PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held August 6, 2026

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Kathryn L. Zerfuss
John F. Coleman, Jr.
Ralph V. Yanora

Joint Application of American Water Works Company, Inc., Essential Utilities, Inc., Aqua Pennsylvania, Inc., Aqua Pennsylvania Wastewater, Inc., Peoples Natural Gas Company LLC and Alpha Merger Sub, Inc. for a Certificate of Public Convenience under Sections 1102(a)(3) and 2210(c) of the Public Utility Code and All Other Necessary Approvals to Effect a Change of Control of Aqua Pennsylvania, Inc., Aqua Pennsylvania Wastewater, Inc., and Peoples Natural Gas Company LLC	A-2025-3058927 A-2025-3058928 A-2025-3058929

OPINION AND ORDER

BY THE COMMISSION:

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition are two Petitions for Reconsideration (Petitions), filed by Luis Francisco (Mr. Francisco or Petitioner) on June 25, 2026, and July 2, 2026, respectively, seeking reconsideration of the Commission's Opinion and Order entered on June 18, 2026 (*June 2026 Order*), relative to the above-captioned proceeding.[1] On July 6, 2026, the American Water Works Company, Inc. (American Water), Essential Utilities, Inc. f/k/a Aqua America, Inc. (Essential), Aqua Pennsylvania, Inc., Aqua Pennsylvania Wastewater, Inc. (together, Aqua PA), Peoples Natural Gas Company LLC (Peoples) and Alpha Merger Sub, Inc. (Merger Sub) (collectively, Joint Applicants) filed an Answer to the Petitions.[2] For the reasons stated below, we shall deny the Petitions, consistent with this Opinion and Order.

I. History of Proceeding[3]

On November 26, 2025, the Joint Applicants filed applications (Joint Applications) to obtain the approval of the Commission under Chapters 11 and 22 of the Public Utility Code (Code) for a change of control of Aqua PA and Peoples, to be affected by the merger of Essential and Merger Sub, a wholly owned subsidiary of American Water (the Merger). The Joint Applicants also requested that the Commission approve, under Chapter 21 of the Code, 66 Pa.C.S. §§ 2101, *et seq.*, certain new affiliated interest agreements to facilitate the sharing of resources and best practices created by the Merger between American Water and Essential Utilities. *May 2026 Interim Order* at 1.

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1 Because the Petitions appear to be identical, we shall exercise our discretion to consolidate the Petitions for purposes of our disposition. *See* 52 Pa. Code § 5.81(a). Section 5.81(a) of the Commission's Regulations provides that "[t]he Commission or presiding officer, <u>*with or without motion*, may order proceedings involving a common question of law or fact to be consolidated.</u>" 52 Pa. Code § 5.81(a) (emphasis added).

2 Subsequently, on July 15, 2026, Mr. Francisco electronically filed seven additional documents in this matter. Also, on July 20, 2026, Mr. Francisco electronically filed a Petition for Stay and Supersedeas. These submissions are discussed in more detail in Sections I and II. D. of this Opinion and Order, *infra*.

3 *See June 2026 Order* at 3-4, and the Interim Order issued on May 5, 2026, in this proceeding (*May 2026 Interim Order*), for a comprehensive summary describing the background and procedural history of this proceeding, which is incorporated herein by reference.

On March 12, 2026, Mr. Francisco sought to intervene in this proceeding. *May 2026 Interim Order* at 3. Mr. Francisco's request to intervene was denied in the *May 2026 Interim Order*.

Mr. Francisco filed a petition seeking reconsideration of the *May 2026 Interim Order* on May 20, 2026. On May 29, 2026, the Commission issued a Secretarial Letter informing the Parties that it deemed the filing to be a Petition for Interlocutory Review, pursuant to 52 Pa. Code § 5.301, *et seq*., and provided the Parties with an opportunity to submit briefs supporting or opposing the Petition. The Joint Applicants filed a brief opposing the Petition for Interlocutory Review on June 8, 2026.

The Commission, in the *June 2026 Order*: (1) denied Mr. Francisco's Petition for Interlocutory Review; (2) denied Mr. Francisco's request to intervene in this proceeding; and (3) returned the matter to the presiding Administrative Law Judges for disposition. *June 2026 Order* at 2, 15-17.

