

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120**

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Ralph V. Yanora
Kathryn L. Zerfuss
John F. Coleman, Jr.

Pennsylvania Public Utility Commission
Office of Consumer Advocate
Office of Small Business Advocate
Sandra E. Shaub
Vincent E. Collier III

R-2023-3040258
C-2023-3040746
C-2023-3040567
C-2023-3041197
C-2023-3041198

v.

Columbia Water Company

OPINION AND ORDER

BY THE COMMISSION:

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is the Petition for Reconsideration (Petition) filed by the Office of Small Business Advocate (OSBA) on February 2, 2024, seeking reconsideration of the Opinion and Order entered on January 18, 2024, relative to the above-captioned proceeding.

Pursuant to Rule 1701 of the Pennsylvania Rules of Appellate Procedure, Pa. R.A.P. 1701, the Commission must act to grant a petition for reconsideration within thirty days of the date of entry of the order for which reconsideration is sought or otherwise lose jurisdiction to do so if a petition for review is timely filed.¹ The thirty-day period within which the Commission must act upon the Petition in order to preserve jurisdiction ends on February 20, 2024.²

Granting reconsideration pending review of, and consideration on, the merits of the Petition to preserve Commission jurisdiction and toll the thirty-day time period for filing a petition for appellate review does not automatically stay the Commission's underlying Opinion and Order.³ Pursuant to 52 Pa. Code § 5.572, petitions seeking a stay or supersedeas must be filed with the Commission within fifteen (15) days after the underlying Opinion and Order becomes final.⁴

Accordingly, we shall grant reconsideration, within the meaning of Pa. R.A.P. 1701(b)(3), pending review of, and consideration on, the merits of the Petitions; **THEREFORE,**

¹ Commission Rules of Practice and Procedure provide that a party may file an Answer to the Petition within ten (10) days of service. 52 Pa. Code § 5.571(c). As of the date of this Order no Answers have been received.

² The thirty-day period ends on February 17, 2024, which is a Saturday. Additionally, the President's Day Holiday falls on Monday, February 19, 2024. Therefore, the next business day, Tuesday, February 20, 2024, is the deadline for the Commission to act on the Petition.

³ 52 Pa. Code § 5.572; Pa. R.A.P. 1701.

⁴ *See also*, Pa. R.A.P. 1781.

IT IS ORDERED: That the Petition for Reconsideration filed by the Office of Small Business Advocate on February 2, 2024, is hereby granted, pending further review of, and consideration on, the merits.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Rosemary Chiavetta". The signature is written in a cursive style with a large initial "R".

Rosemary Chiavetta
Secretary

(SEAL)

ORDER ADOPTED: February 7, 2024

ORDER ENTERED: February 7, 2024