

March 9, 2026

VIA E-FILING

Matthew L. Homsher, Secretary  
Pennsylvania Public Utility Commission  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

**Re: Application of Greater Hazleton Community Area New Development Organization Inc. t/a CAN DO, Inc. (Water Division), Pursuant to Section 1102(a) of the Pennsylvania Public Utility Code, for Approval of (2) the Right to Offer, Render, Furnish or Supply Water Service To the Public in an Additional Portion of Hazle Township, together with portions of Sugarloaf Township and West Hazleton Borough all in Luzerne County, Pennsylvania and (2) the Abandonment of Portions of its Water Service Territory in Hazle Township, Luzerne County, Pennsylvania and East Union Township, Schuylkill County, Pennsylvania; Docket No. A-2026-3059809**

**Answer of Lisa Logan to CAN DO's Preliminary Objection**

Dear Secretary Homsher,

Enclosed for filing with the Pennsylvania Public Utility Commission is the Answer of Lisa Logan to CAN DO's Preliminary Objection related to the Greater Hazleton Area New Development Organization Inc. t/a CAN DO, Inc. (Water Division), Docket No. A-2026-3059809.

Thank you for your time and attention regarding my filing. If you have any questions, please kindly reach out to me.

Best Regards,

*Lisa Logan*

Lisa Logan  
293 Tomhicken Road  
Sugarloaf, PA 18249  
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Enclosure(s)

Matthew L. Homsher, Secretary

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cc: **Administrative Law Judge Emily A. Farren via email [efarren@pa.gov](mailto:efarren@pa.gov)**  
**Administrative Law Judge Steven K. Haas via email [sthaas@pa.gov](mailto:sthaas@pa.gov)**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Greater Hazleton Community :  
Area New Development Organization Inc. t/a :  
CAN DO, Inc. (Water Division), Pursuant to :  
Section 1102(a) of the Pennsylvania Public : Docket No. A-2026-3059809  
Utility Code, for Approval of (1) the Right to :  
Offer, Render, Furnish or Supply Water :  
Service To the Public in an Additional Portion :  
of Hazle Township, together with portions of :  
Sugarloaf Township and West Hazleton :  
Borough, Luzerne County, Pennsylvania and :  
(2) the Abandonment of Portions of its Water :  
Service Territory in Hazle Township, Luzerne :  
County, Pennsylvania and East Union :  
Township, Schuylkill County, Pennsylvania :

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 9<sup>th</sup> day of March, 2026 served a true copy of the foregoing Answer of Lisa Logan to CAN DO's preliminary objection upon the parties, listed below and in the manner described below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

**Via E-mail and First Class Mail**

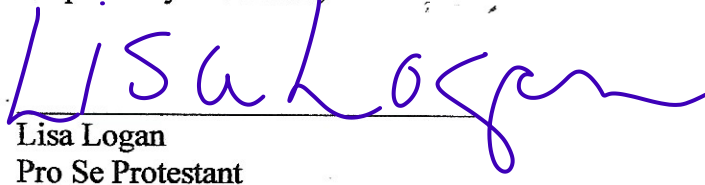
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Respectfully submitted,

  
Lisa Logan  
Pro Se Protestant

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Service Territory in Hazle Township, Luzerne :  
County, Pennsylvania and East Union :  
Township, Schuylkill County, Pennsylvania :

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**ANSWER OF LISA LOGAN TO CAN DO'S PRELIMINARY OBJECTION**

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Pursuant to 52 Pa. Code § 5.101(f), I, Lisa Logan, submit this Answer to the Preliminary Objection filed by Greater Hazleton Community Area New Development Organization Inc. t/a CAN DO, Inc. ("CAN DO"). CAN DO asks the Commission to dismiss my Protest for lack of standing. When the correct Pennsylvania legal standards are applied, I clearly meet the requirements for standing, and my Protest should proceed.

**I.      INTRODUCTION**

CAN DO argues that I lack standing because I am not a customer, do not live inside the proposed expansion or abandonment areas, and therefore have no legally protected interest (¶12-¶17). This is not the law in Pennsylvania.

My home relies entirely on a private groundwater well located within a sensitive watershed. As CAN DO quotes from my Protest (¶11):

“Any change in withdrawals, infrastructure, or service patterns in this area has the potential to affect groundwater recharge, well yield, and water quality.”

Pennsylvania law recognizes these interests as substantial, direct, and immediate.

## II. PENNSYLVANIA LAW SUPPORTING MY STANDING

### A. *Article I, Section 27 of the Pennsylvania Constitution (Environmental Rights Amendment).*

The Pennsylvania Constitution guarantees: “The people have a right to clean air, pure water...” - Pa. Constitution Article I, § 27.

The Pennsylvania Supreme Court has held that these rights are individual, enforceable rights, not abstract policy statements (*Robinson Township v. Commonwealth*, 83 A.3d 901 (Pa. 2013)).

Because my home depends on a private well, any action that may affect groundwater recharge or water quality directly implicates my constitutional rights. CAN DO’s claim that I lack a substantial interest (§12–§18) is incompatible with Article I, § 27.