As noted, *supra*, on June 25, 2026, and July 2, 2026, respectively, Mr. Francisco filed the instant Petitions.[4] On July 6, 2026, the Joint Applicants filed an Answer to the Petitions.

On July 15, 2026, Mr. Francisco electronically filed, at the instant dockets, the following: (1) a document entitled "Reply to Joint Applicants' Answer to the Petition for Reconsideration of Luis Francisco," along with a cover letter and Certificate of

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[4] On July 2, 2026, the Parties of Record were notified by Secretarial Letter, of the electronic service of Mr. Francisco's Petition for Reconsideration filed on June 25, 2026, because a review of the filing revealed that Mr. Francisco failed to serve the Parties. In addition, Mr. Francisco's second Petition for Reconsideration, filed on July 2, 2026, also appears to not have been properly served on all Parties of Record; however, since the June 25, 2026, Petition for Reconsideration and the July 2, 2026, Petition for Reconsideration appear to be duplicate filings, we will not require re-service of the July 2, 2026, Petition for Reconsideration.

Service indicating service of this document to some, but not all, Parties of Record in these proceedings; (2) a document entitled "Motion for Summary Exclusion of Evidence, Allegation of Procedural Fraud, and Objection for Lack of Material Identity of the Subject Matter (Docket No. A-91942);"[5] (3) a document that appears to be e-mail correspondence entitled "Corporate Successor Liability Declaration and Formal Objection;"[6] (4) a document entitled "Petition for Share Adjudication in Recognition of Unified Books and Records Under the Master Indenture;"[7] and (5) a document that appears to be e-mail correspondence entitled "Reply to Opposition and Formal Objection Against Respondents' Misleading Misrepresentations Regarding Corporate Succession and Liability Lignage."[8,9]

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[5] The "Motion for Summary Exclusion of Evidence, Allegation of Procedural Fraud, and Objection for Lack of Material Identity of the Subject Matter (Docket No. A-00091942)" seeks the exclusion of certain evidence offered by the Joint Applicants and requests other related rulings.

[6] The e-mail correspondence entitled "Corporate Successor Liability Declaration and Formal Objection" requests a specific audit, as well as conditions on any final approval of the Merger.

[7] The "Petition for Share Adjudication in Recognition of Unified Books and Records Under the Master Indenture" seeks the disclosure of certain information and the issuance of preferred shares with voting rights to Mr. Francisco.

[8] The e-mail correspondence entitled "Petition for Reply to Opposition and Formal Objection Against Respondents' Misleading Misrepresentations Regarding Corporate Succession and Liability Lignage" provides additional arguments in response to the Joint Applicants' position, requests that administrative notice of certain information be taken, and seeks the production of additional information.

[9] A review of these filings indicates that, with the exception of the Reply to Joint Applicants' Answer to the Petition for Reconsideration of Luis Francisco, none of the other submissions appear to include a Certificate of Service or evidence that they were served on the Parties of Record. *See* Section II. D., *infra*, for a brief discussion of our treatment of these filings.

By Order entered July 16, 2026, we granted the Petitions pending further review of, and consideration on, the merits, pursuant to Pa. R.A.P. 1701(b)(3). *Joint Application of American Water Works Company, Inc., Essential Utilities, Inc., Aqua Pennsylvania, Inc., Aqua Pennsylvania Wastewater, Inc., Peoples Natural Gas Company LLC and Alpha Merger Sub, Inc. for a Certificate of Public Convenience under Sections 1102(a)(3) and 2210(c) of the Public Utility Code and All Other Necessary Approvals to Effect a Change of Control of Aqua Pennsylvania, Inc., Aqua Pennsylvania Wastewater, Inc., and Peoples Natural Gas Company LLC*, Docket Nos. A-2025-3058927, A-2025-3058928, A-2025-3058929 (Opinion and Order entered July 16, 2026).

