

MEYER & WAGNER

LAW OFFICES



JAMES A. MEYER
THOMAS G. WAGNER

RICHARD R. BROWN, JR., Associate

March 14, 2012

Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

IN RE: Docket No. M-2012-2288561

Dear Secretary:

Enclosed for filing is the Notice of Election to Implement an Impact Fee on behalf of the County of Elk.

If any further documents are required, please notify me.

Very truly yours,

Thomas G. Wagner

TGW/cah
Enclosure
Cc Jean Zore, Chief Clerk
County of Elk

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2012 MAR 19 AM 10:42

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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

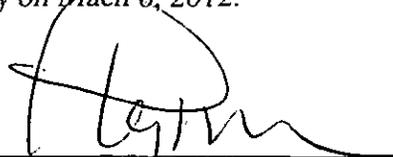
IN RE: IMPLEMENTATION OF : DOCKET NO. M-2012-2288561
UNCONVENTIONAL GAS WELL :
IMPACT FEE ACT, ACT 13 OF 2012 :

NOTICE OF ELECTION TO IMPLEMENT AN IMPACT FEE

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

You are hereby notified that the County of Elk has elected to implement an impact fee.

Attached to this Notice is a certified copy of Ordinance No. 01-2012, adopted by the Board of County Commissions of Elk County on March 6, 2012.



Thomas G. Wagner, Solicitor
County of Elk

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County of Elk

COMMISSIONERS

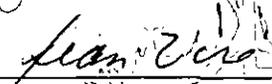
Daniel R. Freeburg
June H. Sorg
Janis E. Kemmer

300 Center Street, P.O. Box 448
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Telephone: (814) 776-1161
Fax: (814) 776-5379
www.co.elk.pa.us

Jean Zore, *Chief Clerk*
Thomas G. Wagner, *Solicitor*

I certify that the attached is a true and correct copy of an ordinance adopted by the Board of County Commissioners of the County of Elk after due advertisement at a duly constitute public meeting on Tuesday, March 6, 2012.

(SEAL)



Jean Zore, Chief Clerk

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COUNTY OF ELK

ORDINANCE NO. 01-2012

ESTABLISHING AND IMPOSING AN UNCONVENTIONAL GAS WELL FEE IN ACCORDANCE WITH THE PENNSYLVANIA OIL AND GAS ACT, AS RECENTLY AMENDED

WHEREAS, the Pennsylvania legislature recently amended Title 58 of the Pennsylvania Consolidated Statutes, known as the Oil and Gas Act, by Act of February 13, 2012 (P.L. No. 13) and

WHEREAS, the amendment allows for counties to impose an unconventional gas well fee; and

WHEREAS, the County of Elk is experiencing a significant and growing rate of oil and gas production within the County involving in part the drilling of unconventional gas wells; and

WHEREAS, the activity relating to said unconventional gas wells has an effect on the County and its constituent municipalities; and

WHEREAS, the Board of County Commissioners deems it to be in the best interest of the citizens of Elk County to impose an unconventional gas well fee;

NOW THEREFORE, the Board of County Commissioners ordains as follows:

Section 1. Definitions. The following words and phrases when used in this ordinance shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Fee.” The unconventional gas well fee imposed under Section 2302 of Title 58.

“Spud.” The actual start of drilling of an unconventional gas well.

“Title 58.” The Pennsylvania Oil and Gas Act, Title 58 of Pennsylvania Consolidated Statutes, as amended by Act of February 13, 2012 (P.L. _____, No. 13).

Section 2. Imposition of Fee. The County of Elk hereby imposes an unconventional gas well fee on each unconventional gas well spud in this County, as authorized by Title 58.

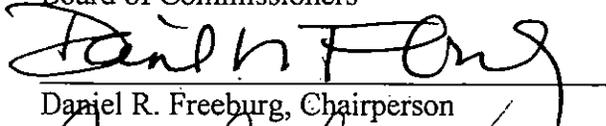
Section 3. Administration of Fee. The unconventional gas well fee shall be administered as provided in Title 58.

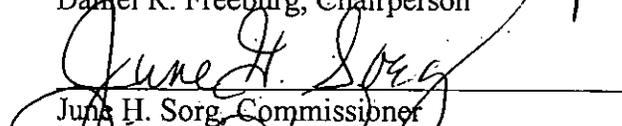
Section 4. Effective Date. This Ordinance shall take effect immediately and shall remain in effect until repealed or amended.

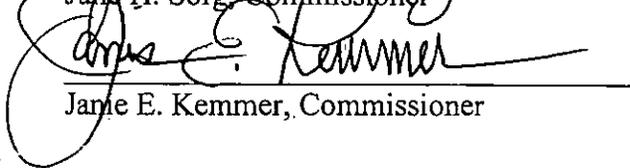
Section 5. Filing of Ordinance. A copy of this Ordinance shall be transmitted to the Pennsylvania Public Utility Commission as required by Title 58.

Ordained and enacted this 6th day of March, 2012.

COUNTY OF ELK
Board of Commissioners


Daniel R. Freeburg, Chairperson


June H. Sorg, Commissioner


Jamie E. Kemmer, Commissioner

ATTEST:


Chief Clerk

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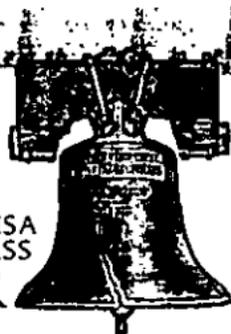
Meyer & Wagner
Attorneys at Law
115 Lafayette Street
Saint Marys, PA 15857

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JOHNSTOWN PA 15804
15 MAR 2012 PM 2



USA
FIRST-CLASS
FOREVER

Secretary
Pennsylvania Public Utility Commission
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Harrisburg, PA 17105-3265

171053265

