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Please Reply to Hazleton

Email: dam@gmlawoffices.com
March 27, 2012

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
Attn: Rosemary Chiavetta, Secretary
PO Box 3265
Harrisburg, PA 17105-3265

RECEIVED
2012 MAR 28 AM 10:10
PA P.U.C.
SECRETARY'S BUREAU

Re: Implementation of Unconventional Gas Well Impact Fee
Act 13 of 2012
Docket No.: M-2012-2288561

Dear Ms. Chiavetta:

I am writing as Solicitor for the Commissioners of Carbon County.

Enclosed is Ordinance No. 2012-01 as enacted by the Commissioners of Carbon County on the 15th day of March, 2012.

Please accept this correspondence and Ordinance as enacted by the County of Carbon as a notice of election to implement Municipal Ordinance to compel the imposition of an impact fee pursuant to Section 2302 of the Act.

Thank you for your consideration in this matter and I would ask that you please contact my office if you have any questions or require further information.

Very truly yours,

DANIEL A. MISCAVIGE

DAM/kap
Enclosure
cc: County of Carbon

ORDINANCE NO. 2012-01
AN ORDINANCE OF CARBON COUNTY

BE IT ENACTED:

SECTION 1. THE COUNTY OF CARBON 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 13, 2012 (P.L. NO.).

"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.

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 THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY AND SHALL REMAIN IN EFFECT UNTIL REPEALED OR AMENDED.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.

ENACTED THIS 15TH DAY OF MARCH, 2012

CARBON COUNTY BOARD OF COMMISSIONERS


WAYNE E. NOTHSTEIN, CHAIRMAN


TOM J. GERHARD, VICE-CHAIRMAN


WILLIAM J. O'GUREK, COMMISSIONER

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ATTEST:

ELOISE K. AHNER, CHIEF CLERK/COUNTY ADMINISTRATOR

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ATTORNEYS AT LAW
67 NORTH CHURCH STREET
HAZLETON, PENNSYLVANIA 18201



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