

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

Public Meeting held December 21, 2023

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Ralph V. Yanora
Kathryn L. Zerfuss
John F. Coleman, Jr.

Pennsylvania Public Utility Commission

v.

Greater Hazleton Community-Area New
Development Organization, Inc. t/a CAN
DO, Inc. – Wastewater Division

Docket Nos.
R-2023-3040151
C-2023-3044243
C-2023-3044570

ORDER

BY THE COMMISSION:

On November 3, 2023, Greater Hazleton Community-Area New Development Organization, Inc. t/a CAN DO, Inc. – Wastewater Division (CAN DO-WD), Utility Code 230123, filed Tariff Wastewater - PA PUC No. 4 (Tariff No. 4) with the Pennsylvania Public Utility Commission (Commission) to become effective January 2, 2024. Tariff No. 4 was filed to rewrite tariff rules and regulations, improve the consistency of water and wastewater rules and regulations, and expand industrial pretreatment program tariff provisions.¹

On November 15, 2023, the Office of Small Business Advocate filed a formal complaint at Docket No. C-2023-3044243. On December 4, 2023, the Office of

¹ On November 15, 2023, CAN-DO-WD refiled Tariff No. 4 with the Commission to make minor language and formatting corrections.

Consumer Advocate filed a formal complaint at Docket No. C-2023-3044570. Pursuant to Section 1308(b) of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 1308(b) (relating to hearing and suspension of rate change), the filing will be suspended by operation of law until October 2, 2024, unless permitted by Commission Order to become effective at an earlier date.

Investigation and analysis of this proposed tariff and the supporting data indicates that the proposed changes in rates, rules, and regulations may be unlawful, unjust, unreasonable, and contrary to public interest. It also appears that consideration should be given to the reasonableness of CAN DO-WD's existing rates, rules, and regulations;

THEREFORE,

IT IS ORDERED:

1. That an investigation on Commission motion be, and hereby is, instituted to determine the lawfulness, justness, and reasonableness of the rates, rules, and regulations contained in Greater Hazleton Community-Area New Development Organization, Inc. t/a CAN DO, Inc. – Wastewater Division's proposed Tariff Wastewater - PA PUC No. 4.

2. That Greater Hazleton Community-Area New Development Organization, Inc. t/a CAN DO, Inc. – Wastewater Division's proposed Tariff Wastewater - PA PUC No. 4 is suspended by operation of law until October 2, 2024, unless otherwise directed by Order of the Commission.

3. That within ten (10) days following the entry date of this Order, pursuant to 52 Pa. Code § 53.71, Greater Hazleton Community-Area New Development Organization, Inc. t/a CAN DO, Inc. – Wastewater Division shall e-file (or file) a tariff supplement, which shall bear no effective date, with the Commission and post the tariff supplement at the offices of Greater Hazleton Community-Area New Development Organization, Inc. t/a CAN DO, Inc. – Wastewater Division announcing that the

aforementioned tariff is suspended until October 2, 2024. A sample copy of a suspension supplement is provided in Attachment A of this Order.

4. That the investigation instituted in Ordering Paragraph No. 1 of this Order shall include consideration of the lawfulness, justness, and reasonableness of the existing rates, rules, and regulations of Greater Hazleton Community-Area New Development Organization, Inc. t/a CAN DO, Inc – Wastewater Division.

5. That this case be assigned to the Office of Administrative Law Judge for Alternative Dispute Resolution, if possible, and for the prompt scheduling of such hearings as may be necessary culminating in the issuance of a recommended decision.

6. That a copy of this Order shall be served upon Greater Hazleton Community-Area New Development Organization, Inc. t/a CAN DO, Inc. – Wastewater Division, the Commission’s Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate, and any persons who have filed formal complaints against the proposed tariff.

BY THE COMMISSION,



Rosemary Chiavetta
Secretary

(SEAL)

ORDER ADOPTED: December 21, 2023

ORDER ENTERED: December 21, 2023

ATTACHMENT A
Sample Suspension Supplement

Supp. No. _____ to
_____ Pa. P.U.C. No. _____.

(COMPANY NAME)

(TERRITORY SERVED BY COMPANY)

The application of rates proposed in Supplement No. _____ to Tariff _____ Pa. P.U.C. No. _____ filed to become effective _____, is hereby suspended until _____, at Docket No. _____. Presently effective rates contained in Tariff _____ Pa. P.U.C. No. _____ and supplements thereto, will continue in effect until otherwise amended. Issued in compliance with Title 66 Pa. C.S. § 1308.