

**[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 21<sup>st</sup> 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.