

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Greater Hazleton Community	:	
Area New Development Organization Inc. t/a	:	
CAN DO, INC., Pursuant to Section 1102(a)	:	
of the Code, for Approval of (1) the Right to	:	
Offer, Render, Furnish or Supply Waster Service	:	
to the Public in an Additional Portion of Hazle	:	
Township, together with portions of Sugarloaf	:	A-2026-3059809
Township and West Hazleton Borough,	:	
Luzerne County, Pennsylvania and	:	
(2) Abandonment of Portions of its Water	:	
Service Territory in Hazle Township, Luzerne	:	
County, Pennsylvania and East Union Township,	:	
Schuylkill County, Pennsylvania	:	

**INTERIM ORDER #6
GRANTING PETITION FOR LEAVE TO WITHDRAW**

This interim order grants the petition for leave to withdraw the protest of Jennifer
Yanni.

HISTORY OF THE PROCEEDING

On January 13, 2026, Greater Hazleton Community Area New Development
Organization Inc., t/a CAN DO, INC. (CAN DO), filed an application with the Pennsylvania
Public Utility Commission (Commission), pursuant to Section 1102(a) of the Public Utility Code
(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) abandonment of portions of its
water service territory in Hazle Township, Luzerne County, Pennsylvania and East Union
Township, Schuylkill County, Pennsylvania.

Notice of the application was published in the January 31, 2026 edition of the *Pennsylvania Bulletin*, 56 Pa.B. 737. The notice specified a protest deadline of on or before February 16, 2026.

On February 16, 2026, Jennifer Yanni (Ms. Yanni) filed a protest in opposition of the application.

On February 25, 2026, the Commission issued an Initial Telephonic Prehearing Conference Notice to alert the parties that a prehearing conference would be held on March 25, 2026. Also on February 25, 2026, the undersigned issued a Prehearing Order.

On March 6, 2026, CAN DO filed a preliminary objection to Ms. Yanni's protest. A Notice to Plead appropriately accompanied the preliminary objection.

On March 20, 2026, the undersigned issued Interim Order #5, denying CAN DO's preliminary objection to the Protest of Ms. Yanni.

On March 22, 2026, Ms. Yanni emailed the undersigned, copying counsel for CAN DO that stated in part, "I would like to withdraw my formal protest for Docket No. A-2026-3059809. I believe I filed it in error. My intention was to submit a public comment that I oppose the water line changes; I did not realize that what I submitted involved a more formal litigation process." See Yanni Email dated March 22, 2026, and responses thereto, attached hereto Attachment A.

Ms. Yanni's March 22 email will be treated as a petition for leave to withdrawal her protest to the application. By email dated March 23, 2026, counsel for CAN DO indicated that CAN DO has no objection to the withdrawal of Ms. Yanni's protest.

DISCUSSION

The Commission's regulations permit the withdrawal of pleadings in a contested proceeding:

§ 5.94. Withdrawal of pleadings in a contested proceeding.

(a) Except as provided in subsection (b), a party desiring to withdraw a pleading in a contested proceeding may file a petition for leave to withdraw the appropriate document with the Commission and serve it upon the other parties. The petition must set forth the reasons for the withdrawal. A party may object to the petition within 10 days of service. After considering the petition, an objection thereto and the public interest, the presiding officer or the Commission will determine whether the withdrawal will be permitted.

52 Pa. Code § 5.94.

Here, Ms. Yanni indicated that she wished to withdraw her protest and no longer participate in the application proceeding. After consideration, the undersigned find there is no prejudice against any other party or the public in allowing the withdrawal.

Thus, Ms. Yanni's Petition for Leave to Withdraw Protest will be granted in the ordering paragraph below.

THEREFORE,

IT IS ORDERED:

1. That Jennifer Yanni's Petition for Leave to Withdraw Protest of the Application of CAN DO, INC., at Docket No. A-2026-3059809, is granted.

Date: March 24, 2026

_____/s/
Emily A. Farren
Administrative Law Judge

_____/s/
Steven K. Haas
Administrative Law Judge

ATTACHMENT A:

Farren, Emily

From: Nase, Jonathan <JNase@cozen.com>
Sent: Monday, March 23, 2026 12:00 PM
To: Farren, Emily; Jennifer Yanni; Crompton, Dawn Kurtz
Cc: Haas, Steve
Subject: Re: [External] Formal Protest

Your Honors:

CAN DO has no objection.

Thank you.
Jonathan Nase

From: Farren, Emily <efarren@pa.gov>
Sent: Monday, March 23, 2026 11:38:57 AM
To: Jennifer Yanni <jennifer.a.yanni@gmail.com>; Nase, Jonathan <JNase@cozen.com>; Crompton, Dawn Kurtz <DCrompton@cozen.com>
Cc: Haas, Steve <sthaas@pa.gov>
Subject: RE: [External] Formal Protest

****EXTERNAL SENDER****

Ms. Yanni:

Judge Haas and I will treat your e-mail as a formal request for permission to withdraw your protest in this proceeding.

We will have a copy of your e-mail filed with the Secretary's Bureau and added to the case file.

Mr. Nase and Ms. Crompton, we assume your client has no objection to the withdrawal of the Protest of Ms. Yanni, but will you please just confirm that this is the case by responding to this e-mail.



Emily A. Farren
Administrative Law Judge
Office of Administrative Law Judge
Phone: 717-214-7280
Email: efarren@pa.gov
Consumer Hotline:
1-800-692-7380

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From: Jennifer Yanni <jennifer.a.yanni@gmail.com>
Sent: Sunday, March 22, 2026 10:24 AM
To: Haas, Steve <sthaas@pa.gov>; Farren, Emily <efarren@pa.gov>
Subject: [External] Formal Protest

ATTENTION: *This email message is from an external sender. Do not open attachments or click links from unknown senders. To report suspicious email, use the [Report Phishing button in Outlook](#).*

Dear Judge Haas and Judge Farren,

I would like to withdraw my formal protest for Docket No. A-2026-3059809. I believe I filed it in error. My intention was to submit a public comment that I oppose the water line changes; I did not realize that what I submitted involved a more formal litigation process. I also cannot participate in any hearings due to my work schedule. I apologize for any misunderstanding and hope that you accept my withdrawal. I also sent an email to Attorney Crompton to make her aware. Thank you.

Jennifer Yanni

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**A-2026-3059809 - EXPANSION OF ITS SERVICE TERRITORY TO INCLUDE AN
ADDITIONAL PORTION OF HAZLE TOWNSHIP, TOGETHER WITH PORTIONS OF
SUGARLOAF TOWNSHIP AND WEST HAZLETON BOROUGH, ALL IN LUZERNE
COUNTY, PENNSYLVANIA**

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Served via eService March 24, 2026

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