Providing public utility service within the Commonwealth of Pennsylvania requires you to request approval from the Commission prior to commencing business. The attached form may be used to create your application for a certificate of public convenience held for water or wastewater. Any exhibits should be placed at the end of the application. Applications are subject to a $350 fee, payable to the “Commonwealth of Pennsylvania”. If filing by hard copy, only one original of each document is required. The Commission may reject an application which fails to include the required information and documents (52 Pa. Code § 3.501.(c)).

Mail the filing and application fee to:

Secretary

Pa Public Utility Commission

P.O. Box 3265

Harrisburg PA 17105

To eFile, click on the Filing & Resources link on the Commission’s website at [www.puc.pa.gov](http://www.puc.pa.gov) for instructions.

Questions concerning the application process may be directed to the Bureau of Technical Utility Services at 717-787-5550; please ask to be directed to the Water/Wastewater unit.

Checklist:

1. Application and attachments, including your cover letter.
2. A check for $350 made payable to “Commonwealth of Pennsylvania”.
3. Original signed and notarized Verification Statement.
4. Certificate of Service evidencing Application was served upon appropriate parties.

The application will be docketed by the Secretary of the Commission and thereafter forwarded for publication in the *Pennsylvania Bulletin* with a 60-day protest period. The applicant shall also publish notice of application as supplied by the Secretary, daily for 2 consecutive weeks in one newspaper of general circulation located in the territory covered by the application and shall submit proof of publication to the Commission. In addition, the utility or applicant shall individually notify existing customers of the filing of the application.

\_\_\_\_\_\_\_\_\_\_

BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

\_\_\_\_\_\_\_\_\_\_\_

|  |  |
| --- | --- |
| In Re: Application of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of applicant*) for approval to offer, render, furnish or supply \_\_\_\_\_\_\_\_\_\_\_\_ (*water or wastewater*) service to the public in the Commonwealth of Pennsylvania | Docket No: A- \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(will be filled-in by the Commission) |
| 1. Public utility code: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(will be filled-in by the Commission) |
| 1. Name of Company: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
 |
| 1. Company Address:

|  |  |
| --- | --- |
| Street name & number: |       |
| Post office box: |       |
| City: |       |
| State: |       |
| Zip Code: |       |
| Main Telephone Number: |       |
| Email Address: |       |
| Website Address: |       |
| Fax number: |       |

 |
| 1. Point of Contact for this Application:

|  |  |
| --- | --- |
| Name: |       |
| Title: |       |
|  |
| *Complete the following if different than above:* |
| Street name & number: |       |
| Post office box: |       |
| City: |       |
| State: |       |
| Zip code: |       |
| Telephone Number.: |       |
| Email address: |       |
| Fax number: |       |

 |
| 1. Attorney (if retained):

|  |  |
| --- | --- |
| Name: |       |
| Street name & number: |       |
| Post office box: |       |
| City: |       |
| State: |       |
| Zip code: |       |
| Telephone Number: |       |
| Email address: |       |

 |
| 1. Attach a copy of the business plan required by the Department of Environmental Protection (DEP) in 25 Pa. Code § 109.503(a)(3) (relating to public water system construction permits). Label this document as **Attachment A**. The following additional information/documents, if not included in the business plan, shall also be included and labeled as **Attachment A-1, A-2, etc.**:

 (1)  *Plant in service*. (i)   Proposed utilities shall provide:        (A)   A full description of the proposed waterworks or wastewater collection, treatment and disposal facilities and the manner, including the timing, in which the proposed service area and utility will be constructed.        (B)   A breakdown of the cost of construction, by major plant category, including the sources of funds used to construct the facilities. (ii)   Utilities that have been providing service shall provide:        (A)   The original cost, by year and major plant category, of used and useful plant in service and related accrued depreciation calculations.        (B)   A breakdown of the sources of funds used to finance the construction of the facilities.  (2)  *Map of service area*. A map or plan of suitable scale highlighting the boundaries of the proposed service area, including: (i)   A courses and distances or metes and bounds description. (ii)   The location or route of the proposed waterworks or wastewater collection, treatment or disposal facilities. (iii)   The approximate time schedule for installation of the various component facilities. (iv)   The elevations of major facilities and service areas. (v)   The DEP permitted productive or treatment capacity of sources or treatment facility and the pipe sizes and material used for construction for all transmission and distribution or collection facilities. (vi)   A copy of the county comprehensive plan, municipal comprehensive plan and applicable zoning designations, if requested. (3) *Customers*.      (i)   Proposed utilities shall provide an estimate of the number of customer connections by class in the first, fifth and tenth years, and completed development anticipated, as well as estimated water usage or gallons of wastewater treated in each of those years.      (ii)   Utilities that have been providing service shall submit the actual number of customers by class and related consumption or gallons treated in the current calendar year and future number of connections anticipated for the next 10 years.      (iii)   Each utility shall demonstrate its ability to provide adequate water supply, treatment, storage and distribution or adequate wastewater collection, treatment or disposal capacity to meet present and future customer demands.(4)*Rates.*      (i)   Proposed utilities shall provide a proposed initial tariff which includes rates, proposed rules, and conditions of service in the format specified by the Commission (classified rate schedule). NOTE: sample tariffs are located on the Commission's website at http://www.puc.pa.gov/filing\_resources/water\_online\_forms.aspx     (ii)   Utilities which have been providing service shall provide a proposed initial tariff which includes rates, proposed rules, and conditions of service. The utility shall notify the customers of the utility of the filing of the application and the rates filed. (5)  *Cost of service.*      (i)   Proposed utilities shall provide a 1, 5 and 10-year estimate of operating revenues, operation and maintenance expenses, annual depreciation and taxes. If operating income reflects a loss, proposed utilities shall provide a detailed explanation of the source of funds to be used to subsidize the estimated losses in support of future viability.      (ii)   Utilities that have been providing service shall file the two most recent Federal Income Tax Returns (corporation) or related Schedule C forms (partnership or individual). If tax returns reflect an operating loss, utilities shall describe in detail how the operating losses are subsidized, supported by an analysis of the future viability of the utility. (6)  *Proof of compliance.* Proof of compliance with applicable design, construction and operation standards of DEP or of the county health department, or both, including:      (i)   Copies of public water supply/water quality management or National Pollution Discharge Elimination System (NPDES) permits if applicable.      (ii)   Valid certified operators’ certificates appropriate to the facilities being operated.      (iii)   A 5-year compliance history with DEP with an explanation of each violation for utilities that have been providing service.      (iv)   A DEP 5-year compliance history of other utilities owned or operated, or both, by the applicant, including affiliates, and their officers and parent corporations with regard to the provision of utility service.  |
| 1. *Additional documentation*. In addition to a copy of the documents submitted under paragraph 6, subsections (1)—(6) above, the applicant shall submit a letter (labeled as **Attachment B**) addressing all the applicable requirements or mandates of the following governmental entities. The letter must also append copies of certification issued by the following governmental entities confirming that the applicant does or does not meet all the applicable requirements or mandates of the following:

