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May 8, 2023

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:

The Joint Movants (County of Delaware, Pennsylvania ("County"), the Bureau of Investigation and Enforcement ("I&E"), the Office of Consumer Advocate ("OCA"), and the Office of Small Business Advocate ("OSBA")) hereby provide this Joint Status Report pursuant to the Interim Order issued by Administrative Law Judge ("ALJ") F. Joseph Brady on February 6, 2023. The Joint Movants report that, as of the date of this report, the final unappealable decision in the Bankruptcy Court for the Eastern District of Pennsylvania ("Bankruptcy Court") on the Motion to Enforce Stay has not been issued. Similarly, a final unappealable decision in the Delaware County Court of Common Pleas on DELCORA's Complaint for Declaratory Judgment has not been issued.

*City of Chester Motion to Enforce Stay (US Bankruptcy Court, E.D. Pa, Case No. 22-13032)*

Following the issuance of the Interim Order, the Bankruptcy Court scheduled a hearing on the Motion to Enforce Stay for February 27, 2023. At the February 27, 2023, hearing, Judge Ashley M. Chan directed the parties to try to determine what portion of the Chester sewer system is subject to the City's reversionary interest. To accommodate the directive, Judge Chan continued the hearing for 60 days, during which the automatic stay pursuant to Section 362 of the Bankruptcy Code would remain in effect. This decision was memorialized in a March 7, 2023, Order that: 1) formally granted the Motion to Enforce Stay on an interim basis; and 2) directed parties to reconvene on May 15, 2023, to update the Court on "progress towards identifying and reaching an agreement as to the identification of any assets subject to the Reversionary Interest." The May 15 hearing remains pending.

*DELCORA Complaint for Declaratory Judgment (Ct. of Common Pleas of Delaware County, Case No. CV-2023-000494)*

With regard to the DELCORA Complaint for Declaratory Judgment, both the County and Aqua responded to the Complaint, with Aqua filing Preliminary Objections on February 15, 2023, and the County filing an Answer with New Matter on February 21, 2023. Both the County and DELCORA filed Answers to Aqua's Preliminary Objections on March 6, 2023. DELCORA additionally filed an Answer to the County's New Matter on March 13, 2023. The pleadings remain before the court for disposition.

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The Joint Movants will continue to provide updates for informational purposes pursuant to the Interim Order.

As evidenced by the attached Certificate of Service, all parties to this proceeding are being duly served with a copy of this document. Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Adeolu A. Bakare', with a stylized flourish at the end.

Adeolu A. Bakare  
MCNEES WALLACE & NURICK LLC

c: Administrative Law Judge F. Joseph Brady  
Pamela McNeal, Legal Assistant to ALJ  
Certificate of Service

## 8 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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Adeolu A. Bakare

Counsel to the County of Delaware, Pennsylvania

Dated this 8<sup>th</sup> day of May, 2023, in Harrisburg, Pennsylvania