

[J-127A-D-2012]
IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT

ROBINSON TOWNSHIP, WASHINGTON COUNTY, : No. 63 MAP 2012
PA; BRIAN COPPOLA, INDIVIDUALLY AND IN HIS :
OFFICIAL CAPACITY AS SUPERVISOR OF :
ROBINSON TOWNSHIP; TOWNSHIP OF :
NOCKAMIXON, BUCKS COUNTY, PA; TOWNSHIP : Application for Reargument or
OF SOUTH FAYETTE, ALLEGHENY COUNTY, PA; : Reconsideration of the Opinions and
PETERS TOWNSHIP, WASHINGTON COUNTY, PA; : Order entered by this Court on
DAVID M. BALL, INDIVIDUALLY AND IN HIS : December 19, 2013
OFFICIAL CAPACITY AS COUNCILMAN OF :
PETERS TOWNSHIP; TOWNSHIP OF CECIL, :
WASHINGTON COUNTY, PA; MOUNT PLEASANT :
TOWNSHIP, WASHINGTON COUNTY, PA; :
BOROUGH OF YARDLEY, BUCKS COUNTY, PA; :
DELAWARE RIVERKEEPER NETWORK; MAYA :
VAN ROSSUM, THE DELAWARE RIVERKEEPER; :
MEHERNOSH KHAN, M.D. :

v.

COMMONWEALTH OF PENNSYLVANIA; :
PENNSYLVANIA PUBLIC UTILITY COMMISSION; :
ROBERT F. POWELSON, IN HIS OFFICIAL :
CAPACITY AS CHAIRMAN OF THE PUBLIC UTILITY :
COMMISSION; OFFICE OF THE ATTORNEY :
GENERAL OF PENNSYLVANIA; KATHLEEN KANE, :
IN HER OFFICIAL CAPACITY AS ATTORNEY :
GENERAL OF THE COMMONWEALTH OF :
PENNSYLVANIA; PENNSYLVANIA DEPARTMENT :
OF ENVIRONMENTAL PROTECTION; and E. :
CHRISTOPHER ABRUZZO, IN HIS OFFICIAL :
CAPACITY AS SECRETARY OF THE :
DEPARTMENT OF ENVIRONMENTAL :
PROTECTION :

APPEAL OF: PENNSYLVANIA PUBLIC UTILITY :
COMMISSION; ROBERT F. POWELSON, IN HIS :
OFFICIAL CAPACITY AS CHAIRMAN OF THE :
PUBLIC UTILITY COMMISSION; PENNSYLVANIA :
DEPARTMENT OF ENVIRONMENTAL :
PROTECTION; AND E. CHRISTOPHER ABRUZZO, :
IN HIS OFFICIAL CAPACITY AS SECRETARY OF :
THE DEPARTMENT OF ENVIRONMENTAL :
PROTECTION :

ROBINSON TOWNSHIP, WASHINGTON COUNTY, PA; BRIAN COPPOLA, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS SUPERVISOR OF ROBINSON TOWNSHIP; TOWNSHIP OF NOCKAMIXON, BUCKS COUNTY, PA; TOWNSHIP OF SOUTH FAYETTE, ALLEGHENY COUNTY, PA; PETERS TOWNSHIP, WASHINGTON COUNTY, PA; DAVID M. BALL, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS COUNCILMAN OF PETERS TOWNSHIP; TOWNSHIP OF CECIL, WASHINGTON COUNTY, PA; MOUNT PLEASANT TOWNSHIP, WASHINGTON COUNTY, PA; BOROUGH OF YARDLEY, BUCKS COUNTY, PA; DELAWARE RIVERKEEPER NETWORK; MAYA VAN ROSSUM, THE DELAWARE RIVERKEEPER; MEHERNOSH KHAN, M.D.

No. 64 MAP 2012
Application for Reargument or
Reconsideration of the Opinions and
Order entered by this Court on
December 19, 2013

v.

COMMONWEALTH OF PENNSYLVANIA;
PENNSYLVANIA PUBLIC UTILITY COMMISSION;
ROBERT F. POWELSON, IN HIS OFFICIAL
CAPACITY AS CHAIRMAN OF THE PUBLIC UTILITY
COMMISSION; OFFICE OF THE ATTORNEY
GENERAL OF PENNSYLVANIA; KATHLEEN KANE,
IN HER OFFICIAL CAPACITY AS ATTORNEY
GENERAL OF THE COMMONWEALTH OF
PENNSYLVANIA; PENNSYLVANIA DEPARTMENT
OF ENVIRONMENTAL PROTECTION; AND E.
CHRISTOPHER ABRUZZO, IN HIS OFFICIAL
CAPACITY AS SECRETARY OF THE
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