     (i)   DEP.      (ii)   The Delaware River Basin Commission, the Susquehanna River Basin Commission, the Ohio River Basin Commission and the Great Lakes Commission.      (iii)   The requirements of any Statewide water plan, including any local watershed areas.      (iv)   The requirements of any officially adopted county comprehensive plans, municipal comprehensive plans, and applicable zoning designations, including any necessary amendments.  |
| 1. *Affected persons*. List below the identity of public utilities, municipalities, municipal authorities, cooperatives and associations which provide public water supply service or wastewater collection, treatment or disposal service within each municipality, or a municipality directly adjacent to the municipalities, in which the applicant seeks to provide service that abuts or is situated within 1 mile of the applicant’s proposed facilities:
 |
| 1. *Other requirements.* Demonstrate compliance with DEP regulations in 25 Pa. Code § 109.503(a)(3) or section 5 of the Pennsylvania Sewage Facilities Act requirements (35 P. S. § 750.5), whichever is applicable; or whether the applicant has contacted each public water supplier or wastewater collection, treatment or disposal supplier in paragraph (8), and one of the following applies:

     (i)   Whether a supplier is willing and able to serve the area which the applicant seeks to serve either directly or through the bulk sale of water to the applicant, or treatment of wastewater to the applicant.      (ii)   If one or more supplier is willing to serve the area (either directly or through the bulk sale of water to applicant), the applicant should demonstrate that, when considering both the cost of service and the quality of service, the ultimate consumer would be better served by the applicant than by the other water suppliers.  |
| 1. *Verification*. A verification that the water sources and customers are metered in accordance with 52 Pa. Code § 65.7 (relating to metered service). If unmetered water service is currently provided, the applicant shall provide a metering plan to the Commission.
 |
| 1. *Additional considerations*. Provide evidence demonstrating the utility’s compliance with municipal and county comprehensive plans, multi-municipal plans, zoning ordinances and joint municipal zoning ordinances, consistent with the authority in sections 619.2 and 1105 of the Municipalities Planning Code (53 P. S. §§ 10619.2 and 11105), when reviewing applications for a certificate of public convenience as a public water supplier or wastewater collection, treatment or disposal provider.
 |

*Verification*

\_\_\_\_\_\_\_\_\_

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 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), 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 Signature*

**Certificate of Service**

**Instructions**: At the time of filing, the applicant must file a complete copy of the application with exhibits to be served by registered or certified mail, return receipt requested, upon:

   (1)  Each city, borough, town, township, county and related planning office which is included, in whole or in part, in the proposed service area.

   (2)  A water or wastewater utility, municipal corporation or authority which provides water or wastewater collection, treatment or disposal service to the public and whose service area abuts or is within 1 mile of the service area proposed in the application.

   (3)  The statutory advocates and DEP’s central and regional offices.

I hereby certify that I have on this date \_\_\_\_\_\_\_\_\_\_\_\_\_(month/day/year), served a true copy of the foregoing document(s) upon the participants, listed below, in accordance with the requirements of §1.54 (relating to service by a participant).

|  |  |
| --- | --- |
| **Office of Consumer Advocate**555 Walnut Street5th Floor Forum PlaceHarrisburg, PA 17101-1923 | **Office of Small Business Advocate**Commerce Building, Suite 202300 North Second StreetHarrisburg, PA 17101 |
| **Bureau of Investigation and Enforcement**Pa PUCPO Box 3265Harrisburg, PA 17105 | **Dept of Environmental Protection**REGIONAL OFFICE |
| **Dept of Environmental Protection**CENTRAL OFFICERachel Carson State Office Building400 Market StreetHarrisburg, PA 17101 |  |
|  |  |

Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name (printed) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title (printed) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_