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March 18, 2024

DATE OF DEPOSIT

MAR 18 2024

VIA UPS EXPRESS

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Secretary of the Pennsylvania Public Utility Commission
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Docket No.: M-2016-2543193; Eastvale Borough

To Whom It May Concern:

Please be advised that I am the solicitor for the Borough of Eastvale located in Beaver County, Pennsylvania. My Borough has had their wastewater treated by the City of Beaver Falls for many decades. I have been asked by Borough Council to comment on the new proposed guidelines for certain acquisitions.

On February 1, 2024, the Pennsylvania Public Utility Commission (the "Commission") voted to issue a Tentative Supplemental Implementation Order that proposes revisions to the Commission's existing procedures and guidelines for Section 1329 acquisitions. In response to this order, the Borough of Eastvale ("Eastvale") desires to submit the following comments to the Commission in connection with the pending sale by the City of Beaver Falls ("City") of the City's wastewater treatment plant and collection system (the "System") to Aqua Pennsylvania Wastewater, Inc. ("Aqua").

Since 2021, the City has been engaged in the process of selling the System to Aqua. In connection with the City's sale of the System to Aqua, the City and Aqua entered into an Asset Purchase Agreement dated October 20, 2021 (the "Asset Purchase Agreement").

Eastvale is a municipality located in Beaver County that transmits wastewater to the City's wastewater treatment plant for treatment. In connection with the City's sale of the System to Aqua, Eastvale and Aqua entered into a Wastewater Service Agreement dated December 14, 2023 (the "Treatment Agreement"). Eastvale and Aqua spent a significant amount of time, effort and resources negotiating and finalizing the Treatment Agreement and Eastvale believes that this agreement is beneficial to Eastvale and its residents.

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As the City has expended a significant amount of time, effort and resources in connection with the sale of the System, which has been in process since 2021; Eastvale has submitted a letter to the Commission consenting to the sale of the System; and Eastvale has spent considerable time, effort and resources negotiating and finalizing the Treatment Agreement, Eastvale requests and strongly encourages the Commission to recognize and honor the Asset Purchase Agreement and the Treatment Agreement and not to disturb these agreements.

The Borough Council of my municipality appreciates the attention and time given to consideration of our comments and position. Thank you.

Very truly yours,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line extending to the right.

Joseph M. Budicak

JMB/msh

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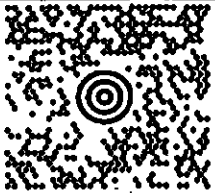

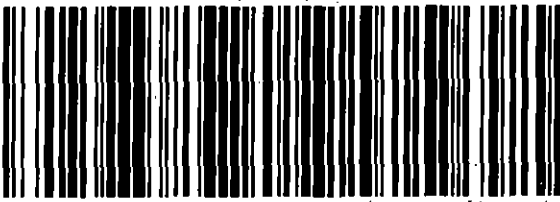

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