APPEAL OF: OFFICE OF THE ATTORNEY
GENERAL OF PENNSYLVANIA; KATHLEEN KANE,
IN HER OFFICIAL CAPACITY AS ATTORNEY
GENERAL OF THE COMMONWEALTH OF
PENNSYLVANIA

ROBINSON TOWNSHIP, WASHINGTON COUNTY, PA; BRIAN COPPOLA, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS SUPERVISOR OF ROBINSON TOWNSHIP; TOWNSHIP OF NOCKAMIXON, BUCKS COUNTY, PA; TOWNSHIP OF SOUTH FAYETTE, ALLEGHENY COUNTY, PA; PETERS TOWNSHIP, WASHINGTON COUNTY, PA; DAVID M. BALL, INDIVIDUALLY AND IN HIS

No. 72 MAP 2012
Application for Reargument or
Reconsideration of the Opinions and
Order entered by this Court on
December 19, 2013

OFFICIAL CAPACITY AS COUNCILMAN OF
PETERS TOWNSHIP; TOWNSHIP OF CECIL,
WASHINGTON COUNTY, PA; MOUNT PLEASANT
TOWNSHIP, WASHINGTON COUNTY, PA;
BOROUGH OF YARDLEY, BUCKS COUNTY, PA;
DELAWARE RIVERKEEPER NETWORK; MAYA
VAN ROSSUM, THE DELAWARE RIVERKEEPER;
MEHERNOSH KHAN, M.D.,

Cross-appellants

v.

COMMONWEALTH OF PENNSYLVANIA;
PENNSYLVANIA PUBLIC UTILITY COMMISSION;
ROBERT F. POWELSON, IN HIS OFFICIAL
CAPACITY AS CHAIRMAN OF THE PUBLIC UTILITY
COMMISSION; OFFICE OF THE ATTORNEY
GENERAL OF PENNSYLVANIA; KATHLEEN KANE,
IN HER OFFICIAL CAPACITY AS ATTORNEY
GENERAL OF THE COMMONWEALTH OF
PENNSYLVANIA; PENNSYLVANIA DEPARTMENT
OF ENVIRONMENTAL PROTECTION; AND E.
CHRISTOPHER ABRUZZO, IN HIS OFFICIAL
CAPACITY AS SECRETARY OF THE
DEPARTMENT OF ENVIRONMENTAL
PROTECTION,

Cross-appellees

ROBINSON TOWNSHIP, WASHINGTON COUNTY,
PA; BRIAN COPPOLA, INDIVIDUALLY AND IN HIS
OFFICIAL CAPACITY AS SUPERVISOR OF
ROBINSON TOWNSHIP; TOWNSHIP OF
NOCKAMIXON, BUCKS COUNTY, PA; TOWNSHIP
OF SOUTH FAYETTE, ALLEGHENY COUNTY, PA;
PETERS TOWNSHIP, WASHINGTON COUNTY, PA;
DAVID M. BALL, INDIVIDUALLY AND IN HIS
OFFICIAL CAPACITY AS COUNCILMAN OF
PETERS TOWNSHIP; TOWNSHIP OF CECIL,
WASHINGTON COUNTY, PA; MOUNT PLEASANT
TOWNSHIP, WASHINGTON COUNTY, PA;
BOROUGH OF YARDLEY, BUCKS COUNTY, PA;
DELAWARE RIVERKEEPER NETWORK; MAYA
VAN ROSSUM, THE DELAWARE RIVERKEEPER;
MEHERNOSH KHAN, M.D.,

Cross-appellants

No. 73 MAP 2012

Application for Reargument or
Reconsideration of the Opinions and
Order entered by this Court on
December 19, 2013

v.

COMMONWEALTH OF PENNSYLVANIA;
PENNSYLVANIA PUBLIC UTILITY COMMISSION;
ROBERT F. POWELSON, IN HIS OFFICIAL
CAPACITY AS CHAIRMAN OF THE PUBLIC UTILITY
COMMISSION; OFFICE OF THE ATTORNEY
GENERAL OF PENNSYLVANIA; KATHLEEN KANE,
IN HER OFFICIAL CAPACITY AS ATTORNEY
GENERAL OF THE COMMONWEALTH OF
PENNSYLVANIA; PENNSYLVANIA DEPARTMENT
OF ENVIRONMENTAL PROTECTION; AND E.
CHRISTOPHER ABRUZZO, IN HIS OFFICIAL
CAPACITY AS SECRETARY OF THE
DEPARTMENT OF ENVIRONMENTAL
PROTECTION,

Cross-appellees


ORDER

PER CURIAM

AND NOW, this 21st day of February, 2014, the Application for Reargument or Reconsideration of the Opinions and Order entered by this Court on December 19, 2013, is **DENIED**.

Mr. Justice Saylor files a dissenting statement.

A True Copy Elizabeth E. Zisk
As Of 2/21/2014

Attest: 
Chief Clerk
Supreme Court of Pennsylvania