On July 20, 2026, Mr. Francisco electronically filed a Petition for Stay and Supersedeas Pending Review on the Merits.[10] On July 28, 2026, the Joint Applicants filed an Answer opposing Mr. Francisco's Petition for Stay and Supersedeas Pending Review on the Merits and requesting that it be denied.[11]

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[10] The Petition for Stay and Supersedeas requests that the Commission stay the *June 2026 Order*. Based on a review of the Certificate of Service included with the filing, it appears that Mr. Francisco failed to properly serve all Parties of Record. *See* Section II. D, *infra*, for a brief discussion of our treatment of this filing.

[11] Also, on July 28, 2026, Mr. Francisco electronically filed a Reply to the Joint Applicants' Answer to the Petition for Stay and Supersedeas. As noted, *infra*, our Regulations at 52 Pa. Code § 5.572 do not provide for the filing of additional pleadings other than answers to petitions for relief. *See* 52 Pa. Code § 5.572. Therefore, Mr. Francisco's Reply to the Joint Applicants' Answer to the Petition for Stay and Supersedeas is procedurally out-of-order and will not be considered.

II. Discussion

A. Legal Standards

With respect to petitions for rehearing, reconsideration, rescission, and amendment of Commission orders, the Code establishes a party's right to seek relief within fifteen days following the service of a Commission order pursuant to Subsection 703(f). 66 Pa.C.S. § 703(f) (relating to rehearing).[12] Upon the filing of a petition for relief pursuant to Section 703(f), the Commission may affirm, rescind, or modify its original order. 66 Pa.C.S. § 703(f). The Code further provides that the Commission may, at any time, after notice and opportunity to be heard by all affected parties, rescind or amend any order made by the Commission, pursuant to Section 703(g). 66 Pa.C.S. § 703(g) (relating to rescission and amendment of orders). A request for relief pursuant to § 703(f) or § 703(g) must be brought as a petition for relief consistent with Section 5.572 of the Commission's Regulations. 52 Pa. Code § 5.572 (relating to petitions for relief).

Petitions for relief predicated upon Sections 703(f) and 703(g) of the Code, whether brought under Section 5.572(c) of the Commission's Regulations as a petition for reconsideration, rehearing, reargument, clarification, supersedeas, or others within fifteen days of the service of a Commission order, or under Section 5.572(d) as a petition for rescission or amendment filed at any time following service of a Commission order, are reviewed by the Commission as matters seeking relief falling within the agency's discretion.

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[12] Petitions under this section which do not allege new evidence are typically treated as petitions for reconsideration. Petitions for rehearing pursuant to Section 703(f) of the Code typically include an allegation of new evidence. 66 Pa.C.S. § 703(f); *see West Penn Power Co. v. Pa. PUC*, 659 A.2d 1055 (Pa. Cmwlth. 1995).

The Commission's application of the standard for granting a petition for amendment, reconsideration, or recission is set forth in *Philip Duick, et al. v. Pennsylvania Gas and Water Company*, 56 Pa. P.U.C. 553 (1982) (*Duick*) as follows:

> A petition for reconsideration, under the provisions of 66 Pa.C.S. § 703(g), may properly raise any matters designed to convince the Commission that it should exercise its discretion under this code section to rescind or amend a prior order in whole or in part on the grounds that the decision or ruling of the Commission on a matter or issue was either unwise or in error.
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> In this regard we agree with the Court in the Pennsylvania Railroad Company case, wherein the Court said,
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>> [b]ut the grounds for reconsideration should be restricted to the new matters and new or changed conditions set up in the joint petition, which had arisen since and were not presented in the several petitions of these appellants … and dismissed by the Commission … and not appealed from. Parties,…, cannot be permitted, by a second motion to review and reconsider, to raise the same questions which were specifically considered and decided against them and not appealed from. …
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> *Pennsylvania Railroad Co. v. Public Service Commission*, [179 A. 850, 854 (Pa. Super. 1935)].
>
> What we expect to see raised in such petitions are new and novel arguments, not previously heard, or considerations which appear to have been overlooked or not addressed by the Commission. Absent such matters being presented, we consider it unlikely that a party will succeed in persuading us that our initial decision on a matter or issue was either unwise or in error.

Duick at 559; *see also AT&T v. Pa. PUC*, 568 A.2d 1362 (Pa. Cmwlth. 1990).

