**PENNSYLVANIA**

**PUBLIC UTILTY COMMISSION**

**Harrisburg, PA 17105-3265**

Public Meeting held October 5, 2017

Commissioners Present:

Gladys M. Brown, Chairman

Andrew G. Place, Vice Chairman

David W. Sweet

John F. Coleman, Jr.

Pennsylvania Public Utility Commission, :

Bureau of Investigation and Enforcement :

:

v. : P-2017-2594688

:

Metropolitan Edison Company and :

North Heidelberg Sewer Company :

**ORDER**

BY THE COMMISSION:

We adopt as our action the Recommended Decision on Remand of Administrative Law Judge Elizabeth H. Barnes, dated September 1, 2017;

THEREFORE,

IT IS ORDERED:

1. That the Commission not amend its Opinion and Order entered on May 4, 2017, at Docket No. P-2017-2594688.
2. That the Exceptions of North Heidelberg Sewer Company filed on April 17, 2017, be denied.
3. That the Recommended Decision of Administrative Law Judge Elizabeth H. Barnes, issued on April 11, 2017, be adopted, as modified, consistent with the Opinion and Order entered May 4, 2017.
4. That the *Ex Parte* Emergency Order signed by Chairman Gladys M. Brown on March 22, 2017, and ratified by Order entered April 6, 2017, be modified, consistent with the Commission’s May 4, 2017 Opinion and Order.
5. That Metropolitan Edison Company be enjoined from terminating electric service to North Heidelberg Sewer Company without prior authorization from the Commission.
6. That North Heidelberg Sewer Company be directed to pay a lump-sum amount of $61,337 in arrearage owed to Metropolitan Edison Company within sixty days of the date of entry of a final Commission Order.
7. That upon receipt of the payment described in Recommended Ordering Paragraph No. 6, Metropolitan Edison Company be directed to: (a) withhold assessing late payment charges on the remaining arrearage of North Heidelberg Sewer Company’s account going forward; and (b) reverse/refund $37,326 in late payment charges out of the current outstanding arrearage balance of approximately $160,000; both provided that North Heidelberg Sewer Company continues to pay its current monthly electric distribution company and electric generation supply bills plus $2,555.71 each month towards arrearage until the remaining outstanding balance of $61,337 is paid in full over a two-year period.
8. That in the event North Heidelberg Sewer Company fails to make timely payments as directed in Recommended Ordering Paragraph Nos. 6 and 7, Metropolitan Edison Company shall notify the Secretary of the Commission, the Director of the Commission’s Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate, and Aqua Pennsylvania Wastewater, Inc. within thirty days of the missed deadline that such failure has occurred.
9. That in the event a Notice as set forth in Ordering Paragraph No. 8 is received by the Commission, a separate proceeding shall be initiated pursuant to 66 Pa. C.S. § 529 (relating to directing a competent utility to operate or acquire a small sewer utility that has jeopardized public safety by failing to provide reasonable and adequate service).
10. That the Bureau of Audits and Bureau of Technical Utility Services be directed to continue conducting a review into the continued viability of North Heidelberg Sewer Company as a going concern and of its ability to provide safe and reliable service at reasonable rates. Upon completion of their review, the Bureau of Audits and the Bureau of Technical Utility Services shall make a joint recommendation to the Commission as to whether the Commission should initiate a proceeding pursuant to 66 Pa. C.S. § 529.
11. That in all other respects, the *Ex Parte* Emergency Order ratified by Order entered April 6, 2017, remains in full force and effect.
12. That the Secretary shall serve a copy of any final Commission Order upon the Office of Small Business Advocate, Pennsylvania Department of Environmental Protection, the Commission’s Bureau of Audits, and the Bureau of Technical Utility Services.

 BY THE COMMISSION

Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: October 5, 2017

ORDER ENTERED: October 5, 2017