



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
400 NORTH STREET, HARRISBURG, PA 17120

March 6, 2026

IN REPLY PLEASE  
REFER TO OUR FILE

Docket No. A-2025-3056419  
Utility Code 230073

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RE: Pennsylvania-American Water Company – Wastewater Division Section 1329  
Application for the Acquisition of the City of Pittston Wastewater System at Docket No.  
A-2025-3056419

Dear Attorneys Fure and Bakare:

On January 20, 2026, Pennsylvania-American Water Company – Wastewater Division (PAWC-WD) submitted the above-referenced application (Application) to the Pennsylvania Public Utility Commission (Commission) for filing. On January 16, 2026, the City of Pittston filed an application for approval, *nunc pro tunc* (Nunc Pro Tunc Application), to offer, furnish, render, and supply wastewater collection and conveyance service to the public in certain portions of the Boroughs of Duryea and Hughestown and Pittston Townships, Luzerne County, Pennsylvania, at Docket No. A-2026-3059911. Subsequently, protests were filed to the Nunc Pro Tunc Application. As the Nunc Pro Tunc Application is contested, the matter was transferred to the Commission’s Office of Administrative Law Judge for adjudication.

This Secretarial Letter is to inform you that, pursuant to 52 Pa. Code § 1.38 (relating to rejection of filings) and the Commission’s Implementation Order entered October 27, 2016, at Docket No. M-2016-2543193 (October 2016 FIO), the Application is hereby rejected by the Commission without prejudice for refiling.<sup>1</sup> The Application was filed prematurely and cannot be deemed complete while the Nunc Pro Tunc Application remains pending before the Commission. Depending on the outcome of the Nunc Pro Tunc Application proceeding, the Application will necessarily need to be amended and refiled to comport with the facts and determinations made in that proceeding. As such, it cannot be determined what areas of the Application will be impacted by such changes and thus the Application, as filed, cannot be reviewed for sufficiency.

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<sup>1</sup> See, October 2016 FIO, Page 39 (Section 1329 applications must be complete to avoid rejection).

Additionally, pursuant to the Application Filing Checklist, Item 12, and Section 1329(d)(1)(v) of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 1329(d)(1)(v), the Application must include “[a] tariff containing a rate equal to the existing rates of the selling utility at the time of the acquisition and a rate stabilization plan, if applicable to the acquisition.” As it is not clear the impact the Nunc Pro Tunc Application proceeding may have on the rates of the City of Pittston, the Commission cannot determine that the Application meets the requirements of the Application Filing Checklist, Item 12.

Our records in this matter will now be closed. If you have any legal questions regarding this matter, please contact Sharon Webb of the Law Bureau at (717) 787-5755. Technical questions may be referred to Sean Donnelly, P.E. of Bureau of Technical Utility Services at (717) 783-2505. If you are dissatisfied with the resolution of this matter, you may, as set forth in 52 Pa. Code § 5.44, file a petition for reconsideration from the actions of staff with the Commission within 20 days of the date this letter is served.

Sincerely,

A handwritten signature in cursive script that reads "Matthew L. Homsher".

Matthew L. Homsher  
Secretary

cc: Darryl Lawrence, Office of Consumer Advocate, [ra-oca@paoca.org](mailto:ra-oca@paoca.org)  
Steven C. Gray, Office of Small Business Advocate, [sgray@pa.gov](mailto:sgray@pa.gov)  
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