

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In re: Application of the City of Pittston, Nunc Pro Tunc, Pursuant to 66 PA. C.S. § 1102(A), for a Certificate of Public Convenience to offer, furnish, render, and supply wastewater service to the public in certain portions of the Borough of Duryea, the Borough of Hughestown and Pittston Township, all in Luzerne County, Pennsylvania

A-2026-3059911

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**NOTICE TO PLEAD**

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YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.66, YOU MAY ANSWER THE ENCLOSED PETITION TO INTERVENE WITHIN TWENTY (20) DAYS OF THE DATE OF SERVICE HEREOF. YOUR ANSWER TO THE PETITION TO INTERVENE MUST BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL FOR THE BOROUGH OF HUGHESTOWN.

/s/ Matthew Olesh

Thomas Wyatt, Esquire (PA I.D. 89342)  
Matthew S. Olesh, Esquire (PA I.D. 206553)  
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Centre Square West  
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Dated: February 13, 2026

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In re: Application of the City of Pittston, Nunc Pro Tunc, Pursuant to 66 PA. C.S. § 1102(A), for a Certificate of Public Convenience to offer, furnish, render, and supply wastewater service to the public in certain portions of the Borough of Duryea, the Borough of Hughestown and Pittston Township, all in Luzerne County, Pennsylvania

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**PETITION TO INTERVENE**

Pursuant to 52 Pa. Code §§ 5.71, 5.72 and 5.74, the Borough of Hughestown (“Hughestown”), by and through its attorneys, Obermayer Rebmann Maxwell & Hippel LLP, hereby files with the Pennsylvania Public Utility Commission (the “Commission”) this Petition to Intervene in the above-captioned Application of the City of Pittston (“Pittston” or “Applicant”) for a Certificate of Public Convenience to offer, furnish, render, and supply wastewater service to the public in certain portions of the Borough of Duryea, the Borough of Hughestown and Pittston Township. The Application directly affects the interests of Hughestown, which are not adequately represented by any existing party. For the reasons that follow, Hughestown respectfully requests that the Commission grant its Petition to Intervene, and in support thereof avers as follows:

1. Petitioner, Hughestown, is a duly organized and validly existing Borough located in Luzerne County, Pennsylvania, with a business address of 42 Center Street, Hughestown, Pennsylvania 18640.

2. Hughestown is interested in the above-captioned docket because it is one of the areas where the City of Pittston (the “City”) seeks approval, *nunc pro tunc*, for a Certificate of Public Convenience to continue to provide wastewater service in this proceeding.

3. According to the City's application filed in the instant proceeding, it currently provides service to 576 customers in Hughestown.

4. 52 Pa. Code § 5.72 sets forth the eligibility requirements for a party to intervene and provides in part as follows:

(a) Persons. A petition to intervene may be filed by a person claiming a right to intervene or an interest of such nature that intervention is necessary or appropriate to the administration of the statute under which the proceeding is brought. The right or interest may be one of the following:

(1) A right conferred by statute of the United States or of the Commonwealth;

(2) An interest which may be directly affected and which is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding;

(3) Another interest of such nature that participation of the petitioner may be in the public interest.

5. Hughestown seeks intervention in the proceeding for due cause shown for the following reasons:

(a) The City currently provides wastewater service to 576 customers in Hughestown and seeks a Certificate of Public Convenience in order to continue to do so.

(b) There is presently no bulk service agreement between the City and Hughestown.

(c) Hughestown seeks to ensure that those residents serviced by the City continue to receive safe and affordable wastewater service on fair, acceptable terms as a result of this proceeding as well as any subsequent transaction sought by the City; and

(d) Hughestown seeks to protect the interests of all Hughestown residents who could be affected by the Application, including any potential rate impact.

6. Hughestown has a substantial and bona fide interest in the subject matter of this docket and its interests cannot be represented or protected adequately by other existing parties to this docket.

7. As a municipality whose residents are receiving critical services from the City, Hughestown submits that its intervention is in the public interest.

8. Hughestown intends to play an active role in the PUC's decision-making process and its participation herein will not unduly prejudice any party.

WHEREFORE the Borough of Hughestown respectfully requests that the Commission grant the instant Petition to Intervene in this proceeding.

Respectfully submitted,

/s/ Matthew Olesh

Thomas Wyatt, Esquire (PA I.D. 89342)

Matthew S. Olesh, Esquire (PA I.D. 206553)

**OBERMAYER REBMANN**

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Thomas.Wyatt@obermayer.com

Matthew.Olesh@obermayer.com

Dated: February 13, 2026

VERIFICATION

I, Carolyn D'Elia Moscatelli, President of the Hughestown Council, hereby verify that the statements of fact made in the foregoing petition are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements made herein are subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Dated: 2-13-26

  
Carolyn D'Elia Moscatelli

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**ORDER OF COURT**

**AND NOW**, this \_\_\_\_\_ day of \_\_\_\_\_, 2019, upon consideration of the foregoing Petition to Intervene of the Borough of Hughestown, it is hereby **ORDERED**, **ADJUDGED** and **DECREED** that said Petition is **GRANTED**.

**BY THE COURT:**

\_\_\_\_\_, **J.**

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**CERTIFICATE OF SERVICE**

I, Matthew Olesh, Esq., hereby certify that I have served a true and correct copy of the foregoing Petition to Intervene upon all interested parties in accordance with the requirements of 52 Pa. Code §§ 1.54 (relating to service by a party) via the Commission's e-filing system and electronic mail on the date indicated below as follows:

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*Counsel for I&E*

Dated: February 13, 2026

/s/ Matthew Olesh  
Matthew Olesh, Esquire