The Commission utilizes a two-step analysis in determining whether to exercise its discretion to grant relief under *Duick*. *See*, *e.g.*, *SBG Management Services, Inc./Colonial Garden Realty Co., L.P. v. Philadelphia Gas Works*, Docket Nos. C-2012-2304183 and C-2012-2304324 (Opinion and Order entered May 9, 2019)[13] at 4-5 (discussing *Application of La Mexicana Express Service, LLC, to transport persons in paratransit service, between points within Berks County*, Docket No. A-2012-2329717; A-6415209 (Opinion and Order entered September 11, 2014)). The first step is to determine whether a party has offered any basis to persuade the Commission to exercise its discretion, including but not limited to, new and novel arguments or identified considerations that appear to have been overlooked or not addressed by the Commission in its previous order. This initial step examines whether a party raises the same questions which were specifically considered and decided against them by a prior Order of the Commission. If so, it is unlikely that the Commission will be persuaded to exercise its discretion to grant relief. *Duick* at 559 (citing *Pennsylvania Railroad Co. v. Public Service Commission*, 179 A. 850 (Pa. Super. 1935)). The second step of the *Duick* analysis is to evaluate any matter the Commission has deemed worthy of consideration, to determine whether to grant any relief.

Finally, we note that any issue or argument that we do not specifically address shall be deemed to have been duly considered and denied without further discussion. The Commission is not required to consider, expressly or at length, each contention or argument raised by the parties. *Consolidated Rail Corp. v. Pa. PUC*,

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[13] *Affirmed*, *Phila. Gas Works v. Pa. PUC*, 249 A.3d 963 (Pa. 2021), *remand granted, in part*, 256 A.3d 1092 (Pa. 2021) (Table).

625 A.2d 741 (Pa. Cmwlth. 1993); *see also, generally, Univ. of Pa. v. Pa. PUC*, 485 A.2d 1217 (Pa. Cmwlth. 1984).[14]

B. *June 2026 Order*

In the *June 2026 Order*, the Commission denied Mr. Francisco's Petition for Interlocutory Review and his request for intervention in this proceeding. The Commission denied Interlocutory Review because Mr. Francisco neither demonstrated compelling and extraordinary circumstances to warrant granting interlocutory appeal, nor showed that his intervention would prevent substantial prejudice or expedite the conduct of the proceeding. *June 2026 Order* at 15 (citations omitted).

Regarding intervention, the Commission found that Mr. Francisco failed to demonstrate that he has a right or interest in this proceeding because he is neither a customer of any of the Joint Applicants, nor did he cite to any statutory right to intervene. Furthermore, the Commission concluded that the documents offered by Mr. Francisco, in support of his request to intervene, failed to demonstrate any link between them and the Merger. Without such linkage, the Commission found that Mr. Francisco was unable to establish that he has an interest in the instant proceeding in satisfaction of the requirements for intervention. *June 2026 Order* at 15-16.

[14] *See also Metropolitan Edison Co. v. Pa. PUC*, 22 A.3d 353 (Pa. Cmwlth. 2011), *appeal denied*, 22 A.3d 353 (Pa. 2012) (citing *Wheeling & Lake Erie Railway Company v. Pa. PUC*, 778 A.2d 785, 794 (Pa. Cmwlth. 2001) for the proposition that the Commission is not required to expressly consider all of the arguments set forth by the parties in its Order).

C. Mr. Francisco's Petitions and the Joint Applicants' Answer

In his Petitions,[15] Mr. Francisco avers that his request for intervention in these proceedings was denied in the *June 2026 Order* due to "an alleged failure to file a Certificate of Service or properly serve the Joint Applicants." Petitions at 1. Mr. Francisco contends that this is an error of fact and avers that every document he filed in these proceedings was properly and legally served on the opposing parties. Mr. Francisco submits that he possesses physical proof of service to support his claims, which is also on file with the Commission. Mr. Francisco argues that dismissal of this Petition would violate due process because he has complied with the Commission's service requirements at 52 Pa. Code § 1.54. For these reasons, Mr. Francisco requests that the Petition be granted, the denial of his intervention in the *June 2026 Order* be vacated, and the case be permitted to proceed on its merits. *Id*. at 1.

