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| PUC logo | COMMONWEALTH OF PENNSYLVANIA  PENNSYLVANIA PUBLIC UTILITY COMMISSION  P.O. BOX 3265, HARRISBURG, PA 17105-3265 | **IN REPLY PLEASE REFER TO OUR FILE**  **P-2017-2594688** |

**April 19, 2017**

Re: **Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Metropolitan Edison Company and North Heidelberg Sewer Company, Docket No. P-2017-2594688, Petition for Issuance of an *Ex Parte* Emergency Order**

TO ALL PARTIES:

On March 21, 2017, the Bureau of Investigation and Enforcement (I&E or Petitioner) filed a Petition for Issuance of an *Ex Parte* Emergency Order against Metropolitan Edison Company (Met-Ed) and North Heidelberg Sewer Company (NHSC) pursuant to 52 Pa. Code § 3.2. In its Petition, I&E averred that Met-Ed had begun termination procedures against NHSC due to non-payment of a $157,000 arrearage for electric services rendered. For relief, the Petitioner requested that the Commission enjoin Met-Ed from terminating electric service to NHSC without prior Commission approval. I&E also requested that the Commission direct NHSC to cease withholding electric service payments to Met-Ed. Finally, the Petitioner requested that the Commission direct NHSC to notify its customers that they will continue to receive wastewater services.

On March 22, 2017, Chairman Gladys M. Brown signed an *Ex Parte* Emergency Order (*Ex Parte Order*). The *Ex Parte Order* granted the Petition as modified to ensure continued wastewater service from NHSC to its customers, subject to ratification by the full Commission at the next public meeting on April 6, 2017. The *Ex Parte Order* directed that the Office of Administrative Law Judge (OALJ) schedule a hearing within ten days of the date of the *Ex Parte Order*. On April 3, 2017, Administrative Law Judge (ALJ) Elizabeth H. Barnes held an evidentiary hearing. Thereafter, by Order entered on April 6, 2017, the full Commission ratified the *Ex Parte Order*.

In her Recommended Decision issued on April 11, 2017, ALJ Barnes recommended that the *Ex Parte Order* remain in effect with some modifications. On April 17, 2017, NHSC filed Exceptions to the Recommended Decision.

Section 3.4 of our Regulations, 52 Pa. Code § 3.4, sets forth the procedure for hearings following the issuance of emergency orders. After such a hearing, the “decision of the presiding officer will constitute a recommended decision to be acted upon by the Commission at the next scheduled public meeting.” 52 Pa. Code § 3.4(e). The next scheduled public meeting of the Commission is April 20, 2017.

In order to review the matter thoroughly, we **waive** the requirement under 52 Pa. Code § 3.4(e) that the Recommended Decision be acted upon by the Commission at the next scheduled public meeting. We thereby, extend our consideration beyond the time period provided for in Section 3.4(e) in order to afford us adequate time to address the Petition, the Recommended Decision and the Exceptions. *See* 52 Pa. Code § 1.2(c). Accordingly, the Petition will be addressed at a forthcoming public meeting.

Should you have any questions, you may contact the Office of Special Assistants, Cheryl Walker Davis, Director. Please direct your inquiry to Thomas A. Capper, Esq., at (717) 772-8841 or [tcapper@pa.gov](mailto:tcapper@pa.gov).

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Very truly yours,

Rosemary Chiavetta

Secretary