

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

G.A. HOMES, INC., :  
v. : No. C-2021-3023766  
AQUA PENNSYLVANIA :  
WASTEWATER, INC., and :  
AQUA PENNSYLVANIA, INC. :

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**STATUS REPORT**

Complainant G.A. Homes, Inc., by and through its undersigned counsel, submits this Status Report pursuant to this Court's Order of September 14, 2021.

Complainant initiated this action after it initially submitted seventeen (17) applications to Respondents for sewer and water connections for properties located in Masthope Mountain Community on or above November 2, 2020, more than a month before a ban on new connections in Masthope Mountain Community went into effect in December of 2020. Respondents could have approved these applications before the ban went into effect, but Complainant alleges that Respondents refused to take any action on them, and instead approved other applications filed by other builders after Complainant (but still before the ban), leading Complainant to file its Complaint. Complainant still has eight (8) applications for sewer and water connections pending. Complainant understands that these eight (8) applications are the first, chronologically, of the still-pending applications that Respondents received, which applications Respondents received even prior to the ban's going into effect.

In or about August of 2021, Respondents submitted a Corrective Action Plan to the Pennsylvania Department of Environmental Protection ("DEP"), in which Respondents request that they be allowed sewer and water connections to thirty (30) homes in the Masthope Mountain Community in 2021 and an additional fifteen (15) homes in 2022. Complainant believes that the issues in this case could be easily resolved if Respondents would agree that Complainant's eight (8) pending applications for sewer and water connections will be the first applications approved by Respondents when DEP approves additional connections for Respondents in the Masthope Mountain Community. Alternatively, this matter would be resolved to Complainant's satisfaction if Respondents approve Complainant's eight (8) pending applications once its requests for additional connections in Masthope Mountain Community are approved.

Complainant does not know whether Respondents' Corrective Action Plan has been approved yet, or whether DEP has awarded Respondents any connections in Masthope Mountain Community for 2021 and 2022, as DEP has not responded to the undersigned counsel's request for an update. Complainant nonetheless believes, based upon prior conversations with DEP, that DEP's response to Respondents' Corrective Action Plan will be forthcoming in the next few weeks. Complainant is also still waiting from a response from Respondents about the possibility

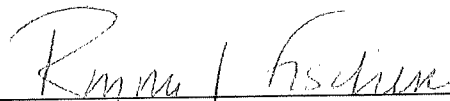
of entering into an agreement to settle this matter.

In the event that Respondents are granted additional connections in Masthope Mountain Community and do not approve Complainant's eight (8) pending applications for sewer and water connections expeditiously, then a hearing will be necessary.

Complainant proposes that this matter continue to be postponed until DEP approves new connections in Masthope Mountain Community for Respondents. Complainant further proposes that the parties be directed to submit status reports on or by February 1, 2022, to allow Respondents additional time to respond to Complainant's request to resolve this matter, and/or to allow the matter to potentially resolve itself (if Respondents approve Complainant's eight pending applications).

Respectfully submitted,

BUGAJ/FISCHER, by:



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Re: Docket No. C-2021-3023766  
G.A. Homes, Inc. v. Aqua Pennsylvania Wastewater, Inc., et al  
Complainant's Status Report

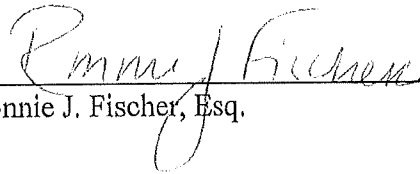
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been served upon the following persons on the attached service list, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

**Via Electronic Mail**

Margaret A. Morris, Esq. (counsel for Respondents)  
mmorris@regerlaw.com

BUGAJ/FISCHER, by:

  
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Ronnie J. Fischer, Esq.

Dated: Dec. 13, 2021