In response, the Joint Applicants argue that the Petitions should be denied due to their failure to meet the *Duick* standard for intervention because they neither identify any errors of law or fact, nor do they raise any new arguments or evidence not previously heard by the Commission. Answer at 2. Moreover, the Joint Applicants state that, contrary to Mr. Francisco's claims, the Commission did not deny the Petition for Interlocutory Review in the *June 2026 Order* because Mr. Francisco failed to comply with service requirements. Rather, the Joint Applicants aver that the Commission found that Mr. Francisco neither stated a compelling reason to grant interlocutory review, nor established that he has a valid interest in these proceedings. *Id*. at 6-7.

[15] We again note that the Petition for Reconsideration filed on June 25, 2026, and the Petition for Reconsideration filed on July 2, 2026, respectively, along with each Certificate of Service attached thereto, appear to be identical.

D. Disposition

Before considering the merits of the Petitions, we shall first address Mr. Francisco's Reply to Joint Applicants' Answer to the Petition for Reconsideration submitted on July 15, 2026. We note that our Regulations at 52 Pa. Code § 5.572 do not provide for the filing of additional pleadings other than answers to petitions for relief. *See* 52 Pa. Code § 5.572. Accordingly, Mr. Francisco's reply to the Joint Applicants' Answer to the Petitions is procedurally out-of-order and, therefore, will not be considered. In addition, as discussed, *supra*, we note that it appears that Mr. Francisco failed to properly serve this filing on all Parties of Record; however, because we will not be considering this filing, we find that there is no need to address and correct Mr. Francisco's procedural flaw of failing to serve this filing on all Parties of Record.[16]

Turning to the Petitions, upon review, we shall deny them. As mentioned, *supra*, petitions governed by *Duick* essentially require a two-step analysis. First, we must determine whether a party has offered new or novel arguments or identified considerations that appear to have been overlooked or not addressed by the Commission in its previous order.[17] We will not reconsider our previous decision based on arguments that have already been considered. However, we will not necessarily modify our prior decision just because a party offers a new and novel argument or identifies a consideration that was overlooked or not addressed by the Commission in its previous

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[16] We note that each of the Commission's Secretarial Letters issued on May 22, 2026, May 29, 2026, and July 2, 2026, clearly directed that all filings to the docket must be served on *all* Parties of Record pursuant to 52 Pa. Code §§ 1.51-1.59.

[17] With respect to petitions for rescission, specifically, the Commission has stated that in order "[t]o establish a proper basis for rescission, a petitioner must first establish the existence of newly discovered evidence, a substantial change in circumstances, or an error of fact or law." *See Floyd v. PECO Energy Co.*, Docket No. F-2018-3001465 (Opinion and Order entered August 8, 2019) (citing *Feleccia v. PPL Electric Utilities Corp.*, Docket No. C-20016210 (Order entered March 7, 2003), slip op. at 3 (citing *Duick* at 559)).

order. The second step of the *Duick* analysis is, therefore, to evaluate the new or novel argument or overlooked consideration, in order to determine whether to modify our previous decision.

Upon review, we find that the Petition does not raise any new or novel arguments or considerations that were overlooked or not addressed by the Commission in the *June 2026 Order*. The Petitions fail to meet the *Duick* standard for reconsideration because they neither identify any errors of law or fact, nor do they raise any new arguments or evidence not previously heard by the Commission. As the arguments are not new and novel and were previously addressed by the Commission, the Petitions fail to satisfy the first step required in the analysis under *Duick* and shall be denied.

Moreover, Mr. Francisco's averments in his Petitions as to why his Petition for Interlocutory Review was denied in the *June 2026 Order* are incorrect. We did not deny his Petition for Interlocutory Review, and ultimately his request for intervention, due to his failure to perfect proper service as required by our Regulations. To the contrary, we denied the Petition for Interlocutory Review, as well as Mr. Francisco's requested intervention in this case, because he failed to state any compelling reasons to support the granting of interlocutory review, and he did not demonstrate that he has a valid interest in this merger proceeding. *June 2026 Order* at 15-16 (citing 52 Pa. Code §§ 5.72, 5.303). These arguments were previously presented by Mr. Francisco and considered by the Commission. Specifically, we concluded that Mr. Francisco was unable to establish that he has an interest in the instant proceedings to satisfy the requirements of intervention because he failed to demonstrate a link between the documents he offered and the proposed transaction, as well as any proof that he is linked to the documents. *Id*. at 16.

