**BEFORE THE**

**PENNSYLVANIA PUBLIC UTLIITY COMMISSION**

Application of Aqua Pennsylvania Wastewater, Inc. :

for Approval of its Acquisition of Delaware County :

Regional Water Quality Control Authority’s : A-2019-3015173

Wastewater Assets, inter alia, Pursuant to Sections :

507, 1102 and 1329 of the Public Utility Code :

**ORDER**

**DENYING THE MOTION OF AQUA PENNSYLVANIA WASTEWATER, INC.**

**TO KEEP THE RECORD OPEN FOR THE LIMITED PURPOSE OF ADMITTING**

**THE DECISION OF THE COURT OF COMMON PLEAS OF DELAWARE COUNTY AT NO. CV-2020-003185**

On November 13, 2020, in the above-captioned matter, Aqua Pennsylvania Wastewater, Inc. (Aqua) filed a Motion to Keep the Record Open for the Limited Purpose of Admitting the Decision of the Court of Common Pleas of Delaware County at No. CV-2020-003185 (Motion), along with an attached Notice to Plead.

On December 2, 2020, the County of Delaware, Pennsylvania (County) filed an Answer in Opposition to the Motion. In its Answer, the County argues that it is unnecessary to keep the record open for the sole reason of admitting a decision of the Court of Common Pleas because the Public Utility Commission or the presiding Administrative Law Judges can take judicial notice of any such decision. We agree.

Pursuant to 52 Pa. Code § 5.408, we have the authority to take notice of any decision issued by the Court of Common Pleas even after the record has been closed. Thus, we can find no reason to keep the record open for this limited purpose. Accordingly, Aqua’s Motion will be denied.

 THEREFORE,

 IT IS ORDERED:

That the Motion of Aqua Pennsylvania Wastewater, Inc. to Keep the Record Open for the Limited Purpose of Admitting the Decision of the Court of Common Pleas of Delaware County at No. CV-2020-003185 is denied.

Date: December 7, 2020 /s/

 Angela T. Jones

 F. Joseph Brady

 Administrative Law Judges

A-2019-3015173 - APPLICATION OF AQUA PA PURSUANT TO SECTIONS 1102 AND 1329 OF THE PA CODE FOR THE ACQUISITION BY AQUA OF THE WASTEWATER SYSTEM ASSETS OF DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY

**Revised 10-8-20**

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