

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG PENNSYLVANIA 17120**

**Application of Aqua Pennsylvania
Wastewater, Inc., pursuant to Sections
507, 1103, and 1329 of the Public
Utility Code for Approval of its
Acquisition of the Wastewater System
Of the Delaware County Regional
Water Quality Control Authority**

**Public meeting held March 25, 2021
3015173-OSA
Docket No. A-2019-3015173**

MOTION OF VICE CHAIRMAN DAVID W. SWEET

Before the Commission is the Recommended Decision of Administrative Law Judges Angela T. Jones and F. Joseph Brady (ALJs) issued on January 12, 2021, which recommends denying the Application, and the exceptions filed by Aqua Pennsylvania Wastewater, Inc. (Aqua), the Delaware County Regional Water Quality Control Authority (DELCORA), and Sunoco Partners Marketing & Terminals, L.P./Energy Transfer (Sunoco), as well as replies to the exceptions filed by the Commission's Bureau of Investigation and Enforcement (I&E), the Office of Consumer Advocate (OCA), the Office of Small Business Advocate (OSBA), and the County of Delaware (County).

Since the issuance of the Recommended Decision, additional filings have been submitted at this docket. All parties may not have had adequate opportunities to review and respond to them., There is still outstanding litigation which may need to be taken into consideration when evaluating this application.

On March 10, 2021, counsel for Aqua filed a letter by which it voluntarily waived the statutory deadline in this matter. Accordingly, it is not necessary to rule on the Exceptions at this time. Aqua's action allows the Commission to reopen the record and to remand the matter to the Office of Administrative Law Judge (OALJ) for such further proceedings as may be appropriate in light of the new developments in the case. I find that it is in the public interest to reopen the record, as provided for in our regulations.¹

THEREFORE,
I MOVE:

1. That the record in this matter is reopened and the case remanded to the Office of Administrative Law Judge for such further proceedings that may be appropriate.
2. That the Office of Special Assistants prepare an Order consistent with this Motion.

March 25, 2021
DATE



DAVID W. SWEET
VICE CHAIRMAN

¹ 52 Pa. Code § 5.571(d)(2).