For these reasons, we conclude that the Petitions fail to raise any basis to persuade us to reconsider the *June 2026 Order* in accordance with *Duick*. Accordingly, they will be denied.

With respect to the remaining four documents electronically filed by Mr. Francisco on July 15, 2026,[18] we will also not consider them. We recognize that the Commission traditionally has been hesitant to rule unfavorably against *pro se* litigants unlearned in the law based on technical violations of its procedural rules, *see, e.g.*, *Destafano v. Peoples Natural Gas Company*, 56 Pa. P.U.C. 489 (1982); *Halpern v. The Bell Telephone Company of Pennsylvania*, Docket No. C-00923950 (October 19, 1992); *William Schlinder v. The Bell Telephone Company of Pennsylvania*, Docket No. F-00161252 (March 26, 1993); *Carlock v. The United Telephone Company of Pennsylvania*, Docket No. F-00163617 (July 14, 1993). However, we find that it is not in the public interest here to consider these specific filings under the unique circumstances in these proceedings because doing so would result in the unnecessary expenditure of significant time and resources of the Commission and the Parties of Record to this proceeding.

First, these filings are procedurally infirm for the following reasons: (1) the submissions do not comply with the general requirements for Petitions pursuant to the Commission's Regulations at 52 Pa. Code § 5.41; (2) the submissions are not consistent with the requirement for Motions pursuant to the Commission's Regulations at 52 Pa. Code § 5.103; (3) the submissions are not consistent with the Commission's

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[18] As discussed, *supra*, those documents are entitled: (1) "Motion for Summary Exclusion of Evidence, Allegation of Procedural Fraud, and Objection for Lack of Material Identity of the Subject Matter (Docket No. A-91942);" (2) "Corporate Successor Liability Declaration and Formal Objection;" (3) "Petition for Share Adjudication in Recognition of Unified Books and Records Under the Master Indenture;" and (4) "Reply to Opposition and Formal Objection Against Respondents' Misleading Misrepresentations Regarding Corporate Succession and Liability Lignage."

service requirements at 52 Pa. Code §§ 1.51-1.59; (4) the submissions do not comply with the Commission's directive for proper service in several Secretarial Letters;[19] and (5) the submissions constitute *ex parte* communications prohibited by 66 Pa.C.S. § 334(c) because the subject matter therein may concern the merits of a contested matter pending before the Commission. Second, due to our denial of Mr. Francisco's request to intervene in the *June 2026 Order*, as well as the denial of his Petitions herein, we find that there is no need for us to consider the subsequent submissions filed by Mr. Francisco on July 15, 2026, because he is not a Party to these proceedings. Furthermore, consistent with our treatment of Mr. Francisco's out-of-order reply to the Joint Applicants' Answer to the Petitions discussed, *supra*, we conclude that there is no reason to expend the time and administrative resources to address and correct the procedural flaws associated with these filings, as described above.

Finally, as to the Petition for Stay and Supersedeas filed by Mr. Francisco on July 20, 2026, we shall deny it. Section 5.572(c) of our Regulations provides that petitions for supersedeas or stay must be filed within fifteen days after entry of the Commission Order in question. 52 Pa. Code § 5.572(c). Since the *June 2026 Order* was entered on June 18, 2026, Mr. Francisco's request for stay should have been filed on or before July 6, 2026.[20] However, Mr. Francisco did not file his Petition for Stay and Supersedeas until July 20, 2026, which was thirty-two days after entry of the *June 2026 Order*, and, therefore, fourteen days late. Consequently, the Petition is untimely. Furthermore, Mr. Francisco, in his Petition for Stay and Supersedeas, neither mentions its untimeliness, nor provides any justification for filing it late.

[19] *See* n.14, *supra*.

