvania, Inc., :  
Pursuant to Section 1102(a)(3) of the Pennsylvania :  
Public Utility Code, 66 Pa. C.S. § 1102(a)(3), for : Docket No. A-2026-\_\_\_\_\_  
Approval of the Acquisition of Certain Real Estate :  
Consisting of Easements in Upper Allen Township, :  
Cumberland County, Pennsylvania :  
:

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**CERTIFICATE OF SERVICE**

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I hereby certify that I have this day served a true copy of the attached, upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

**VIA Email and First Class Mail (CONFIDENTIAL):**

Darryl Lawrence, Esq.  
Melanie El Atieh, Esq.  
Office of Consumer Advocate  
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Allison Kaster, Esq.  
Director and Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation & Enforcement  
Commonwealth Keystone Building  
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Water/Wastewater Section  
Bureau of Technical Utility Services  
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Giuseppina G. McCarthy, Esq.  
McNees Wallace & Nurick LLC  
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Harrisburg, PA 17101  
Email: [gmcCarthy@mcneeslaw.com](mailto:gmcCarthy@mcneeslaw.com)  
*Attorney for Sellers*

**VIA Email and First Class Mail (Non-Confidential):**

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Melanie El Atieh, Esq.  
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Giuseppina G. McCarthy, Esq.  
McNees Wallace & Nurick LLC  
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Harrisburg, PA 17101  
Email: [gmccarthy@mcneeslaw.com](mailto:gmccarthy@mcneeslaw.com)  
*Attorney for Sellers*

Upper Allen Township Planning Commission  
100 Gettysburg Pike  
Mechanicsburg, PA 17055  
Email: [communitydevelopment@uatwp.org](mailto:communitydevelopment@uatwp.org)

Keldeen Stambaugh, Township Manager  
Upper Allen Township  
100 Gettysburg Pike  
Mechanicsburg, PA 17055  
Email: [kstambaugh@uatwp.org](mailto:kstambaugh@uatwp.org)

Cumberland County Planning Commission  
1 Courthouse Square  
Carlisle, PA 17013  
Email: [kdstoner@cumberlandcountypa.gov](mailto:kdstoner@cumberlandcountypa.gov)

County of Cumberland, Pennsylvania  
c/o Board of Commissioners  
1 Courthouse Square  
Carlisle, PA 17013  
Email: [commissioners@cumberlandcountypa.gov](mailto:commissioners@cumberlandcountypa.gov)

Respectfully,



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Michael D. Klein, Esq.  
Counsel for *Veolia Water Pennsylvania, Inc.*

Date: June 12, 2026

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Veolia Water Pennsylvania, Inc., :  
Pursuant to Section 1102(a)(3) of the Pennsylvania :  
Public Utility Code, 66 Pa. C.S. § 1102(a)(3), for : Docket No. A-2026-\_\_\_\_\_  
Approval of the Acquisition of Certain Real Estate, :  
Consisting of Easements, in Upper Allen Township, :  
Cumberland County, Pennsylvania :

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NOTICE TO PLEAD

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YOU ARE HEREBY ADVISED THAT, PURSUANT TO THE REGULATIONS OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION AT 52 PA. CODE §§ 5.51-5.53, YOU MAY FILE A PROTEST TO THIS APPLICATION WITH THE SECRETARY'S BUREAU OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION AT THE FOLLOWING ADDRESS:

Matthew L. Homsher, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street – Filing Room (2nd Floor)  
Harrisburg, PA 17120

PROTESTS MUST BE FILED WITHIN THE TIME SPECIFIED IN THE NOTICE OF THE APPLICATION TO BE PUBLISHED IN THE PENNSYLVANIA BULLETIN. FOR MORE INFORMATION REGARDING THE FILING OF A PROTEST, PLEASE CONTACT THE SECRETARY'S BUREAU AT (717) 772-7777. A COPY OF ANY PROTEST SHOULD BE SERVED ON THE UNDERSIGNED COUNSEL.

