



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

April 26, 2012

M-2012-2288561

**TO ALL PARTIES:**

**RE: Implementation of Unconventional Gas  
Well Fee Act, Act 13 of 2012**

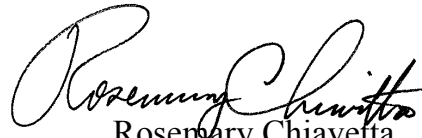
To Whom It May Concern:

On March 29, 2012, a Petition for Review was filed in the Commonwealth Court challenging the constitutionality of Act 13 of 2012, the Unconventional Gas Well Impact Fee Act (Act 13). *Robinson Township, et al. v. Commonwealth et al.*, No. 284 M.D. 2012. On April 3, 2012, the Petitioners also filed an Application for Special Relief in the Nature of a Preliminary Injunction.

On April 11, 2012, the Commonwealth Court issued an order that preliminarily enjoined the effective date of Section 3309(b) for a period of 120 days. The Order is ambiguous, however, whether it also enjoins the remainder of Chapter 33, and if so, for what period of time. Due to the ambiguity regarding the intention and scope of the Court's April 11, 2012 Preliminary Injunction Order, the Commission has filed an Expedited Application to Modify Order.

Accordingly, the Commission will temporarily delay issuance of its Final Implementation Order until a later public meeting.

Sincerely,

  
Rosemary Chiavetta  
Secretary

cc: John Herzog, Law Bureau  
James P. Melia, Law Bureau