Commonwealth Docket Sheet

Docket Number: 822 CD 2022

Page 1 of 10

November 19, 2025



CAPTION

Patrick M. Cicero, Consumer Advocate,

Petitioner

٧.

Public Utility Commission,

Respondent

CASE INFORMATION

Initiating Document: Petition for Review

Case Status: Closed

Case Processing Status: May 17, 2023 Completed

Journal Number: 1-06-2023

Case Category: Administrative Agency Case Type(s): Public Utility Commission

CONSOLIDATED CASES

Docket No / Reason Type

838 CD 2022 Related
Same Record Below

910 CD 2022 Related
Same Party

COUNSEL INFORMATION

Petitioner Cicero, Patrick M.

Pro Se: No

IFP Status:

Attorney: Gannon, Erin Leigh

Law Firm: Pennsylvania Office of Attorney General, 16th Floor, Strawberry Square, Harrisburg, PA

Address: Pa Ofc Of Consumer Advocate

555 Walnut St 5th FI

Harrisburg, PA 17101-1923

Phone No: (717) 780-4523 Fax No:

Attorney: Hoover, Christine Maloni

Law Firm: Pennsylvania Office of Attorney General, 16th Floor , Strawberry Square, Harrisburg, PA

Address: Pa Ofc Of Consumer Advocate

555 Walnut St 5th Fl

Harrisburg, PA 17101-1923

Phone No: (717) 783-5048 Fax No:

Attorney: Breitman, Harrison William

Law Firm: Pennsylvania Office of Attorney General, 16th Floor , Strawberry Square, Harrisburg, PA

Address: 555 Walnut St

5th Floor

Harrisburg, PA 17104

Phone No: (610) 209-0111 Fax No:

Commonwealth Docket Sheet

Docket Number: 822 CD 2022

Page 2 of 10

November 19, 2025



COUNSEL INFORMATION

Petitioner Cicero, Patrick M.

Pro Se: No

IFP Status:

Attorney: Battle, Mackenzie

Law Firm: Pennsylvania Office of Consumer Advocate

Address: Pa Office Of Consumer Advocate

555 Walnut St FI 5 Harrisburg, PA 17101

Phone No: (518) 698-1490 Fax No:

Attorney: Zerby, Andrew Jon

Law Firm: Pennsylvania Office of Consumer Advocate

Address: 555 Walnut St FI 5

Harrisburg, PA 17101

Phone No: (717) 580-1804 Fax No:

Amicus Curiae Yordan, Henry

Pro Se: Yes

IFP Status:

Pro Se: Henry Yordan
Address: 152 Grubb Road
Malvern, PA 19355

Amicus Curiae Swift, Robert A.

Pro Se: No

IFP Status:

Attorney: Swift, Robert Alan

Address: Swift & Choi Development, LLC

13 Devon Road Malvern, PA 19355

Phone No: (215) 238-1700 Fax No:

Amicus Curiae Frissora, Julie

Pro Se: Yes

IFP Status:

Pro Se: Julie Frissora
Address: 34 Chetwynd Road
Paoli, PA 19301

rauli, FA 1930 i

Commonwealth Docket Sheet

Docket Number: 822 CD 2022

Page 3 of 10

November 19, 2025



COUNSEL INFORMATION

Intervenor Willistown Township

Pro Se: No

IFP Status:

Attorney: Wyatt, Thomas S.

Law Firm: Obermayer Rebmann Maxwell & Hippel LLP Address: Obermayer Rebman Maxwell & Hippel Llp

1500 Market St Ste 3400 West Philadelphia, PA 19102-2101

Phone No: (215) 665-3200 Fax No:

Attorney: Olesh, Matthew Stephan

Address: Obermayter Rebman Maxwell Hippel, LLP

1500 Market Street

Suite 3400

Philadelphia, PA 19102

Phone No: (412) 209-0870 Fax No: (412) 281-1530

Attorney: Melillo, Sydney Nicole

Law Firm: Obermayer Rebmann Maxwell & Hippel LLP

Address: 1500 Market St Ste 3400

Philadelphia, PA 19102

Phone No: (215) 665-3286 Fax No:

Commonwealth Docket Sheet

Docket Number: 822 CD 2022

Page 4 of 10



COUNSEL INFORMATION				
Intervenor	Aqua Pennsy	ylvania Wastewater, Inc.		
Pro Se:	No			
IFP Status:				
Attorn	ey:	Stahl, Alexander Roy		
Law F	irm:	Aqua Services, Inc.		
Addre	ss:	Aqua Services Inc		
		762 W Lancaster Ave		
		Bryn Mawr, PA 19010		
Phone	No:	(610) 645-1130	Fax No:	
Attorn	ey:	Joyce, Kimberly Ann		
Law F	irm:	Aqua America		
Addre	ss:	762 W Lancaster Ave		
		Bryn Mawr, PA 19010		
Phone	e No:	(610) 883-3894	Fax No:	
Attorn	ey:	Seltzer, Alan Michael		
Law F	irm:	Buchanan, Ingersoll & Rooney, P	.C.	
Addre	ss:	Buchanan Ingersoll & Rooney Po		
		409 N 2ND St Ste 500		
		Harrisburg, PA 17101-1357		
Phone	e No:	(717) 237-4862	Fax No:	
Attorn	ey:	Niesen, Thomas T.		
Law F	irm:	Thomas, Niesen & Thomas, LLC		
Addre	ss:	Thomas Niesen & Thomas LLC		
		212 Locust St Ste 302		
		Harrisburg, PA 17101		
Phone	e No:	(717) 255-7600	Fax No:	
Attorn	ey:	Povilaitis, John F.		
Law F	irm:	Buchanan, Ingersoll & Rooney, P	.C.	
Addre	ss:	Buchanan Ingersoll & Rooney		
		409 N 2ND St Ste 500		
		Harrisburg, PA 17101-1357		
Phone	e No:	(717) 237-4825	Fax No:	

Commonwealth Docket Sheet

Docket Number: 822 CD 2022

Page 5 of 10

November 19, 2025



COUNSEL INFORMATION

Respondent Public Utility Commission

Pro Se: No

IFP Status:

Attorney: Wiedt, Patricia Timmerman
Address: Pa Public Utility Comm Law Bur

Po Box 3265

Harrisburg, PA 17120

Phone No: (717) 787-5755 Fax No:

Attorney: Tate, Erin Nicole

Law Firm: Pennsylvania Public Utility Commission

Address: P.o. Box 3265

Harrisburg, PA 17105-3265

Phone No: (717) 214-1956 Fax No:

Attorney: Wilson, Stephanie

Law Firm: Pennsylvania Public Utility Commission

Address: Pa Public Utility Commission

P.o. Box 3265

Harrisburg, PA 17105-3265

Phone No: (717) 787-1859 Fax No:

Attorney: Hinken, Hayley Eileen

Law Firm: Pennsylvania Public Utility Commission

Address: Pa Public Utility Commission

P.o. Box 3265

Harrisburg, PA 17105-3265

Phone No: (717) 214-9594 Fax No:

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt Receipt Dt	Receipt No	Receipt Amt
08/05/2022	Petition for Review - Appellate	90.25 08/05/2022	2022-CMW-H-001496	90.25
12/14/2022	Copy Work (Per Page)	432.50 01/18/2023	2023-CMW-H-000089	432.50
01/05/2023	Copy Work (Per Page)	15.00 02/06/2023	2023-CMW-H-000222	15.00

AGENCY/TRIAL COURT INFORMATION

Order Appealed From: July 8, 2022 Notice of Appeal Filed:

Order Type: Order Entered
Documents Received: August 5, 2022

Court Below: Public Utility Commission

County: Division: Public Utility Commission

Judge: OTN:

Docket Number: A-2021-3027268 Judicial District:

ORIGINAL RECORD CONTENT

Original Record Item Filed Date Content Description

Agency Record September 26, 2022

Date of Remand of Record: June 17, 2025

BRIEFING SCHEDULE

Commonwealth Docket Sheet

Docket Number: 822 CD 2022

Page 6 of 10

Brief

November 19, 2025



BRIEFING SCHEDULE

Amicus Curiae Intervenor

Swift, Robert A. Aqua Pennsylvania Wastewater, Inc.

