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ATTORNEYS AT LAW

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October 21, 2021

Via E-Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone
400 North Street
Harrisburg, PA 15222

**Re: *Pennsylvania-American Water Company – Wastewater Division
Upper Pottsgrove Township Wastewater System Section 1329 Application
Docket No. A-2020-3021460
Sewage Treatment Service Agreement between Upper Pottsgrove Township,
Borough of Pottstown and Pottstown Borough Authority
Docket No. U-2021-3028545***

Dear Secretary Chiavetta:

This office represents Pottstown Borough Authority and the Borough of Pottstown. Kindly file at Docket Nos. A-2020-3021460 and U-2021-3028545 the enclosed Order dated October 21, 2021 of the Honorable Joseph A. Smyth of the Court of Common Pleas of Montgomery County, Pennsylvania in the matter of *Upper Pottsgrove Township vs. Pottstown Borough Authority and Pottstown Borough*, Civil Action No. 2021-06705, denying Upper Pottsgrove Township's Petition for Preliminary and Permanent Injunction to Enjoin Respondents from Blocking Sale of the Upper Pottsgrove Township Sewer System.

Respectfully submitted,

LAMB McERLANE PC

By: 
Vincent M. Pompo

Enclosure

cc: Honorable Jeffrey A. Watson – Office of Administrative Law Judge (via email)
Nick Miskanic, Legal Assistant – Office of Administrative Law Judge (via email)
All Counsel of Record – Per Certificate of Service

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IN THE COURT OF COMMON PLEAS OF
MONTGOMERY COUNTY, PENNSYLVANIA

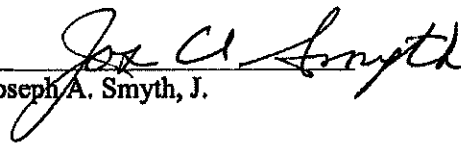
UPPER POTTS GROVE TOWNSHIP :
: CIVIL ACTION
vs. :
: NO. 2021-06705
POTTSTOWN BOROUGH AUTHORITY :
and POTTSTOWN BOROUGH :

ORDER

AND NOW, this 21 day of Oct, 2021, upon consideration of Upper Pottsgrove Township's Petition for Preliminary and Permanent Injunction to Enjoin Respondents from Blocking Sale of the Upper Pottsgrove Township Sewer System, Pottstown Borough Authority and Pottstown Borough's Response in opposition thereto, and following a hearing on September 27, 2021, it is **ORDERED** that:

Plaintiff's Petition for Preliminary and Permanent Injunction is **DENIED** in its entirety.

BY THE COURT:


Joseph A. Smyth, J.


This Order was E-filed on: 10/21/21

Copies mailed via Prothonotary to:

All parties of record

Copies sent via Chambers to:

Court Administration - Civil



Judicial Assistant