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December 6, 2021

Via Electronic Filing

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

Re: Petition of Twin Lakes Utilities, Inc. for a Commission Order Authorizing the Acquisition of Twin Lakes Utilities, Inc. by a Capable Public Utility Pursuant to 66 Pa.C.S. § 529 – Docket No. P-2020-3020914

Dear Secretary Chiavetta:

Enclosed for electronic filing please find Twin Lakes Utilities, Inc.'s Withdrawal of Emergency Petition for Partial Stay Pending Judicial Review in the above referenced matter. Copies to be served in accordance with the attached Certificate of Service.

Sincerely,

/s/Casey Alan Coyle

Casey Alan Coyle

cc: Hon. Joel Cheskis (via email only)
Cert. of Service w/enc. (via email only)
ra-OSA@pa.gov

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of Twin Lakes Utilities, Inc.'s
Withdrawal of Emergency Petition for Partial Stay Pending Judicial Review upon the persons
below in the manner indicated in accordance with requirements of 52 Pa. Code Section 1.54.

Via Email Only

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Dated: December 6, 2021

/s/ Lauren M. Burge

Lauren M. Burge, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Twin Lakes Utilities, Inc. for a	:	
Commission Order Authorizing the Acquisition of	:	Docket No. P-2020-3020914
Twin Lakes Utilities, Inc. by a Capable Public	:	
Utility Pursuant to 66 Pa. C.S. § 529	:	
	:	
Application of Twin Lakes Utilities, Inc. For a	:	
Commission Order <i>Nunc Pro Tunc</i> of Service	:	
Agreement Between Middlesex Water Company	:	Docket No. G-2020-3020941
And Twin Lakes Utilities, Inc., and Five	:	
Amendments to Service Agreement Between	:	
Middlesex Water Company and Twin Lakes	:	
Utilities, Inc. Pursuant to 66 Pa. C.S. § 2102	:	
	:	
Affiliated Interest Agreement Between Twin	:	Docket Nos. G-2020-3021018
Lakes Utilities, Inc. and Middlesex Water	:	G-2020-3021021
Company	:	G-2020-3021024
	:	

**TWIN LAKES UTILITIES, INC.’S WITHDRAWAL
OF EMERGENCY PETITION FOR PARTIAL STAY
PENDING JUDICIAL REVIEW**

Twin Lakes Utilities, Inc., hereby withdraws its Emergency Petition for Partial Stay Pending Judicial Review (“Emergency Petition”), which was filed with the Pennsylvania Public Utility Commission (“Commission”) on November 23, 2021.

In its Emergency Petition, Twin Lakes requested that the Commission, on an emergency basis, grant a stay or supersedeas (“stay”) of compliance, application, or enforcement of the escrow condition imposed by the Opinion and Order issued November 18, 2021 (“November 2021 Order”) pending the ultimate disposition of the appeal by Twin Lakes in the Commonwealth Court (No. 1289 CD 2021). Twin Lakes further requested that a decision on its Emergency Petition be issued on or before the Commission’s December 2, 2021 Public Meeting.

A decision was needed by December 2, 2021 because, in the event that the Commission denied the Emergency Petition or failed to act, Twin Lakes should have the opportunity to seek relief from the Commonwealth Court before the 30-day escrow condition lapses, Aqua Pennsylvania, Inc.'s ("Aqua") receivership terminates, and the public safety is jeopardized by returning possession of the Water System to Twin Lakes—an entity that, as found by the Commission, lacks the financial or operational means necessary to operate the system. As explained in the Emergency Petition, if Twin Lakes did not receive a ruling from the Commission on or before the December 2, 2021 Public Meeting, Twin Lakes would conclude that it is not practicable to obtain relief from the Commission, withdraw the Emergency Petition, and re-file it with the Commonwealth Court, pursuant to Pennsylvania Rule of Appellate Procedure 1781.

On November 30, 2021, the Commission issued a Secretarial Letter in which it implicitly rejected Twin Lakes' request for emergency consideration of the Emergency Petition by: (a) extending the answer period to the Emergency Petition from five days (as required under 52 Pa. Code § 3.6 applicable to emergencies) to ten days (utilizing the non-emergency provisions of 52 Pa. Code § 5.572); and (b) stating that the Commission "will issue an order on the Emergency Petition at a forthcoming Public Meeting," without identifying when that Public Meeting will be.

On December 1, 2021, Twin Lakes submitted a response to the Secretarial Letter, in which it explained how the Commission's timeline "effectively deprives Twin Lakes of its rights under the Pennsylvania Rules of Appellate Procedure to appeal an adverse ruling on its *supersedeas* request to the Commonwealth Court," and asked that the Commission extend the time period imposed for payment of the escrow by Middlesex Water Company ("Middlesex") at its December 2, 2021 Public Meeting, until a date 30 days after the Commission acts upon the Emergency Petition.

At its December 2, 2021 Public Meeting, the Commission took no action on either the Emergency Petition or Twin Lakes' December 1, 2021 Letter. Twin Lakes now faces imminent denial of its Section 529 Petition and the resultant extinguishment of the Section 529 Proceeding and Aqua's receivership. Because pursuing a stay from the Commission is no longer practicable, Twin Lakes hereby withdraws the Emergency Petition, and will instead re-file its request for a stay with the Commonwealth Court.

Respectfully submitted,

/s/ Casey Alan Coyle

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Date: December 6, 2021