Brief

Due: Filed: November 8, 2022 Due: Filed: December 7, 2022

Petitioner Respondent

Cicero, Patrick M. Public Utility Commission

Brief Brief

Due: November 7, 2022 Filed: November 7, 2022 Due: December 12, 2022 Filed: December 7, 2022

Reply Brief

Due: Filed: December 21, 2022

Reproduced Record

Due: Filed: November 7, 2022

		DOCKET ENTRY		
Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
August 5, 2022	Petition for Review Filed			
	Cicero, Patrick M.		Petitioner	
August 15, 2022	Notice Exited			
	Commonwealth Court Filing Office			
August 16, 2022	Entry of Appearance			
	Wilson, Stephanie	Public Utility Commission	Respondent	
	Hinken, Hayley Eileen	Public Utility Commission	Respondent	
Document Name:	of Attys Wilson, Dunn, and Weidt f	for Respondent		
August 16, 2022	Notice of Intervention			
	Povilaitis, John F.	Aqua Pennsylvania Wastewater, Inc	c. Intervenor	
Document Name:	of Aqua Pennsylvania Wastewater	r, Inc.		
August 26, 2022	Docketing Statement Filed			
	Gannon, Erin Leigh	Cicero, Patrick M.	Petitioner	
September 2, 2022	Notice of Intervention			
	Melillo, Sydney Nicole	Willistown Township	Intervenor	
Document Name:	of Willistown Township			
September 6, 2022	Notice of Intervention			
	Frissora, Julie		Amicus Curiae	
Document Name:	of Julie Frissora			
September 6, 2022	Notice of Intervention			
•	Yordan, Henry		Amicus Curiae	
Document Name:	of Henry Yordan			
September 26, 2022	Agency Record Received			
	Wilson, Stephanie	Public Utility Commission	Respondent	
Document Name:	Certified List			

Commonwealth Docket Sheet

Docket Number: 822 CD 2022

Page 7 of 10



November 19, 2025				
		DOCKET ENTRY		
Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
September 26, 2022	Briefing Schedule Issued Commonwealth Court Filing Office			
October 5, 2022	Designation of Contents of Reprodu Gannon, Erin Leigh	iced Record Cicero, Patrick M.	Petitioner	
October 6, 2022	Application for Consolidation Wilson, Stephanie PUC's Application to Consolidate 82	Public Utility Commission	Respondent	
October 13, 2022	Designation of Contents of Reprodu Povilaitis, John F.		c. Intervenor	
Document Name:	Counter-Designation of Aqua PA W	astewater, Inc.		
October 14, 2022	Answer to Application for Consolida Gannon, Erin Leigh	tion Cicero, Patrick M.	Petitioner	
	Consolidate Appeals (Application 2022 with the Office of Consume by Petitioner Robert Swift and I		onsolidate the math .D. 2022, which Aptewater, Inc., and	ter at No. 838 C.I oplication is supporte which is opposed b
November 7, 2022	Petitioner's Brief Filed Cicero, Patrick M.		Petitioner	
November 7, 2022	Petitioner's Reproduced Record File Gannon, Erin Leigh	ed Cicero, Patrick M.	Petitioner	
November 8, 2022	Amicus Curiae Brief Swift, Robert Alan	Swift, Robert A.	Amicus Curiae	
November 15, 2022 Document Name:	Entry of Appearance Zerby, Andrew Jon Atty. Andrew J. Zerby for Petitioner	Cicero, Patrick M.	Petitioner	
December 7, 2022	Respondent's Brief Filed Public Utility Commission		Respondent	
December 7, 2022	Intervenor's Brief Aqua Pennsylvania Wastewater, Inc.		Intervenor	
December 21, 2022	Petitioner's Reply Brief Filed Cicero, Patrick M.		Petitioner	
January 19, 2023 Document Name:	Tentative Session Date Krimmel, Michael April 2023 (Harrisburg)			

