

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

**Joint Application of Deer Haven, L.L.C.
and PL Utilities, LLC for approval of:
(1) PL Utilities, LLC's acquisition of
certain wastewater system assets of Deer
Haven, L.L.C.; (2) the abandonment by
Deer Haven, L.L.C. of wastewater service
to the public in Palmyra Township, Pike
County, Pennsylvania; and (3)
authorization of PL Utilities, LLC to offer,
render, furnish and supply wastewater
service to the public in a portion of
Palmyra Township, Pike County,
Pennsylvania**

**Public Meeting held August 22, 2024
3049591-TUS
Docket No. A-2024-3049591**

MOTION OF COMMISSIONER KATHRYN L. ZERFUSS

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is the above captioned Joint Application of Deer Haven, L.L.C. (Deer Haven) and PL Utilities, LLC (PLU), seeking approval for PLU to acquire certain wastewater system assets of Deer Haven and for PLU to begin to offer wastewater service to the public in a portion of Palmyra Township, Pike County, Pennsylvania (Application). Given Chairman Stephen M. DeFrank's recent issuance, on August 15, 2024, of an *Ex Parte* Emergency Order (Emergency Order) concerning Deer Haven's wastewater system, and the Commission's subsequent ratification of that Emergency Order,¹ I find that it is appropriate to stay this Application proceeding pending the outcome of the Section 529 proceeding initiated in the Emergency Order.

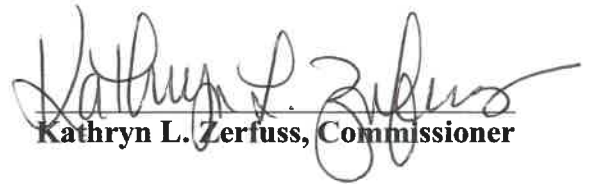
As both the Application proceeding and the Section 529 proceeding impact the ownership and operation of Deer Haven's wastewater system and the Commission's responsibility to ensure that this system is capable of providing customers with safe and reliable service, a stay of the Application proceeding is in the public interest and will serve judicial efficiency and economy.

¹ Through these actions, the Commission directed Aqua Pennsylvania, Inc. to act as a temporary receiver of Deer Haven's wastewater system beginning on August 15, 2024. The Commission also initiated a proceeding under Section 529 of the Public Utility Code, 66 Pa. C.S. § 529, which is the emergency provision that authorizes the Commission to take immediate action to protect the public interest by ordering the acquisition of a small water or sewer utility. *See Petition of Deer Haven, LLC Requesting an Ex Parte Emergency Order Allowing Aqua Pennsylvania, Inc. to Act as a Receiver to Operate the Deer Haven Water and Wastewater Systems*, Docket No. P-2024-3050549.

THEREFORE, I MOVE THAT:

1. The Joint Application of Deer Haven, L.L.C. and PL Utilities, LLC, at Docket Nos. A-2024-3049591 and A-2024-3049587, is stayed pending the outcome of the Section 529 proceeding initiated at Docket No. P-2024-3050549.
2. The Bureau of Technical Utility Services prepare an Order consistent with this Motion.

DATE: August 22, 2024



Kathryn L. Zerfuss, Commissioner