  
\_\_\_\_\_  
Michael D. Klein, Esquire  
Cozen O'Connor  
17 North Second Street, Suite 1410  
Harrisburg, PA 17101  
Telephone: (717) 703-5903  
E-mail: mklein@cozen.com

Date: 6/12/2026

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Veolia Water Pennsylvania, Inc., :  
Pursuant to Section 1102(a)(3) of the Pennsylvania :  
Public Utility Code, 66 Pa. C.S. § 1102(a)(3), for : Docket No. A-2026-\_\_\_\_\_

Approval of the Acquisition of Certain Real Estate, :  
Consisting of Easements, in Upper Allen Township, :  
Cumberland County, Pennsylvania : :

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**APPLICATION OF VEOLIA WATER PENNSYLVANIA, INC.  
AND REQUEST FOR EXPEDITED CONSIDERATION**

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TO THE HONORABLE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

AND NOW COMES Veolia Water Pennsylvania, Inc. (“VEOLIA” or “Applicant”), to respectfully request that the Pennsylvania Public Utility Commission (“Commission”) issue a Certificate of Public Convenience for its acquisition of certain real estate, consisting of two easements described and defined below in Paragraph III as (collectively the “Easements”), in Upper Allen Township, Cumberland County, PA, (hereinafter referred to as “Upper Allen Township”). VEOLIA intends to use the Easements as a portion of the site for the construction, installation, maintenance, improvement, operation, inspection, repair, replacement, renewal, and removal of an approximately Three Million Gallon (3,000,000) elevated water storage tank (the “Elevated Water Storage Tank”), including, but not limited the pumps, pipes, valves, hydrants, shut-off boxes, tees, and connectors, for the storage, transmission, and distribution of water and to provide water service to VEOLIA’s customers in its Mechanicsburg system. The Elevated Water Storage Tank will be situated in VEOLIA’s Commission certificated service territory in Upper Allen Township, PA.

VEOLIA also respectfully requests the Commission grant its request for expedited consideration for the reasons stated in Paragraph VI. of the Application.

In support whereof, VEOLIA avers as follows:

**I. DESCRIPTION OF THE APPLICANT**

1. VEOLIA is a certificated Pennsylvania public utility providing water service (utility code 210013) to approximately 69,800 customers and wastewater service to approximately 1,600 customers and in 11 counties and 49 municipalities throughout Pennsylvania. Mechanicsburg and Upper Allen Township, PA are two of the municipalities in which VEOLIA provides water service. The Elevated Water Storage Tank will serve approximately 13,013 residential customers; 724 commercial customers; and 3 industrial customers.

VEOLIA operates five surface water treatment plants ranging in size from three quarters to twelve million gallons per day (“MGD”). It also operates 36 wells with varying degrees of treatment, 30 booster stations and 42 storage facilities. The distribution system consists of over 900 miles of mains, 14,000 valves and 4,400 hydrants. VEOLIA is a Pennsylvania corporation with headquarters located at 6310 Allentown Boulevard, Harrisburg, Pennsylvania 17112.

**II. APPLICANT’S COUNSEL**

2. Counsel for the Applicant is:

Michael D. Klein (PA ID No. 23854)  
Cozen O'Connor  
17 North Second Street  
Suite 1410  
Harrisburg, PA 17101  
Telephone: (717) 703-5903  
E-mail: [mklein@cozen.com](mailto:mklein@cozen.com)

### III. DESCRIPTION OF THE PROPOSED TRANSACTION

3. VEOLIA has entered into an Easement Purchase Agreement (the “Agreement”), to purchase the Easements from **CONFIDENTIAL** (the “Sellers”). The Sellers are not affiliated with VEOLIA within the meaning of Section 2101 of the Pennsylvania Public Utility Code (“Code”), 66 Pa. C.S. § 2101 and are not engaged in the provision of public utility services. No statements of the book value of the Easements are available. The Agreement was developed through arm’s length negotiations between VEOLIA and Sellers. The Agreement is **Exhibit 1 (CONFIDENTIAL)**.

4. Subject to the terms and conditions of the Agreement Sellers agree to sell and VEOLIA agrees to buy two (2) perpetual, exclusive Easements and rights of way. One easement is referred to as “Easement A”, and the other easement is referred to as “Easement B”. The Easements are located in Upper Allen Township, Cumberland County, PA. A metes and bounds description of Easement “A” is set forth in “**Exhibit “2”**” hereto. Easement “A” consists of 43,560 square feet, or 1.000 acre of land which is a portion of Cumberland County PID 42-11-0274-005. A metes and bounds description of Easement “B” is set forth in **Exhibit “3”** hereto, and consists of 2,421 square feet, or 0.056 acre of land, which is a portion of Cumberland County PID 42-29-2454-093.