Commonwealth Docket Sheet

Docket Number: 822 CD 2022

Page 8 of 10



November 19, 2025		DOCKET ENTRY			
Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date	
January 24, 2023	Tentative Session Date Krimmel, Michael	p.			
Document Name:	June 2023 (Philadelphia)				
February 8, 2023	Order Filed Per Curiam			02/08/2023	
	Striking the Notice of Intervention filed by Robert Swift NOW, February 7, 2023, upon review of the Notice of Intervention filed by Robert Swift (Swift), pro se wherein he attempts to intervene as a party petitioner, the Notice of Intervention is hereby STRICKEN as unauthorized. "Courts disapprove of filing notices to intervene in lieu of a petition for review, and the practice of intervening as a party petitioner is not permitted." UnitedHealthcare of Pennsylvania, Inc., v Baron, 171 A.3d 943, 951 (Pa. Cmwlth. 2017), citing "G. DARLINGTON, ET AL., PA. APPELLATE PRACTICE, § 1531:3 (2011-12 ed. 2011)." See G. DARLINGTON, ET AL., PA. APPELLATE PRACTICE, § 1531:3 (2022-23 ed. 2022) (Intervention may not be used as an alternative to filing a petition for review to attain judicial review of a governmental determination.). In addition, the Brief of Intervenor, filed by Swift as a non-party during merits briefing on November 8, 2022 will be treated as an amicus curiae brief. See Pa.R.A.P. 531(a) and (b)(1).				
February 8, 2023	Order Filed Per Curiam			02/08/2023	
	NOW, February 8, 2023, Yordan avers that he "interstruction of intervention, v. Baron, 171 A.3d PRACTICE, § 1531:3 (2021) 1531:3 (2022-23 ed. 2022) attain judicial review of a go	GRANTED leave to file (4 copie	tervention filed by Henry Yo y Petitioner," the Notice of otices to intervene in lieu of not permitted." UnitedHealthe iting "G. DARLINGTON, ET INGTON, ET AL., PA. APPE as an alternative to filing a	rdan, pro se, whereir Intervention is hereby a petition for review care of Pennsylvania AL., PA. APPELLATE ELLATE PRACTICE, § petition for review to	
February 8, 2023	Order Filed Per Curiam			02/08/2023	
	NOW, February 8, 2023, up Julie Frissora, pro se, where party Petitioner," the Notice "Courts disapprove of filing the practice of intervening a of Pennsylvania, Inc., v. Bar DARLINGTON, ET AL., PA. See G. DARLINGTON, ET A 2022) (Intervention may not to attain judicial review of a As a non-party, Frissora is County of the Price	ervention stricken as unauthorized on review of the Notice of Intervention Frissora avers that she "intervention for Intervention is hereby STRICKE notices to intervene in lieu of a petit is a party petitioner is not permitted fron, 171 A.3d 943, 951 (Pa. Cmwltl APPELLATE PRACTICE, § 1531: AL., PA. APPELLATE PRACTICE, § be used as an alternative to filing a governmental determination.).	tion filed by these in this matter as a sit in this ma	, 2023	
February 28, 2023	Entry of Appearance Tate, Erin Nicole	f on or before March 10, 2023. See Public Utility Commission			
Document Name:	of Erin Tate, esq. for PUC				

