**PENNSYLVANIA**

**PUBLIC UTILITY COMMISSION**

**Harrisburg, PA 17120**

Public Meeting held April 16, 2020

Commissioners Present:

Gladys Brown Dutrieuille, Chairman

David W. Sweet, Vice Chairman

Andrew G. Place

John F. Coleman, Jr.

 Ralph V. Yanora

|  |  |
| --- | --- |
| Implementation of Chapter 32 of the Public Utility Code Regarding Pittsburgh Water and Sewer Authority – Stage 1 Petition of Pittsburgh Water and Sewer Authority for Approval of Its Long-Term Infrastructure Improvement Plan | M-2018-2640802M-2018-2640803P-2018-3005037P-2018-3005039 |

**OPINION AND ORDER**

**BY THE COMMISSION:**

Before the Pennsylvania Public Utility Commission (Commission) for consideration are the Petition for Reconsideration, Clarification and/or Amendment filed by Pittsburgh Water and Sewer Authority (PWSA Reconsideration Petition) and the Petition for Reconsideration and Clarification of Pittsburgh UNITED (UNITED Reconsideration Petition), on April 10, 2020, seeking reconsideration, clarification, or amendment of the Commission’s Opinion and Order entered March 26, 2020 (*March 2020 Order*), relative to the above-captioned proceeding.

Pursuant to Rule 1701 of the Pennsylvania Rules of Appellate Procedure, Pa. R.A.P. Rule 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. The thirty‑day period within which the Commission must act upon these Petitions in order to preserve jurisdiction ends on April 27, 2020.[[1]](#footnote-1) Accordingly, we shall grant the PWSA Reconsideration Petition and the UNITED Reconsideration Petition, within the meaning of Pa. R.A.P. Rule 1701(b)(3), pending review of, and consideration on, the merits of the Petitions.

Also, before the Commission are the Petition to Intervene of the City of Pittsburgh (City Intervention Petition or Intervention Petition) and the Petition for Reconsideration and/or for Supersedeas (City Reconsideration Petition) both filed on April 10, 2020. Pursuant to 52 Pa. Code § 5.66, the Parties to this proceeding have the right to file answers to the City Intervention Petition within twenty days of service. After the expiration of the time for filing answers to the City Intervention Petition, the Commission will take action to either grant or deny the petition in whole or in part or may, if found to be appropriate, authorize limited participation. 52 Pa. Code § 5.75(b). Accordingly given the filing of the City Intervention Petition, we find it is premature to address the City Reconsideration Petition at this time; rather, we will hold it in abeyance pending our ruling on the Intervention Petition; **THEREFORE,**

**IT IS ORDERED:**

1. That the Petition for Reconsideration, Clarification and/or Amendment filed by Pittsburgh Water and Sewer Authority on April 10, 2020, is hereby granted, pending further review of, and consideration on, the merits.

2. That the Petition for Reconsideration and Clarification filed by Pittsburgh UNITED on April 10, 2020, is hereby granted, pending further review of, and consideration on, the merits.

3. That the Petition to Intervene filed by the City of Pittsburgh on April 10, 2020, shall be addressed by the Commission after the expiration of the time period for filing answers to the Petition to Intervene. We shall hold the Petition for Reconsideration and/or for Supersedeas filed by the City of Pittsburgh on April 10, 2020, in abeyance pending the disposition of the Petition to Intervene.

**BY THE COMMISSION,**

Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: April 16, 2020

ORDER ENTERED: April 16, 2020

1. The thirty-day period ends on April 25, 2020, which is a Saturday. Therefore, the next business day, April 27, 2020, is the deadline for the Commission to act on the Petitions. [↑](#footnote-ref-1)