*Via electronic service only due to Emergency Order at M-2020-3019262*

**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Aqua Pennsylvania Wastewater, : A-2021-3024267

Inc., (APW), under Sections 1102 and 1329 of :

the Pennsylvania Public Utility Code, 66 Pa C.S. :

§§ 1102(a) and 1329 (relating to enumeration of :

acts requiring certificate and valuation of :

acquired water and wastewater systems), for :

approval of: (1) the transfer, by sale, of :

substantially all of the wastewater system assets, :

properties and rights of Lower Makefield Township :

(LMT) related to its wastewater collection and :

conveyance system; (2) the right of APW to begin :

to offer or furnish wastewater service to the public :

in Lower Makefield Township, Bucks County, :

Pennsylvania; and (3) the use for ratemaking :

purposes of the lesser fair market value or the :

negotiated purchase price of the LMT assets related :

to its wastewater collection and conveyance system :

**INTERIM ORDER**

**DENYING PRELIMINARY OBJECTIONS FILED BY LOWER MAKEFIELD**

**TOWNSHIP WITHOUT PREJUDICE, AS BEING MOOT**

Aqua Pennsylvania Wastewater, Inc., (Applicant or Aqua) filed an Application with the Pennsylvania Public Utility Commission (Commission) on May 14, 2021, for approval, *inter alia,* of its acquisition of the wastewater system assets of Lower Makefield Township pursuant to Sections 1102 and 1329 of the Public Utility Code (Code).

Notice of the application was published in the August 21, 2021 edition of the *Pennsylvania Bulletin* with a protest deadline of September 7, 2021. 51 Pa.B. 5343.

Peter A. Lachance (Protestant) filed a Protest to the Application on or about August 27, 2021.

On September 8, 2021, the Applicant filed preliminary objections seeking dismissal of the protest because the Applicant contended that Protestant did not establish his standing to protest the application.

On September 10, 2021, Lower Makefield Township (Township) filed preliminary objections seeking dismissal of the protest because the Township contended that Protestant did not establish his standing to protest the application, and averring that the Protest includes impertinent, scandalous matter and was insufficiently specific.

At the prehearing conference on September 9, 2021, the Township advised it would be filing preliminary objections by September 10, 2021 and Protestant agreed to file a response to the preliminary objections on or before September 15, 2021. Protestant filed a response to the preliminary objections on or before September 17, 2021.

On September 20, 2021, an initial decision was entered granting the Preliminary Objections filed by Applicant and dismissing the Protest filed by Peter A. Lachance. Under the circumstances, the preliminary Objections filed by the Township are now moot, and the following Interim Order will be entered.

THEREFORE,

IT IS ORDERED:

1. That the preliminary objection of Lower Makefield Township to dismiss the protest of the Peter A. Lachance at Docket No. A-2021-3024267, is denied without prejudice, as moot.

Date: September 23, 2021 /s/

Jeffrey A. Watson

Administrative Law Judge

**A-2021-3024267 - Aqua Pennsylvania Wastewater, Inc. Section 1329 Application for the Acquisition of Lower Makefield Township Wastewater System Assets**

ALEXANDER R STAHL COUNSELAQUA PENNSYLVANIA INC762 W LANCASTER AVEBRYN MAWR PA 19010610-645-1130astahl@aquaamerica.comAccepts EService

ERIN FUREOFFICE OF SMALL BUSINESS ADVOCATEFORUM PLACE555 WALNUT STREET 1ST FLOORHARRISBURG PA 17101717-783-2525efure@pa.govAccepts EService THOMAS NIESEN ESQUIRETHOMAS NIESEN & THOMAS LLC212 Locust Street Ste 302HARRISBURG PA 17101717.255.7600tniesen@tntlawfirm.comAccepts EService ERIKA MCLAIN ESQUIREPO Box 3265HARRISBURG PA 17105-3265717-783-6170ermclain@pa.govAccepts EService

THOMAS WYATT PARTNER  
MATTHEW OLESH ESQUIRESYDNEY N MELILLO ESQUIRE  
OBERMAYER REBMANN MAXWELL & HIPPEL LLPCenter Square West1500 MARKET STREET SUITE 3400PHILADELPHIA PA 19102215-665-3200  
215-665-3043 thomas.wyatt@obermayer.comSydney.Melillo@obermayer.com  
Accepts EService HARRISON W BREITMAN ATTORNEY ERIN L GANNON ESQUIREOFFICE OF CONSUMER ADVOCATE555 Walnut Street 5th FloorFORUM PLACEHARRISBURG PA 17101717-783-5048hbreitman@paoca.org  
egannon@paoca.orgAccepts EService

BARRY SUMMERS

232 ASPEN ROAD

YARDLEY PA 19067

[BLSUMMERS5@VERIZON.NET](mailto:Blsummers5@verizon.net)

KEVIN AND BETH CAULEY

1355 JAMES COURT

YARDLEY PA 19067

**215-860-2416**

[jcauley679@aol.com](mailto:jcauley679@aol.com)

[artage2000@aol.com](mailto:artage2000@aol.com)

JOHN CHAR7218 HILLTOP ROADUPPER DARBY PA 19082610-352-5644JACK.CHAR1@VERIZON.NET

JAAN PESTI 1367 BRENTWOOD RDYARDLEY PA 19067215-860-3010jaansu@gmail.com

PETER LACHANCE484 Stony Hill RdYARDLEY PA 19067-5721peter@LMTconstable.comAccepts EService

KEISHA JACKSON-SPENCE

PO BOX 309

BLAKESLEE PA 18610

570-355-5315

[Chadabby28@yahoo.com](mailto:Chadabby28@yahoo.com)