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March 19, 2021

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Via Electronic Filing

RE: Application of Aqua Pennsylvania Wastewater, Inc. Pursuant to Sections 1102, 1329, and 507 of the Public Utility Code for Approval of its Acquisition of the Wastewater System Assets of the Delaware County Regional Water Quality Control Authority; Docket No. A-2019-3015173

Dear Secretary Chiavetta:

On March 10, 2021, Aqua Pennsylvania Wastewater, Inc. (“Aqua”) filed a letter with the Commission at the above-captioned docket “to advise the Commission that Aqua hereby voluntarily extends the six-month statutory consideration period for this proceeding.” The purpose of this letter is to notify the Commission of the County of Delaware’s opposition to Aqua’s proposed voluntary extension of the statutory consideration period enacted by the Pennsylvania General Assembly in Section 1329(d) of the Public Utility Code, 66 Pa. C.S. § 1329(d)(2).

Section 1329(d)(2) of the Public Utility Code states: “The commission shall issue a final order on an application submitted under this section within six months of the filing date of an application meeting the [filing] requirements.” 66 Pa. C.S. § 1329(d)(2). In light of the six-month statutory review period and the Commission’s 60-day extension in light of the COVID-19 pandemic, the last Public Meeting by which the Commission may issue a final order on Aqua’s application is March 25, 2021.

Aqua’s letter purports to unilaterally extend the consideration period and implies that Aqua has the legal authority to extend the statutory review period. Aqua fails to provide the Commission with any legal basis for its unilateral extension request.

Accordingly, the County of Delaware respectfully requests that the Commission decline consideration of Aqua’s March 10, 2021 proposal to extend the statutory review period.

Sincerely,

McNEES WALLACE & NURICK LLC

By

A handwritten signature in blue ink, appearing to read 'A. Bakare', is written over a horizontal line.

Adeolu A. Bakare

AAB

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c: The Honorable Joseph Brady (via email only)
 Pamela McNeal, Legal Assistant to ALJ (via email only)
 Kathryn Sophy, Director, Office of Special Assistants (via email only)
 Certificate of Service (via email only)

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of Section 1.54 (relating to service by a participant).

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Certificate of Service

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Dated this 19th day of March, 2021, in Harrisburg, Pennsylvania