

R. Tyler Courtney
Commissioner

Charles W. Anderson
Chairman

Ted Kopas
Commissioner

Westmoreland County Pennsylvania



OFFICE OF
COUNTY SOLICITOR
2 North Main Street, Suite 103
Greensburg, Pennsylvania 15601

Phone: (724) 830-3145
(800) 442-6926
Fax: (724) 830-3055
TDD 830-3802

March 19, 2012

Ms. Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Post Office Box 3265
Harrisburg PA 17105-3265

Re: Notice of Enactment of Unconventional Gas Well Impact Fee Ordinance
Docket No. M-2012-2288561

Dear Ms. Chiavetta:

I am enclosing for filing with your agency a sworn affidavit executed by the Westmoreland County Chief Clerk attesting to the public advertisement and display of notice of consideration of enactment of an Ordinance Imposing an Unconventional Gas Well Fee, and incorporating a true and correct copy of the Proof of Publication of the notice, and a true and correct copy of the ordinance adopted by the Board of Commissioners of the County of Westmoreland on March 8, 2012. Should you require anything further for Westmoreland County to comply with Act 13 and with the Public Utility Commission Tentative Implementation Order at Docket No. M-2012-2288561, adopted March 15, 2012, entered March 16, 2012, regarding adoption of the County's ordinance, please contact me at the above telephone number or address. I would request that an acknowledgement of receipt of this notice be returned in the enclosed postage prepaid reply envelope. Thank you for your kind assistance.

Very truly yours,

A handwritten signature in black ink that reads "R. Mark Gesalman". The signature is fluid and cursive, written over a horizontal line.

R. Mark Gesalman
County Solicitor

Enclosures (2)

RECEIVED
2012 MAR 22 AM 10:31
PA.P.U.C.
SECRETARY'S BUREAU

ORDINANCES

NOTICE OF CONSIDERATION OF PROPOSED COUNTY ORDINANCE

At a regularly scheduled public meeting of the Board of Commissioners of the County of Westmoreland to be held at 10:00 A.M. on March 8, 2012, at the Westmoreland County Courthouse, 2 North Main Street, Greensburg, Pennsylvania, the County Commissioners will consider adopting the following titled ordinance:

AN ORDINANCE IMPOSING AN UNCONVENTIONAL GAS WELL FEE ON EACH UNCONVENTIONAL GAS WELL DRILLED IN WESTMORELAND COUNTY.

Section 1 of the Ordinance imposes an unconventional gas well fee on each unconventional gas well drilled in Westmoreland County. Section 2 of the Ordinance sets forth definitions of words and phrases in the ordinance that are taken from Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes as amended by Act of February 14, 2012, P.L. No. 13. Under these definitions, an unconventional gas well is a bore hole drilled for the purpose of production of natural gas from a geological shale formation where the use of hydraulic fracture treatments or multilateral well bores, or other techniques are necessary in order to produce economic flow rates and/or volumes of natural gas. Section 3 of the Ordinance requires that the unconventional gas well fee be applicable and administered as provided in Title 58. Section 4 makes the Ordinance effective immediately. Section 5 requires that a copy of the Ordinance be transmitted to the Public Utility Commission.

Copies of the proposed Ordinance may be examined in the County Commissioners' Office (Room 101) or the Law Library (Room 202) at the Westmoreland County Courthouse, 2 North Main Street, Greensburg, Pennsylvania.

(2/21/12) 911

State of Pennsylvania }
County of Westmoreland }

SS.

Personally appeared before me a Notary Public in and for said state and county, the undersigned, who being duly sworn according to law, deposes and says, for the publisher, that the LATROBE BULLETIN is a newspaper of general circulation, established on the 19th day of December 1902, and published daily in the City of Latrobe, County of Westmoreland and State of Pennsylvania, and that the advertisement, of which a copy is hereto attached, was published in the regular edition and issues on the following date

February 21, 2012

and is in all respects as ordered and that neither the affiant nor publisher is interested in the subject matter of the notice and that all of the allegations of the statement as to time, place and character of publication are true.

