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August 5, 2024

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Application of Aqua Pennsylvania Wastewater, Inc. Pursuant to Sections 1101, 1329 and 507 of the Public Utility Code for Approval of its Acquisition of the Wastewater System Assets of the Delaware County Regional Water Quality Control Authority;
Docket No. A-2019-3015173

Dear Secretary Chiavetta:

Pursuant to Administrative Law Judge F. Joseph Brady's Interim Order Granting Joint Motion for Stay (the "Stay Order"), issued February 6, 2023, the Delaware County Regional Water Quality Control Authority ("DELCORA") is filing and serving this written status report detailing the procedural status and litigation schedule for the Complaint for Declaratory Judgment filed in the Court of Common Pleas,

Rosemary Chiavetta, Secretary

August 5, 2024

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Delaware County, in Docket No. CV-2023-000494 (“Declaratory Judgment Matter”) and also for the Receiver for the City of Chester’s Motion of Debtor Pursuant to Section 362 of the Bankruptcy Code for Entry of an Order Enforcing the Automatic Stay of Proceeding Pending Before the Pennsylvania Public Utilities [sic] Commission (“Bankruptcy Matter”).

DELCORA Declaratory Judgment

The presiding Judge cancelled the October 12, 2023 hearing and advised the parties that hearings on this matter would be postponed until a decision was rendered in the pending Appeal in Commonwealth Court at 1347 CD 2022, regarding the jurisdiction of the Court of Common Pleas. The Commonwealth Court initially scheduled this matter for oral argument on May 7, 2024 but notified the parties on April 29, 2024 that the Court would decide the matter on the submitted briefs.

On June 4, 2024, the Commonwealth Court entered an Order affirming and vacating portions of the Order of the Court of Common Pleas of Delaware County, dated September 13, 2022 in Case No. CV-2020-003185.

UNIVEST Resignation as Trustee

This matter was scheduled for the trial term of March 4th, 2024 to March 15th, 2024. The parties reached an amicable resolution and entered a Stipulation and Final Decree wherein Delcora agreed to complete a good faith search for a successor trustee for 30 days from the date of the Order. That search is ongoing as of the date of this correspondence.

Bankruptcy

The status of the Bankruptcy and Aqua’s appeal of Judge Ashley M. Chan’s Order granting the City of Chester’s Motion to Enforce Stay remains unchanged. The parties filed their briefs and there has been no further movement. Aqua also filed a Motion for Relief from Stay in the Bankruptcy Court on February 8, 2024 which was denied by an Order dated April 11, 2024 on the grounds that the previously filed appeal divested the Bankruptcy Court of jurisdiction to rule on the Motion.

As shown by the attached Certificate of Service, all parties to these proceedings are being served via e-mail only.

Very truly yours,



Michael P. Clarke

MPC:ps

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Dated: August 5, 2024

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