5. Project Description: The Elevated Water Storage Tank and appurtenances will be located on undeveloped portions of the existing properties in Upper Allen Township. A map illustrating the site details for the proposed sites is included in **Exhibit 4 (Names of Individuals CONFIDENTIAL)**

6. ). Details include a parcel map for showing both sites and Easements.

7. The Elevated Water Storage Tank details will be developed during design. The site will include fencing, lighting, and security systems. The preliminary opinion/estimate of probable cost for the project including design, permitting, and construction is Fifteen Million Four Hundred Thousand Dollars (\$15,400,000).

8. VEOLIA will close on the transaction on or before twenty (20) business days following the date upon which all conditions precedent set forth in Section 10 of the Agreement, have been met, unless the Closing Date is extended as provided in the Agreement. .

#### IV. COMMISSION STANDARD FOR APPROVAL

9. Section 1102(a)(3) of the Code, 66 Pa. C.S. § 1102(a)(3), states that a Certificate from the Commission is necessary:

(3) For any public utility or an affiliated interest of a public utility as defined in section 2101 (relating to definition of affiliated interest), . . . , to acquire from, or to transfer to, any person or corporation, including a municipal corporation, by any method or device whatsoever, including the sale or transfer of stock and including a consolidation, merger, sale or lease, the title to, or the possession or use of, any tangible or intangible property used or useful in the public service.

However, a Certificate is not necessary if the undepreciated book value of the property to be acquired or transferred does not exceed the lesser of: (A) 2% of the undepreciated book value of all fixed assets of such public utility; or (B) \$5,000 in the case of personalty or \$50,000 in the case of realty.

10. The undepreciated book value of the Easements are not known by VEOLIA. The purchase price is greater than \$50,000. The actual amount is stated in **Exhibit 1 (CONFIDENTIAL)** and was reached during arm's length negotiations between Sellers and VEOLIA. During negotiations between VEOLIA and the Seller, the purchase price was agreed upon because the Easements were the only suitable property for which an agreement could be reached. An appraisal of the value of the Easements is included in **Exhibit 5 (CONFIDENTIAL)**.

11. The Commission may issue a certificate of public convenience upon a finding that “the granting of such certificate is necessary or proper for the service, accommodation, convenience, or safety of the public.” 66 Pa. C.S. § 1103(a). This standard requires the Commission to find that the party to whom the assets are being transferred is legally, technically, and financially fit. *Seaboard Tank Lines*, 502 A.2d 762, 764 (Pa. Cmwlth. 1985); *Warminster Tp. Mun. Auth. v. Pa. Pub. Util. Comm’n*, 138 A.2d 240, 243 (Pa. Super. 1958).

12. In addition, the Commission must find that the transaction will “affirmatively promote the service, accommodation, convenience or safety of the public in some substantial way.” *City of York v. Pa. Pub. Util. Comm’n*, 449 Pa. 136, 151, 295 A.2d 825, 828 (1972). The “substantial public benefit” standard can be met by showing a likelihood or probability of the public benefits that need not be quantified or guaranteed. *Popowsky v. Pa. Pub. Util. Comm’n*, 594 Pa. 583, 611, 937 A.2d 1040, 1057 (2007). Further, the “substantial public benefit” standard does not require that every customer receive a benefit from the proposed transaction. *Id.*, 594 Pa. at 617-618, 937 A.2d at 1061.

## **V. THE COMMISSION SHOULD GRANT THE REQUESTED CERTIFICATE**

### **A. VEOLIA IS TECHNICALLY, FINANCIALLY AND LEGALLY FIT**

13. As a certificated public utility, VEOLIA enjoys a rebuttable presumption that it possesses the requisite fitness. *South Hills Movers, Inc. v. Pa. Public Utility Comm’n*, 601 A.2d 1308, 1310 (PA. Cmwlth 1992).

14. VEOLIA is a financially strong, experienced provider of water and wastewater service in Pennsylvania. It has a good record of compliance with the Code and applicable environmental laws and has significant capable technical abilities.

