

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

Public Meeting held May 18, 2023

Commissioners Present:

Gladys Brown Dutrieuille, Chairman  
Stephen M. DeFrank, Vice Chairman  
Ralph V. Yanora  
Kathryn L. Zerfuss  
John F. Coleman, Jr.

Tirlochan S. Walia

F-2022-3032572

v.

The Pittsburgh Water and Sewer Authority

**OPINION AND ORDER**

**BY THE COMMISSION:**

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is the Petition for Reconsideration (Petition) filed by the Pittsburgh Water and Sewer Authority on May 5, 2023, seeking reconsideration of the Opinion and Order entered on April 20, 2023, relative to the above-captioned proceeding.

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>1</sup> The thirty-day period within which the Commission must act upon the Petition in order to preserve jurisdiction ends on May 22, 2023.<sup>2</sup>

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,**

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<sup>1</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.

<sup>2</sup> The thirty-day period ends on May 20, 2023, which is a Saturday. Therefore, the next business day, May 22, 2023, is the deadline for the Commission to act on the Petition.

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

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

**IT IS ORDERED:** That the Petition for Reconsideration filed by the Pittsburgh Water and Sewer Authority on May 5, 2023, is hereby granted, pending further review of, and consideration on, the merits.

**BY THE COMMISSION,**

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

Rosemary Chiavetta  
Secretary

(SEAL)

ORDER ADOPTED: May 18, 2023

ORDER ENTERED: May 18, 2023