



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH KEYSTONE BUILDING  
400 NORTH STREET  
HARRISBURG, PENNSYLVANIA 17120

IN REPLY PLEASE  
REFER TO OUR FILE

C-2021-3027615

July 20, 2023

Re: *Pennsylvania Public Utility Commission Bureau of Investigation and Enforcement v. East Dunkard Water Authority*  
Docket No. C-2021-3027615

TO ALL PARTIES:

This matter is a Formal Complaint (Complaint) proceeding in which the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement (I&E), allege that the East Dunkard Water Authority (EDWA or Authority), *inter alia*, (1) has illegally provided water service to the public since 2011 for payment without having a Certificate of Public Convenience issued by the Commission by providing service to consumers in Greene, Monongahela, Cumberland, Perry and Whiteley Townships which are municipalities that are beyond EDWA's corporate limits and did not join at any time with EDWA; and (2) did not provide and maintain sufficient, efficient, harmless and reasonable service and facilities to consumers beyond its corporate limits in that the Authority furnished discolored or filthy water, no water or low water pressure, and facilities that leaked. Following a hearing, Administrative Law Judge (ALJ) Marta Guhl's decision grants the Joint Petition for Settlement (Settlement) that was filed in this matter.

By Secretarial Letter dated June 27, 2023, the Commission served ALJ Guhl's Initial Decision on the Parties. The Secretarial Letter provided, among other things, that Exceptions were due within twenty (20) days of the date of that letter or July 17, 2023, and Replies to Exceptions were due ten (10) days after the filing due date of the Exceptions.

On July 13, 2023, Counsel for EDWA filed a Petition for an Extension of Time to File Exceptions (Petition). However, it was only on July 14, 2023, that new Counsels for EDWA filed a Notice of Appearance. In support of the request, the new Counsels for EDWA noted that the due date for the filing of the Exceptions occurred around the same time that EDWA changed legal counsel and that the new Counsels' schedules would not permit them to meet the deadline for the Exceptions.

Due to the timing of the filings and the unique circumstances of this case, the Commission needed some additional time, beyond the original deadline for the filing of Exceptions, to review and determine that the Commission had received all of the

necessary filings prior to addressing the Petition. Consequently, we find that those documents have been filed and we can address the Petition.

Under the circumstances in this case, we shall grant the request for an extension of time and allow the filing of Exceptions in order to ensure due process is provided in this matter. The Commission's Regulation at 52 Pa. Code § 1.15(a)(1) permits the Commission to grant an extension of time after the specified period has expired when reasonable grounds support the failure to act. We find that Counsel for EDWA have shown reasonable grounds and the circumstances of this case warrant the granting of an extension of time to file Exceptions.

Therefore, we shall require that Exceptions be filed no later than twenty (20) days from the date of this Secretarial Letter. Accordingly, the new deadline for filing Replies to Exceptions shall be ten (10) days from the date that Exceptions are due.

Should you have any questions you may contact the Office of Special Assistants at 717-787-1827.

Very truly yours,

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

Rosemary Chiavetta  
Secretary