15. VEOLIA will pay for the Easements using currently available funds. The Proposed Transaction will not adversely impact VEOLIA’s financial condition or credit ratings.

16. For all of the above reasons, VEOLIA is technically, financially and legally fit, and this Application should be approved.

**B. THE PROPOSED TRANSACTION WILL AFFIRMATIVELY PROMOTE THE PUBLIC INTEREST IN A SUBSTANTIAL WAY**

17. Awhile after the Closing, VEOLIA will construct the Elevated Water Storage Tank and appurtenances on the Easements. The Elevated Water Storage Tank is necessary because Veolia's main water storage in its Mechanicsburg system is a 3,000,000 gallon earthen reservoir that is in need of replacement. The cover of the reservoir was replaced in 2015. The anticipated life of the cover was 20 years. In 2018 and 2020 the cover required repair of seams. All seams were redone in 2022 and the last seam repair was completed in 2024. The cover is showing signs of degradation which threatens water quality and the PA Department of Environmental Protection wants to phase out earthen reservoirs. There is no room on the existing reservoir site or any other Veolia owned land upon which to construct a new storage tank. A new property was needed to be purchased and after extensive investigation of the area by both Veolia engineering and RSR Realtors, very few suitable properties with enough space and at the correct elevation were identified. The Easements are the only suitable property where an agreement could be made

18. [Reserved].

**VI. REQUEST FOR EXPEDITED CONSIDERATION**

19. VEOLIA expects to begin design and permitting of the Elevated Water Storage Tank in the second quarter of 2026, and finishing in the third quarter of 2026. Construction is planned to start in the fourth quarter of 2026 and finish in the fourth quarter of 2027. None of this can be accomplished until the Commission approves the Application.

20. For reasons discussed above, the failure of the existing Mechanicsburg Reservoir could lead to a significant interruption of water service for the public in Upper Allen Township

and Mechanicsburg serviced by VEOLIA, possibly leaving them without potable water for extended periods of time for residential, commercial, industrial, firefighting, and other purposes. VEOLIA therefore respectfully requests that the Commission expeditiously consider and approve this Application.


**VII. CONCLUSION AND REQUESTED RELIEF**

WHEREFORE, for the reasons set forth above, Veolia respectfully requests that the Pennsylvania Public Utility Commission:

- (1) Grant the Application;
- (2) Issue a certificate of Public Convenience to VEOLIA, pursuant to 66 Pa. C.S. § 1102(a)(3), evidencing its approval of the acquisition of the Easements in Upper Allen Township, Cumberland County, Pennsylvania.;
- (3) Grant any and all additional approvals as may be necessary to lawfully consummate the proposed transaction described herein.

Respectfully submitted,

Cozen O'Connor

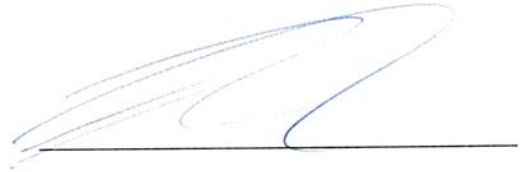
  
Michael D. Klein, Esq. (ID No. 23854)  
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Harrisburg, PA 17101  
Tel: (717) 703-5903  
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E-mail: mklein@cozen.com  
Counsel for *VEOLIA Water Pennsylvania, Inc.*

Date: 6/12/2026

**VERIFICATION**

I, Larry Finicum, hereby state that the facts set forth above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: 6/12/2026



A handwritten signature in blue ink, appearing to read "Larry Finicum", is written over a horizontal line.

**Exhibit 1 (Confidential)**  
**Easement Purchase Agreement**

## **Exhibit 2**

### **Metes and Bounds Description of Easement “A”**

**PROPOSED TANK EASEMENT  
FOR  
VEOLIA WATER PENNSYLVANIA, INC.  
MECHANICSBURG RESERVOIR REPLACE – 210 E. LISBURN ROAD**

**ALL THAT CERTAIN** portion of land situate in the Township of Upper Allen, County of Cumberland and Commonwealth of Pennsylvania as shown on a plan for Veolia Water Pennsylvania, Inc. titled "210 E. Lisburn Road Property Easement Exhibit" prepared by Pennoni Associates, Inc. dated March 13, 2026, more particularly bounded and described as follows, to wit:

