

SCOTT J. RUBIN
ATTORNEY • CONSULTANT
333 OAK LANE • BLOOMSBURG, PA 17815 • (570) 387-1893 • SCOTT.J.RUBIN@GMAIL.COM

January 27, 2021

Rosemary Chiavetta, Secretary
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg PA 17105-3265

Re: Application of Aqua Pennsylvania Wastewater,
Inc. pursuant to Sections 507, 1102, and 1329 of
the Public Utility Code for, inter alia, approval of
the acquisition of the wastewater system assets of
the Delaware County Regional Water Quality
Control Authority, Docket No. A-2019-3015173

Dear Secretary Chiavetta:

Enclosed for filing please find the Notice of Withdrawal of Protest of Upland Borough in
the above-referenced proceeding.

This document is being served on the Administrative Law Judges and all parties of
record. The document was filed electronically with the Commission on this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott J. Rubin". The signature is fluid and cursive, with the first name "Scott" and last name "Rubin" clearly distinguishable.

Enclosure

cc: Angela Jones, Administrative Law Judge
F. Joseph Brady, Administrative Law Judge
Office of Special Assistants
All parties of record

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Aqua Pennsylvania Wastewater,	:	
Inc. pursuant to Sections 507, 1102 and 1329 of	:	
the Public Utility Code for, inter alia, approval of	:	
the acquisition of the wastewater system assets of	:	Docket No. A-2019-3015173
the Delaware County Regional Water Quality	:	
Control Authority	:	

NOTICE OF WITHDRAWAL OF PROTEST OF
UPLAND BOROUGH

Pursuant to 52 Pa. Code § 5.94(b), Upland Borough (“Upland”) hereby withdraws its Protest in this proceeding. Upland is withdrawing its Protest because it has entered into a Joint Stipulation with Aqua Pennsylvania Wastewater, Inc. (“Aqua”) and Delaware County Regional Water Quality Control Authority (“DELCORA”) (“Joint Stipulation”) which is being filed with the Commission concurrently with this Notice of Withdrawal. The Joint Stipulation satisfies Upland’s concerns with Aqua’s proposed acquisition of DELCORA’s assets, ensures that DELCORA retail customers in Upland will be treated in the same manner as DELCORA’s other retail customers if they become Aqua customers, and (if Aqua and DELCORA consummate the proposed transaction) results in the termination of the service agreement between Upland and DELCORA on reasonable terms.

Respectfully submitted,



Scott J. Rubin, Esq. (Pa. Atty. ID: 34536)
333 Oak Lane
Bloomsburg, PA 17815
scott.j.rubin@gmail.com
(570) 387-1893

Counsel for:
Upland Borough

Dated: January 27, 2021

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of foregoing document upon the following parties by electronic mail. Service by first-class mail will be provided to any party that requests such service.

Alexander R. Stahl
Aqua Pennsylvania
762 W. Lancaster Ave.
Bryn Mawr, PA 19010
astahl@aquaamerica.com
Representing Aqua PA Wastewater

Thomas Niesen
Thomas Niesen & Thomas LLC
212 Locust St., Suite 302
Harrisburg, PA 17101
tniesen@tntlawfirm.com
Representing Aqua PA Wastewater

John Povilaitis / Alan Seltzer
Buchanan Ingersoll & Rooney, PC
409 North Second Street, Suite 500
Harrisburg, PA 17101-1357
john.povilaitis@bipc.com, alan.seltzer@bipc.com
Representing Aqua PA Wastewater

Thomas Wyatt / Matthew Olesh
Obermayer Rebmann Maxwell & Hippel LLP
1500 Market St., Suite 3400
Philadelphia, PA 19102
thomas.wyatt@obermayer.com, matthew.olesh@obermayer.com, angela.swavely@obermayer.com
Representing DELCORA

Gina Miller / Erika McLain
Pa. Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265
ginmiller@pa.gov, ermclain@pa.gov
Representing Bureau of Investigation & Enforcement

Christine Hoover / Erin Gannon / Santo Spataro / Harrison Breitman
Office of Consumer Advocate
555 Walnut St., 5th Fl.
Harrisburg, PA 17101
OCADelcora@paoca.org
Representing Office of Consumer Advocate

Steven Gray
Office of Small Business Advocate
555 Walnut St., 1st Fl.
Harrisburg, PA 17101
sgray@pa.gov, excel.consulting@sbcglobal.net
Representing Office of Small Business Advocate

Adeolu Bakare / Robert Young / Kenneth Stark
McNees Wallace & Nurick LLC
PO Box 1166
Harrisburg, PA 17108-1166
abakare@mwn.com, lcharleton@mwn.com, kstark@mcneeslaw.com
Representing Delaware County

Kenneth Kynett / Charles Miller
Petrikin, Wellman, Damico, Brown & Petrosa
109 Chesley Dr
Media, PA 19063
kdk@petrikin.com, cgm@petrikin.com
Representing Edgmont Township

Cynthia Pantages
C&L Rental Properties, LLC
P.O. Box 516
Lake Harmony, PA 18624
cyndipantages@gmail.com
Representing C&L Rental Properties, LLC

Edward Clark, Jr.
Treasure Lake Property Owners Assoc.
13 Treasure Lake
Dubois, PA 15801
Representing Treasure Lake Property Owners Assoc.

Ross Schmucki
218 Rutgers Ave.
Swarthmore, PA 19081
rschmucki@gmail.com
Representing Self

Thomas Sniscak / Kevin McKeon / Whitney Snyder / Melissa Chapaska
Hawke McKeon & Sniscak LLP
100 North Tenth Street
Harrisburg, PA 17101
tjsniscak@hmslegal.com, kjmckeon@hmslegal.com, wesnyder@hmslegal.com,
machapaska@hmslegal.com
Representing Sunoco Partners Marketing & Terminals, L.P. / Energy Transfer

Michelle Skjoldal / Justin Weber
Troutman Pepper Hamilton Sanders LLP
P. O. Box 1181
Harrisburg, PA 17108-1181
michelle.skjoldal@troutman.com, justin.weber@troutman.com
Representing Kimberly-Clark Corp.

Jason T. Ketelsen
Troutman Pepper Hamilton Sanders LLP
3000 Two Logan Square
Philadelphia, PA 19103
jason.ketelsen@troutman.com
Representing Kimberly-Clark Corp.

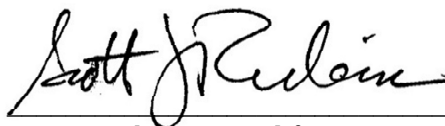
Marc D. Machlin
Troutman Pepper Hamilton Sanders LLP
2000 K Street, N.W., Suite 600
Washington, D.C. 20006
marc.machlin@troutman.com
Representing Kimberly-Clark Corp.

Robert W. Scott
PO Box 468
Media, PA 19063
rscott@robertwscottpc.com
Representing Borough of Swarthmore

Patricia Kozel
15 Hazzard Run Rd.
Lake Harmony, PA 18624
pattyk6@icloud.com
Representing Self

Lawrence & Susan Potts
11 Chestnut St.
Lake Harmony, PA 18624
susie01213@aol.com
Representing Self

January 27, 2021
Date

A handwritten signature in black ink, reading "Scott J. Rubin". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Scott J. Rubin, Counsel for
Upland Borough