Patricia A. Sheback
Business Manager

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P.A.P.U.C.
SECRETARY'S BUREAU

Subscribed and sworn to before me this

22 day of February A.D. 2012

[Signature]
Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Jamie L. Knechtel, Notary Public
City of Latrobe, Westmoreland County
My Commission Expires Dec. 24, 2013
Member, Pennsylvania Association of Notaries

RECEIVED

MAR 22 2012

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ORDINANCE #ORD-1-2012

AN ORDINANCE IMPOSING AN UNCONVENTIONAL GAS WELL FEE ON EACH UNCONVENTIONAL GAS WELL SPUD IN WESTMORELAND COUNTY.

IT IS HEREBY ORDAINED AND ENACTED by the Board of Commissioners of the County of Westmoreland, Pennsylvania, as follows:

Section 1. The County of Westmoreland hereby imposes an unconventional gas well fee on each unconventional gas well spud in this County, as authorized in Title 58.

Section 2. 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." Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes as amended by Act of February 14, 2012 (P.L. ____, No. 13).

"Unconventional Gas Well." A bore hole drilled or being drilled for the purpose of or to be used for the production of natural gas from an unconventional formation.

"Unconventional Formation." A geological shale formation existing below the base of the Elk Sandstone or its geologic equivalent stratigraphic interval (i.e., layer of rock) where natural gas generally cannot be produced at economic flow rates or in economic volumes except by vertical or horizontal well bores stimulated by hydraulic fracture treatments or by using multilateral well bores or other techniques to expose more of the formation to the well bore.

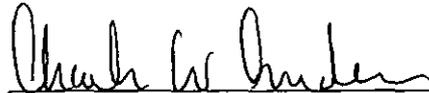
Section 3. The unconventional gas well fee shall be applicable, and shall be administered, as provided for in Title 58.

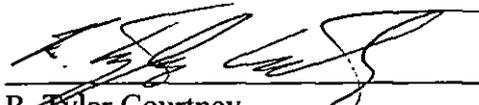
Section 4. This Ordinance shall take effect immediately and shall remain in effect until repealed or amended.

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

ORDAINED AND ENACTED by the Board of Commissioners of the County of Westmoreland, Pennsylvania, on this 8th day of March, 2012.

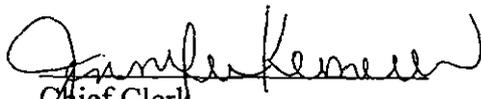
COUNTY OF WESTMORELAND
BOARD OF COMMISSIONERS


Charles W. Anderson, Chairman


R. Tyler Courtney


Ted Kopas

ATTEST:


Chief Clerk

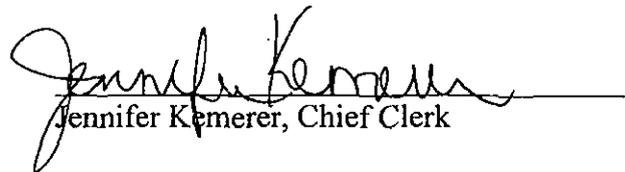
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ATTESTATION

I, Jennifer Kemerer, in my capacity as Chief Clerk for the Board of Commissioners of the County of Westmoreland, Pennsylvania, do hereby attest that the foregoing document is a true and correct copy of Ordinance Number #ORD-1-2012, which was adopted by the said Board at a properly advertised public meeting held on the 8th day of March 2012.

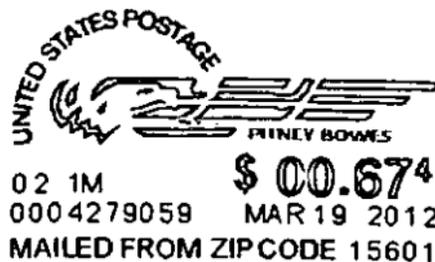
WITNESS my hand and official Seal of the County of Westmoreland, Pennsylvania, this
12th day of March 2012.


Jennifer Kemerer, Chief Clerk

County Seal

OFFICE OF
COUNTY SOLICITOR
2 N. Main Street, Suite 103
Greensburg PA 15601

PRESORTED
FIRST CLASS



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0004279059 MAR 19 2012
MAILED FROM ZIP CODE 15601

Ms. Rosemary Chiavetta, Secretary
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg PA 17105-3265



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