**COMMENCING** at an iron rod found lying on the southerly side of Appalachian Avenue (50' width) at the dividing line between Lots 129 and 130, depicted on the plan of lots for "Mount Allen Heights" recorded as Plan Book 19 Page 86, being lands now or formerly of William Jason & Lauren K. Grace and Alfred R. & Carol A. Risaliti respectively;

Thence in a southerly direction along said dividing line between lots 129 and 130 of Mount Allen Heights on a line bearing South 33°08'42" East, 121.17 feet to an iron rod found lying on the northerly dividing line with other lands now or formerly of William Jason & Lauren K. Grace depicted as Lot 1 on the "Final Subdivision Plan for Jerry T. & Hilary M. Simpson" recorded as Plan Instrument 201023024, said iron rod found being the true point of **BEGINNING**;

Thence proceeding in a clockwise direction along the dividing line of lands of Grace on a line bearing North 56°11'39" East, 50.00 feet to a point;

Thence through said other lands of Grace on a line bearing South 37°00'24" East, 214.85 feet to a point; Thence continuing through said other lands of Grace on a line bearing South 56°07'16" West, 200.00 feet to a point at the dividing line with lands now or formerly of Jack F. & Janis L. Huston, being known as Lot 35 of the "Final Development Plan for Witney Ridge – Phase II" recorded as Plan Book 82 Page 60;

Thence along Lots 35 and 36 of the Witney Ridge Development, being said lands of Huston and lands now or formerly of Ronald W. & Lorraine Blough respectively, on a line bearing North 38°36'01" West, passing through an iron rod found in pipe being 3.93 feet from commencement of this line, for a total distance of 215.32 feet to a point at the Northeast corner of Lot 36 and the southerly line of lands now or formerly of Timothy & Lisa Ann Jarvis being Lot 131 of the aforementioned plan of lots for Mount Allen Heights;

Thence along said lands of Jarvis and said lands of Risaliti on a line bearing North 56°07'16" East, 156.00 feet to an iron rod found; the Point of Beginning.

**CONTAINING:** 43,560 Square Feet, or 1.000 Acre of land

## **Exhibit 3**

### **Metes and Bounds Description of Easement “B”**

**20' WIDE PROPOSED ACCESS EASEMENT  
FOR  
VEOLIA WATER PENNSYLVANIA, INC.  
MECHANICSBURG RESERVOIR REPLACE**

**ALL THAT CERTAIN** portion of land situate in the Township of Upper Allen, County of Cumberland and Commonwealth of Pennsylvania as shown on a plan for Veolia Water Pennsylvania, Inc. titled "210 E. Lisburn Road Property Easement Exhibit" prepared by Pennoni Associates, Inc. dated March 13, 2026 more particularly bounded and described as follows, to wit:

**BEGINNING** at an iron rod found lying on the southerly side of Appalachian Avenue (50' width) at the dividing line between Lots 129 and 130, depicted on the plan of lots for "Mount Allen Heights" recorded as Plan Book 19 Page 86, being lands now or formerly of William Jason & Lauren K. Grace and Alfred R. & Carol A. Risaliti respectively;

Thence proceeding in a clockwise direction along Appalachian Avenue on a line bearing North 56°54'33" East, 20.00 feet to a point;

Thence through said lands of Grace being Lot 129 on a line bearing South 33°08'42" East, 120.92 feet to a point lying on the northerly dividing line with other lands now or formerly of William Jason & Lauren K. Grace depicted as Lot 1 on the "Final Subdivision Plan for Jerry T. & Hilary M. Simpson" recorded as Plan Instrument 201023024;

Thence along said other lands of Grace on a line bearing South 56°11'39" West, 20.00 feet to an iron rod found at the dividing line with said Lot 130 of Risaliti;

Thence along Lot 130 of Mount Allen Heights on a line bearing North 33°08'42" West, 121.17 feet to an iron rod found; the Point of Beginning.

**CONTAINING:** 2,421 Square Feet, or 0.056 Acre of land

**Exhibit 4 (Names of Individuals CONFIDENTIAL )**

**Map of Site Details**



**Exhibit 5 (Confidential)**

**Appraisal of Easements**