[20] Fifteen days from the entry date of the *June 2026 Order* was July 3, 2026; however, the Commission was closed on July 3, 2026, due to the observance of the July 4th holiday, therefore, extending the due date for this filing until July 6, 2026.

The Commission has previously dismissed late-filed petitions for supersedeas or stay, pursuant to 52 Pa. Code § 5.572(c). *See Pa. PUC v. Pittsburgh Limousine, Inc.*, 94 Pa. P.U.C. 3 (2000) (Commission denied petition for supersedeas or stay because it was filed twenty-one days late and on its merits); *Application of Artesian Water Pennsylvania, Inc. Pursuant to Chapter 21 of the Public Utility Code, for Approval of Affiliated Interest Agreement*, Docket Nos. G-2019-3013770, G-2016-2544455, and A-2017-2639994 (Opinion and Order entered May 21, 2020) (Commission denied petition for supersedeas because it was filed more than four months after entry of the Commission Order in question and on its merits); *Application for Approval of Abandonment of Natural Gas Service by Columbia Gas of PA, Inc., to One (1) Commercial Premises in Fayette County, PA*, Docket Nos. A-2022-3036437, P-2024-3049826 (Order entered December 5, 2024) (Commission denied petition for stay because it was filed almost four months after entry of the Commission Order in question and on its merits); *Petition of UGI Utilities, Inc. – Electric Division for Approval of a Default Service Plan for the Period of June 1, 2025 through May 31, 2029; Penn Renewables, LLC v. UGI Utilities, Inc. – Electric Division*, Docket Nos. P-2024-3049343, G-2024-3049351, C-2024-3049618 (Opinion and Order entered May 8, 2025) (Commission denied petition for supersedeas or stay because it was filed eighteen days late and on its merits). Accordingly, we shall deny the Petition for Stay and Supersedeas because it is untimely.[21] Because we are denying the Petition for Stay and Supersedeas herein, as it is untimely, we find that it is not necessary to address the additional procedural flaws associated with this filing.

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[21] We further conclude that it is not necessary to also evaluate the Petition for Stay and Supersedeas on its merits in order to determine whether it satisfies the criteria for a grant of stay or supersedeas under the test set forth by the Pennsylvania Supreme Court in *Pa. PUC v. Process Gas Consumers Group*, 467 A.2d 805 (Pa. 1983), because Mr. Francisco does not include any arguments or support to address that criteria in his Petition for Stay or Supersedeas.

In addition, in order to prevent the abuse of the Commission's administrative process, and the resulting substantial wasteful use of the time, energy, and resources of the Commission and the Parties to this proceeding, we conclude that, inasmuch as Mr. Francisco is not a Party to these proceedings, he shall be precluded from submitting any further filings with the Commission regarding the instant proceedings at these dockets. Accordingly, the Secretary of the Commission shall reject the filing by Mr. Francisco of any petition, motion, or other document or submission with the Commission in relation to the instant matter, without further proceedings.

III. Conclusion

For the reasons set forth above, we shall deny the Petitions for Reconsideration, consistent with this Opinion and Order; **THEREFORE,**

IT IS ORDERED:

1. That the Petitions for Reconsideration filed by Luis Francisco on June 25, 2026, and July 2, 2026, respectively, are consolidated for purposes of disposition, consistent with 52 Pa. Code § 5.81(a).

2. That the Petitions for Reconsideration filed by Luis Francisco on June 25, 2026, and July 2, 2026, respectively, seeking reconsideration of the Commission's Opinion and Order entered June 18, 2026, at the above dockets, are denied.

3. That the Petition for Stay and Supersedeas Pending Review on the Merits filed by Luis Francisco on July 20, 2026, is denied.

4. That Luis Francisco is precluded from filing any petition, motion, or other document or submission with the Commission regarding this matter, and that the filing of any motion, petition, or other document or submission in relation thereto shall be rejected by the Secretary of the Commission, without further proceedings, consistent with the discussion in this Opinion and Order.

BY THE COMMISSION,

Matthew L. Homsher
Secretary

(SEAL)

ORDER ADOPTED: August 6, 2026

ORDER ENTERED: August 6, 2026