

**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 #7
GRANTING PETITION FOR LEAVE TO WITHDRAW**

This interim order grants the petition for leave to withdraw the protest of Patricia Kisenwether.

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 12, 2026, Patricia Kisenwether (Ms. Kisenwether) 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 4, 2026, CAN DO filed a preliminary objection to Ms. Kisenwether's protest. A Notice to Plead appropriately accompanied the preliminary objection.

On March 20, 2026, the undersigned issued Interim Order #4, denying CAN DO's preliminary objection to the Protest of Ms. Kisenwether.

On March 25, 2026, the telephonic prehearing conference convened as scheduled. Johnathan Nase, Esq., and Dawn Kurtz Crompton, Esq. appeared and represented CAN DO, Inc. Ms. Logan appeared, *pro se*. At the beginning of the prehearing conference, Ms. Kisenwether did not identify herself as being on the line. Near the end of the prehearing conference, Mr. Nase asked if CAN DO should continue to serve Ms. Kisenwether documents, as she did not appear to participate in the prehearing conference. At that time, Ms. Kisenwether identified herself as being on the line and stated she no longer wished to participate in the proceeding.

Ms. Kisenwether's statement during the prehearing conference will be treated as a petition for leave to withdraw her protest to the application. On the record during the prehearing conference, CAN DO indicated no objection to the withdrawal of Ms. Kisenwether'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. Kisenwether indicated that she wished to withdraw her protest and no longer participate in the application proceeding because too much is involved. After consideration, the undersigned find there is no prejudice against any other party or the public in allowing the withdrawal.

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

THEREFORE,

IT IS ORDERED:

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

Date: March 26, 2026

_____/s/
Emily A. Farren
Administrative Law Judge

_____/s/
Steven K. Haas
Administrative Law Judge

**A-2026-3059809 - 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 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**

(Revised 3/24/2026)

JONATHAN NASE ESQUIRE
DAWN KURTZ CROMPTON ESQUIRE
COZEN O'CONNOR
17 NORTH SECOND STREET SUITE 1410
HARRISBURG PA 17101
717.773.4191
717.703.5892

jnase@cozen.com

dcrompton@cozen.com

Served via eService March 26, 2026

(Counsel for CAN DO, Inc)

PATRICIA KISENWETHER
96 MOUNT LAUREL TRAIL
SUGARLOAF PA 18249
570.582.5665

pkisenwether@gmail.com

Served via eService March 26, 2026

LISA LOGAN
293 TOMHICKEN ROAD
SUGARLOAF PA 18249
727.247.3036

lisalogan2662@gmail.com

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