

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held August 4, 2022

Commissioners Present:

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

Application of Pennsylvania-American Water
Company – Wastewater Division for Approval of
the Right to: (1) Acquire Certain Wastewater
System Assets from Foster Township; and (2)
Begin to Offer, Render, Furnish, or Supply
Wastewater Service to the Public In Portions of
Foster Township, Luzerne County, Pennsylvania

A-2021-3028676

OPINION AND ORDER

BY THE COMMISSION:

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is the Petition for Expedited Reconsideration (Petition) filed by Pennsylvania American Water Company (PAWC) on July 29, 2022, seeking reconsideration of the Commission’s Opinion and Order entered on July 14, 2022, relative to the above-captioned proceeding.

Pursuant to Rule 1701 of the Pennsylvania Rules of Appellate Procedure, Pa. R.A.P. Rule 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.¹ The thirty-day period within which the Commission must act upon this Petition in order to preserve jurisdiction ends on August 15, 2022.²

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.³ 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.⁴

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 Petition; **THEREFORE,**

¹ 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.

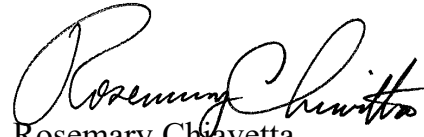
² The thirty-day period ends on August 13, 2022, which is a Saturday. Therefore, the next business day, August 15, 2022, is the deadline for the Commission to act on the Petition.

³ 52 Pa. Code § 5.572; Pa. R.A.P. 1701.

⁴ *See also* Pa. R.A.P. 1781.

IT IS ORDERED: That the Petition for Expedited Reconsideration filed by Pennsylvania American Water Company on July 29, 2022, is hereby granted, pending review of, and consideration on, the merits.

BY THE COMMISSION


Rosemary Chavetta
Secretary

(SEAL)

ORDER ADOPTED: August 4, 2022

ORDER ENTERED: August 4, 2022