

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120**

Commissioners Present:

Gladys Brown Dutrieuille, Chairman  
John F. Coleman, Jr., Vice Chairman  
Ralph V. Yanora

Pennsylvania Public Utility Commission	R-2021-3027385
Bureau of Investigation and Enforcement	
Office of Consumer Advocate	C-2021-3028466
Office of Small Business Advocate	C-2021-3028509
Martha Bronson	C-2021-3028132
Neil Kugelman	C-2021-3028139
Geoffrey Rhine	C-2021-3028170
Theodore Voltolina	C-2021-3028194
Aaron Brown	C-2021-3028279
Darren Distasio	C-2021-3028285
Deena Denesowicz	C-2021-3028288
Vivian George	C-2021-3028310
Nick Panaccio	C-2021-3028331
Richard Regnier	C-2021-3028332
Gerald DiNunzio Jr.	C-2021-3028362
Nancy Reedman	C-2021-3028405
Michael McCall	C-2021-3028413
Raymond Cavalieri	C-2021-3028448
Byron Goldstein	C-2021-3028463
John Grassie	C-2021-3028663
Kyle Brophy	C-2021-3028712
Daniel Savino	C-2021-3028758
Michael Roberts	C-2021-3028869
Treasure Lake Property Owners Association Inc.	C-2021-3029004
Gerardo Giannattasio	C-2021-3029066
Aqua Large Users Group	C-2021-3029089

Erik McElwain	C-2021-3029135
Judy Burton	C-2021-3029152
Brian Edwards	C-2021-3029159
Richard Gage	C-2021-3029393
Joanne Smyth	C-2021-3029411
Jane O'Donovan	C-2021-3029532

v.

Aqua Pennsylvania, Inc.

Pennsylvania Public Utility Commission	R-2021-3027386
Bureau of Investigation and Enforcement	
Office of Consumer Advocate	C-2021-3028467
Office of Small Business Advocate	C-2021-3028511
Camp Stead Property Owners Association	C-2021-3028928
Dale Markowitz	C-2021-3028280
Keith Anthony	C-2021-3028444
Stephanie Boris	C-2021-3028443
Jennifer Buckley	C-2021-3028160
Carl Martinson	C-2021-3028312
Elizabeth O'Neill	C-2021-3028333
Erik and Ilisha Smith	C-2021-3028334
Curtis and Michele Tabor	C-2021-3028335
Gregory Valerio	C-2021-3028336
Jerome Perch	C-2021-3028356
Michael Brull	C-2021-3028361
James Blessing	C-2021-3028402
Elizabeth Yost	C-2021-3028407
Timothy Nicholl	C-2021-3028471
Alyssa Reinhart	C-2021-3028493
James Kolb	C-2021-3028497
Ronald Schneck	C-2021-3028547
Matthew Cicalese	C-2021-3028566
Ronald and Lora	C-2021-3028568
Kelly Frich	C-2021-3028665
Adam Anders	C-2021-3028670
Charleen Falsone	C-2021-3028760
Stephen Grugeon	C-2021-3028892

Lynne Germscheid	C-2021-3028860
Deborah and James Popson	C-2021-3028868
Masthope Mountain Community Association	C-2021-3028996
Treasure Lake Property Owners Association Inc.	C-2021-3029006
East Norriton Township	C-2021-3029019
Kevin Amerman	C-2021-3029063
James Wharton Jr.	C-2021-3029065
Peter and Kim Ginopolas	C-2021-3029096
Yefim Shnayder	C-2021-3029134
Andrea and Matthew Rivera	C-2021-3029154
Judy Burton	C-2021-3029139
Brian Edwards	C-2021-3029161
Edward Coccia	C-2021-3028870
John Day	C-2021-3028734
Robert Dolan	C-2021-3028798
Anthony Giovannone	C-2021-3028794
	C-2021-3028803
	C-2021-3028802
Sheila Gutzait	C-2021-3028634
Rudolph Hofbauer	C-2021-3028666
Ronald and Alexis Koenig	C-2021-3028483
Joan Lipski	C-2021-3028475
William and Ana Loftus	C-2021-3028617
Stephen and Teresa Mason	C-2021-3028576
David Monroe	C-2021-3028567
Lisa Rampone	C-2021-3028804
Lorraine Rocci	C-2021-3028499
David Ross	C-2021-3028479
Carolyn Sica	C-2021-3028446
Dean Swink	C-2021-3028604
Francine Weiner	C-2021-3028639
Tom Woodward	C-2021-3028927
Joseph Torello	C-2021-3029180
Donald Osinski	C-2021-3029413
Lake Associates LLC	C-2021-3029425
	C-2021-3029422
	C-2021-3029419
29 Estates LLC	C-2021-3029417