### B. *Pennsylvania Public Utility Code*

The Public Utility Code recognizes that persons affected by utility actions have the right to participate:

- 66 Pa. C.S. § 701 - Any person “complaining of anything done or omitted to be done by a public utility” may file a complaint.
- 66 Pa. C.S. § 1103(a) - The Commission must determine whether a proposed expansion is “necessary or proper for the service, accommodation, convenience, or safety of the public.”

The term public is not limited to customers or residents inside a service map. It includes any person whose property, water supply, or environment may be affected.

Thus, CAN DO’s argument that I lack standing because I am not a customer (§16) or not inside the map (§12–§15) is legally incorrect.

### C. *Pennsylvania Case Law*

#### 1. *William Penn Parking Garage v. Pittsburgh*, 346 A.2d 269 (Pennsylvania 1975)

Standing requires a substantial, direct, and immediate interest. My interest is:

- Substantial -my only water source is at risk
- Direct - hydrologic changes affect my well

- Immediate - CAN DO proposes new withdrawals and infrastructure

CAN DO's claim that my concerns are "speculative" (¶33-¶36) misstates the standard.

2. *Markham v. Wolf, 136 A.3d 134 (Pennsylvania 2016)*

An interest is immediate when the causal connection is not remote.

Here, CAN DO admits:

- New daily withdrawals of up to 30,000 gpd (¶26)
- A new 12-inch main extension (Application ¶13)
- Altered service patterns (Application ¶9, ¶13, and ¶16-18)

These are not remote impacts - they are concrete and imminent.

3. *White v. PUC, 103 A.3d 380 (Pennsylvania Commonwealth 2014)*

Property owners have standing when utility action may affect their water supply or property use, even if they are not customers.

This directly rebuts CAN DO's argument in ¶16.

4. *Fumo v. City of Philadelphia, 972 A.2d 487 (Pennsylvania 2009)*

Standing exists where governmental action affects public natural resources, including water.

My well is part of a shared hydrologic system. CAN DO's expansion affects that system.

5. *Robinson Township v. Commonwealth, 83 A.3d 901 (Pennsylvania 2013)*

Citizens have standing to challenge actions that may impair:

- groundwater
- hydrology
- watershed integrity
- environmental quality

This directly supports the hydrologic concerns quoted in CAN DO's ¶11.

**D. *PUC-Specific Standing Precedent***

Regarding UGI Utilities, Docket A-125146 (PUC 2001)

The Commission held that nearby landowners have standing when a utility expansion may affect:

- their property
- their environment
- or their water supply

The PUC has never required protestants to be customers or to live inside the exact service map. This contradicts CAN DO's position in ¶12-¶17.

*E. Pennsylvania Clean Streams Law (35 P.S. §§ 691.1 et seq.)*

The Clean Streams Law protects groundwater and prohibits actions that may cause pollution or degradation of water resources.

Any project that increases withdrawals or alters hydrology - such as CAN DO's proposed expansion - falls within the scope of this statute.

My reliance on a private well gives me a legally protected interest under this law.

**III. RESPONSE TO CAN DO'S ARGUMENTS**

**A. Substantial Interest (¶12-¶21)**

CAN DO claims I have no substantial interest because I am not inside the service map. But Pennsylvania law recognizes:

- environmental interests
- hydrologic interests
- and private well protection

as substantial.

My interest surpasses the "common interest of all citizens" because it affects my only water source.

**B. Direct Interest (¶22-¶32)**

CAN DO argues there is "no causal connection." But CAN DO's own Application - cited in ¶25-¶29 shows:

- increased withdrawals
- new infrastructure
- altered service patterns

These are physical hydrologic changes.

My well draws from the same watershed system. The connection is direct.

C. Immediate Interest (§§33-§40)

CAN DO argues my concerns are speculative. But immediacy does not require guaranteed harm - only that the causal connection is not remote.

CAN DO admits:

- new daily demand (§26)
- new infrastructure (§25)
- new service patterns (§26-§29)

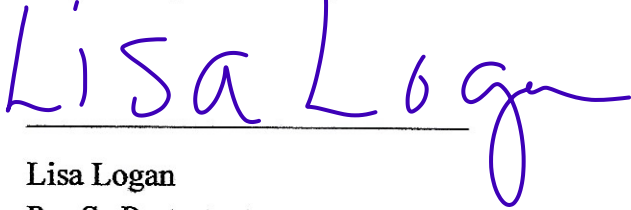
These impacts are imminent and concrete.

IV. CONCLUSION

For all these reasons, I respectfully request that the Commission:

1. DENY CAN DO's Preliminary Objection;
2. ALLOW my Protest to proceed to discovery and hearing; and
3. Grant any further relief deemed appropriate.

Respectfully submitted,



Lisa Logan  
Pro Se Protestant

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**Docket No. A-2026-3059809**

**Lisa Logan Exhibit**

**CAN DO Counsel Jonathan P. Nase, Esquire  
Preliminary Objection to Protest of Lisa Logan  
(March 5, 2026)**