

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
Section 529 Investigation into the Acquisition	:	M-2025-3053936
of Wonderview Water Company, Inc. and	:	
Wonderview Sanitary Facilities, Inc.	:	

STAY ORDER # 2

On March 14, 2025, Chairman Stephen M. DeFrank of the Pennsylvania Public Utility Commission (Commission) issued an *ex parte* Emergency Order (Emergency Order) that, *inter alia*, ordered an investigation into whether the Commission should order a capable public utility to acquire Wonderview Water Company, Inc. and Wonderview Sanitary Facilities, Inc. pursuant to 66 Pa.C.S. § 529. The Emergency Order also directed Veolia Water Pennsylvania, Inc. (Veolia), to act as Receiver for Wonderview Water Company, Inc. and Wonderview Sanitary Facilities, Inc. (collectively, Wonderview) beginning March 21, 2025 and to continue during the pendency of the Section 529 proceeding. The Emergency Order was ratified by the Commission on March 27, 2025.

On April 16, 2025, a hearing notice was issued establishing a telephonic prehearing conference for Wednesday, May 7, 2025 at 10:00 a.m. and assigning me as the Presiding Officer. Also on April 16, 2025, a Prehearing Conference Order was issued, setting forth rules that would govern the prehearing conference.

On April 17, 2025, counsel for the Commission's Bureau of Investigation and Enforcement (I&E) filed a Notice of Appearance.

Also on April 17, 2025, counsel for Veolia filed a Notice of Appearance.

On April 23, 2025, counsel for the Commonwealth of Pennsylvania, Department of Environmental Protection (DEP) filed a Notice of Appearance.

On April 24, 2025, counsel for the Office of Small Business Advocate (OSBA) filed a Notice of Appearance.

Also on April 24, 2025, Veolia filed a Motion to Stay the Proceeding (Motion to Stay). Veolia's Motion to Stay indicated that the following parties do not oppose the Motion to Stay: Wonderview, the Office of Consumer Advocate (OCA), OSBA, I&E, DEP, Aqua Pennsylvania, Inc., and Community Utilities of Pennsylvania, Inc. (CUP).

On April 30, 2025, counsel for the OSBA filed a Notice of Intervention and Notice of Appearance of additional counsel.

On May 2, 2025, Aqua Pennsylvania, Inc. and Aqua Pennsylvania Wastewater, Inc. (collectively, Aqua) filed a Petition to Intervene. Also on May 2, 2025, DEP filed a Petition to Intervene.

On May 2, 2025, Veolia filed a prehearing memorandum.

The prehearing conference convened on May 7, 2025, as scheduled. The following parties were present and represented by the following counsel: Jonathan Nase, Esquire, for Veolia; Carrie Wright, Esquire, for I&E; Steven Gray, Esquire, for the OSBA; Alexander Stahl, Esquire, for Aqua; Amanda Chaplin, Esquire, and Geoffrey Ayers, Esquire, for DEP. John Yohey, President of Wonderview, appeared, but was not represented by counsel.

No responses to the Motion to Stay were filed. On May 19, 2025, I issued an Order granting the Motion to Stay. The Order directed Veolia to provide a report by e-mail to the undersigned and the parties to this proceeding by July 18, 2025, and also directed Veolia to file a status report by September 16, 2025, indicating whether the stay should be extended and, if

so, for how long or, in the alternative advising the undersigned that the Section 529 Investigation should proceed.

Veolia provided a report by e-mail to the undersigned and the parties to this proceeding on July 17, 2025. Veolia filed a status report on September 16, 2025 (Status Report). In the Status Report, Veolia requested that the stay be extended for another 120 days to allow Veolia and Wonderview to continue their negotiations and to continue drafting the multiple agreements and filings that will be necessary to transfer control of the Wonderview water and wastewater systems to Veolia. Veolia also requested that it be directed to (a) provide a 60-day status report to the ALJ via e-mail; and (b) file a status report with the Secretary's Bureau at the end of the 120-day stay period indicating whether the stay should be extended and, if so, for how long or, in the alternative, advising the ALJ that the Section 529 Investigation should proceed. Veolia stated that it discussed the request for an extension with Wonderview, OSBA, OCA, I&E, DEP, Aqua, and CUP, and no party objected to the request to extend the stay.

For the reasons discussed below, this Order extends the stay granted by Order issued on May 19, 2025.

Requests for an extension of time may be made by motion where good cause is shown. 52 Pa. Code § 1.15. The Commission has recognized the Pennsylvania Supreme Court's definition of good cause as "conduct which is reasonable under all the circumstances, thereby justifying the [c]laimant's actions." *See In re Application of Penn Access Corporation and Digital Direct of Pittsburgh, Inc.*, Docket No. A-310006, 1992 Pa. PUC LEXIS 56, at *9 (1992) (citing *Frumento v. Unemployment Comp. Bd. of Review*, 351 A.2d 631 (Pa. 1976)). Additionally, Commission regulations provide presiding officers with the authority to regulate the course of proceedings. 52 Pa.Code § 5.483(a). Presiding officers are required to conduct fair and impartial hearings and maintain order. 52 Pa.Code § 5.485(a).

Veolia requests an extension of the stay to give Veolia and Wonderview additional time to continue their negotiations and to continue drafting the multiple agreements and filings that will be necessary to transfer control of the Wonderview water and wastewater

systems to Veolia. In the request, Veolia states that it and Wonderview continue to believe that reasonable progress is being made and they see no reason why a fair and reasonable agreement should not be reached. However, Veolia avers that the process is time consuming, e.g., the parties have had to clarify the ownership of certain real property on which Wonderview's facilities are located, and separate agreements are being negotiated for the transfer of the Wonderview Water system, the Wondeview Wastewater system, and certain real property presently owned by Mr. Yohey that is used by Wonderview to provide public utility service.

I find there is good cause to extend the stay for the reasons asserted by Veolia. Veolia's Status Report details the further work needed to complete negotiations and, as was stated in the May 19, 2025 Order granting the Motion to Stay, the parties and the Commission may benefit by the requested stay if Veolia and Wonderview are able to reach an agreement and thereby eliminate the time commitment and costs associated with a Section 529 investigation. Additionally, the customers of Wonderview would not be harmed because Veolia is currently acting as receiver for Wonderview. Finally, no party to this proceeding objects to the request for an extension of the stay.¹ Although Veolia's request for an extension of the stay was not presented as a motion, the Commission's regulations are to be liberally construed to secure the just, speedy and inexpensive determination of every action or proceeding and the presiding officer may, at any stage, disregard an error or defect of procedure which does not affect the substantive rights of parties. 52 Pa.Code § 1.2(a). Since no party to this proceeding objects to Veolia's request for an extension of the stay, I find it appropriate to disregard Veolia not filing its request as a motion. Accordingly, the stay granted by Order issued on May 19, 2025 will be extended by an additional 120 days. Veolia will be ordered to provide a report via e-mail 60 days from the date of this order and to file a status report 120 days from the date of this order.

¹ As is reflected in the May 19, 2025 Order, the current parties to this proceeding are Wonderview, Veolia, I&E, OSBA, Aqua, and DEP.

**M-2025-3053936 - WONDERVIEW WATER COMPANY INC AND WONDERVIEW
SANITARY FACILITIES INC**

Revised: September 19, 2025

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