v.

Aqua Pennsylvania Wastewater, Inc.

## **OPINION AND ORDER**

### **BY THE COMMISSION:**

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition are the Petitions for Reconsideration and Clarification (Petitions) filed by Aqua Pennsylvania, Inc. and Aqua Pennsylvania Wastewater, Inc., the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania, the Office of Small Business Advocate, and the Office of Consumer Advocate (OCA)<sup>1</sup> on May 31, 2022, seeking reconsideration and clarification of the Opinion and Order entered on May 16, 2022, relative to the above-captioned proceeding. On June 2, 2022, the OCA filed a Petition for Leave to Withdraw Petition.

Pursuant to Rule 1701 of the Pennsylvania Rules of Appellate Procedure, Pa. R.A.P. 1701, the Commission must act to grant a petition for reconsideration within thirty days of the date of entry of the order for which reconsideration is sought or otherwise lose jurisdiction to do so if a petition for review is timely filed.<sup>2</sup> The thirty-day

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<sup>1</sup> By Secretarial Letter served June 6, 2022, the Commission advised the OCA that their Petition was missing a verification statement. Without the verification, the Petition has not been accepted as filed with the Commission.

<sup>2</sup> Commission Rules of Practice and Procedure provide that a party may file an Answer to the Petition within ten (10) days of service. 52 Pa. Code § 5.571(c). As of the date of this Order no Answers have been received.

period within which the Commission must act upon the Petition in order to preserve jurisdiction ends on June 15, 2022.

Granting reconsideration pending review of, and consideration on, the merits of the Petition to preserve Commission jurisdiction and toll the thirty-day time period for filing a petition for appellate review does not automatically stay the Commission's underlying Opinion and Order.<sup>3</sup> Pursuant to 52 Pa. Code § 5.572, petitions seeking a stay or supersedeas must be filed with the Commission within fifteen (15) days after the underlying Opinion and Order becomes final.<sup>4</sup>

Accordingly, we shall grant reconsideration, within the meaning of Pa. R.A.P. 1701(b)(3), pending review of, and consideration on, the merits of the Petitions; **THEREFORE,**

**IT IS ORDERED:**

1. That the Petitions for Reconsideration and Clarification filed by Aqua Pennsylvania, Inc. and Aqua Pennsylvania Wastewater, Inc., the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania and the Office of Small Business Advocate on May 31, 2022, are hereby granted, pending further review of, and consideration on, the merits.

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<sup>3</sup> 52 Pa. Code § 5.572; Pa. R.A.P. 1701.

<sup>4</sup> *See also* Pa. R.A.P. 1781.

2. That the Petition for Leave to Withdraw Petition regarding the Petition for Reconsideration and Clarification, filed by the Office of Consumer Advocate on May 31, 2022, is dismissed as moot.

**BY THE COMMISSION,**

A handwritten signature in black ink, appearing to read "Rosemary Chiavetta". The signature is written in a cursive, flowing style.

Rosemary Chiavetta  
Secretary

(SEAL)

ORDER ADOPTED: June 8, 2022

ORDER ENTERED: June 8, 2022