



December 12, 2023

VIA E-FILING

David P. Zambito

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Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Application of Pennsylvania-American Water Company under Sections 1102(a) and 1329 of the Pennsylvania Public Utility Code, 66 Pa. C.S. §§ 1102(a) and 1329, for Approval of (1) the Transfer, by Sale, to Pennsylvania-American Water Company, of Substantially All of the Assets, Properties and Rights Related to the Wastewater Collection and Treatment System Owned and Operated by Towamencin Township and Towamencin Municipal Authority, and (2) the Rights of Pennsylvania-American Water Company to Begin to Offer or Furnish Wastewater Service to the Public in the Township of Towamencin and Portions of the Townships of Franconia, Lower Salford and Worcester and the Borough of Lansdale, All in Montgomery County, Pennsylvania; Docket No. A-2023-3039900 *et al.*

Order of Court of Common Pleas of Montgomery County, Pennsylvania – Civil Division

Dear Secretary Chiavetta:

On September 25, 2023, the Office of Consumer Advocate (“OCA”) filed a Motion for Stay in the above-referenced Application proceeding based on a Complaint in Mandamus and Declaratory Judgment (“Complaint”) that was filed in the Court of Common Pleas of Montgomery County, Pennsylvania. The OCA asked that the above-referenced matter be stayed pending the issuance of a Final Order on the Complaint. By Secretarial Letter dated September 27, 2023, the Pennsylvania Public Utility Commission advised the parties that the OCA’s Motion for Stay was premature and would not be considered until the Application in the above-referenced matter is finally accepted.

Please be advised that the Court of Common Pleas of Montgomery County, Pennsylvania, has issued an order staying the Complaint “until final disposition of the Application of Pennsylvania-American Water Company, Docket No. A-2023-3039900 before the Pennsylvania Public Utility Commission.” A copy of the Order is enclosed.

Copies of this correspondence are being served on all parties to this proceeding, as shown on the enclosed Certificate of Public Convenience.

Rosemary Chiavetta, Secretary

December 12, 2023

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Thank you for your attention to this matter. Please contact me if you have any questions or concerns about this correspondence.

Sincerely,

COZEN O'CONNOR



By: David P. Zambito
Counsel for *Pennsylvania-American Water Company*

DPZ

Enclosure

cc: Per Certificate of Service
Teresa K. Harrold, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Pennsylvania-American Water Company :
under Sections 1102(a) and 1329 of the Pennsylvania :
Public Utility Code, 66 Pa. C.S. §§ 1102(a) and 1329, for :
Approval of (1) the Transfer, by Sale, to Pennsylvania- :
American Water Company, of Substantially All of the :
Assets, Properties and Rights Related to the Wastewater :
Collection and Treatment System Owned and Operated : Docket No. A-2023-3039900
by Towamencin Township and Towamencin Municipal :
Authority, and (2) the Rights of Pennsylvania-American :
Water Company to Begin to Offer or Furnish Wastewater :
Service to the Public in the Township of Towamencin and :
Portions of the Townships of Franconia, Lower Salford and :
Worcester and the Borough of Lansdale, All in :
Montgomery County, Pennsylvania :

CERTIFICATE OF SERVICE

I hereby certify that I have, this 12th day of December, 2023, served a true copy of the foregoing **Correspondence Concerning Order of the Montgomery County Court of Common Pleas** upon the parties of record in this proceeding, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below.

Service by E-Mail Only

Carrie B. Wright, Esq.
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Respectfully submitted,



David P. Zambito, Esq.
Counsel for *Pennsylvania-American Water
Company*

COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA -
CIVIL DIVISION

JENNIFER FOSTER
KOFI OSEI
MARTIN COHEN

Plaintiffs,

v.

No. 2023-18907

THE BOARD OF SUPERVISORS OF
TOWAMENCIN TOWNSHIP

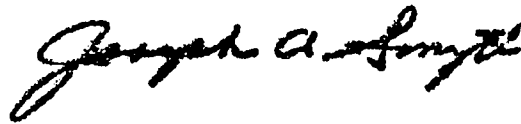
Defendant.

ORDER

AND NOW, this 11th day of December, 2023, upon consideration of

Defendants' Motion for Stay of Proceedings, Plaintiffs' response thereto, and argument of counsel, and for good cause shown, it is **ORDERED** that the Motion is **GRANTED**. These proceedings are **STAYED** until final disposition of the Application of Pennsylvania American Water Company, Docket No. A-2023-3039900 before the Pennsylvania Public Utility Commission.

BY THE COURT:



JOSEPH A. SMYTH, S.J.

Copy of above order E-Filed 12/11/23
Copies Mailed to:
All parties of Record
Copies Emailed via Chambers to:
Court Administration: Civil Division



Judicial Assistant