Commonwealth Docket Sheet

Docket Number: 822 CD 2022

Page 9 of 10



		DOCKET ENTRY				
Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date		
April 5, 2023 Document Name:	Praecipe for Withdrawal of Appel Hicks, Renardo Lee of Renardo Hicks, esq.	earance Public Utility Commission	Respondent			
	Argument Scheduled Krimmel, Michael MONDAY, June 5, 2023 @ 1:00 p.m. (Panel), Court Room 1, Ninth Floor, Widener Building, 1339 Chestnut Street, Philadelphia, PA No. 1 on the list.					
	Order - Rule to Show Cause Per Curiam Rule to Show Cause as to why Petion Should Not be Dismissed as Moot / Reurnable in 7 Days NOW, May 3, 2023, because the sale of the Willistown Township Sewer System to Aqua Pennsylvania Wastewater, Inc. that was authorized by the Pennsylvania Public Utility Commission's (Commission) July 8, 2022 Order has been terminated by the Willistown Township Board of Supervisors,1 and because the Commission's authorization of this now-terminated sale is the subject of Patrick M. Cicero, Consumer Advocate's (Petitioner) petition for review, a Rule to Show Cause why said petition for review should not be dismissed as moot is issued against Petitioner. The Rule is returnable within 7 days from the exit date of this Order. In responding to the Rule, Petitioner shall serve a copy of the response on the Commission and Intervenors and provide proof of service.					
May 3, 2023 Document Name:	Answer to Rule to Show Cause Battle, Mackenzie and Request to Discontinue App	Why Action Should Not Be Dismisse Cicero, Patrick M. peal and Remand to Vacate	d For Failure to Prosecu Petitioner	te		
May 5, 2023 Document Name:	Application for Relief Hinken, Hayley Eileen of the PUC for Leave to File a R	Public Utility Commission eply to Petitioner's Answer to this Co	Respondent ourt's Order-Rule to Shov	v Cause		
May 9, 2023	Order Granting Application for R Per Curiam	•		05/09/2023		
	PUC's Reply to Answer to Rule to Show Cause is Accepted NOW, May 9, 2023, upon consideration of the "Application for Relief of the Pennsylvania Public Utility Commission For Leave to File a Reply to Petitioner's Answer to this Court's Order - Rule to Show Cause" (Application) filed by Respondent Public Utility Commission, the Application is GRANTED. Respondent's Reply to Petitioner Patrick M. Cicero's Answer to this Court's May 3, 2023 Rule to Show Cause, set forth in pages 6 through 12 of the Application, is accepted, and the Prothonotary is directed to docket it as such.					
May 9, 2023 Document Name:	Answer Filed Hinken, Hayley Eileen Respondent's Reply to Answer t	Public Utility Commission o Rule to Show Cause	Respondent			

Commonwealth Docket Sheet

Docket Number: 822 CD 2022

Page 10 of 10

November 19, 2025



DOCKET ENTRY					
Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date	
May 17, 2023	Dismissal			05/17/2023	
	Per Curiam				
Document Name:	Upon Consideration to Answer to	Rule to Show Cause This	matter is Dismissed as Moot		
Comment:	Comment: NOW, May 17, 2023, upon consideration of Petitioner Patrick M. Cicero's Answer (Answer) to this Council May 3, 2023 Rule to Show Cause, and the Respondent Public Utility Commission's (Commission) reconsideration in which both parties agree Petitioner's petition for review is now moot, the Court agree this matter is moot. As such, the Court lacks jurisdiction to consider the matter, see Brown v. Lice Control Board, 673 A.2d 21 (Pa. Cmwlth. 1996) ("When [a] matter does not present a case controversy, the courts have consistently held that they were without jurisdiction to hear the matter."), Petitioner's petition for review is DISMISSED AS MOOT. The oral argument on this petition for review currently scheduled for June 5, 2023, is CANCELLED.				
June 17, 2025	Remitted				
	Commonwealth Court Filing				
	Office				
Document Name: PACFiled RECORD. NO ACKNOWLEDGEMENT NEEDED.					
July 24, 2025	Acknowledgement of Record Rer	nittal			
	Public Utility Commission				

SESSION INFORMATION

Journal Number: 1-06-2023

Oral Argument - Panel Consideration Type:

Listed/Submitted Date: June 5, 2023

DISPOSITION INFORMATION

Final Disposition:

Yes

Related Journal No: Judgment Date:

Disposed Before Decision Disposition Author: Per Curiam Category: Disposition: Dismissal Disposition Date: May 17, 2023

NOW, May 17, 2023, upon consideration of Petitioner Patrick M. Cicero's Answer (Answer) to this **Disposition Comment:**

> Court's May 3, 2023 Rule to Show Cause, and the Respondent Public Utility Commission's (Commission) reply (Reply) thereto, in which both parties agree Petitioner's petition for review is now moot, the Court agrees this matter is moot. As such, the Court lacks jurisdiction to consider the matter, see Brown v. Liquor Control Board, 673 A.2d 21 (Pa. Cmwlth. 1996) ("When [a] matter does not present a case or controversy, the courts have consistently held that they were without jurisdiction to hear the matter."), and Petitioner's petition for review is DISMISSED AS MOOT. The oral argument on this petition

for review currently scheduled for June 5, 2023, is CANCELLED.

Dispositional Filing:

Filed Date:

Filing Author: