

IN THE SUPREME COURT OF PENNSYLVANIA

NO. 104 MM 2020

THE HONORABLE TOM WOLF, GOVERNOR OF
THE COMMONWEALTH OF PENNSYLVANIA,
Petitioner,

v.

SENATOR JOSEPH B. SCARNATI, III, SENATOR JAKE CORMAN, AND
SENATE REPUBLICAN CAUCUS,
Respondents.

**AMENDED APPLICATION FOR LEAVE TO FILE AMICUS BRIEF OF
THE COALITION FOR AFFORDABLE UTILITY SERVICE AND ENERGY
EFFICIENCY IN PENNSYLVANIA,
TENANT UNION REPRESENTATIVE NETWORK,
AND ACTION ALLIANCE OF SENIOR CITIZENS OF GREATER
PHILADELPHIA**

1. On June 12, 2020, Governor Tom Wolf filed an Application for Extraordinary Relief, requesting this Honorable Court exercise King's Bench or Extraordinary Jurisdiction to evaluate the force of the General Assembly's Concurrent Resolution ending the Governor's March 6, 2020 Declaration of Emergency Disaster pursuant to the Presentment Clause of the Pennsylvania Constitution, Article III, Section 9.

2. On June 15, 2020, Respondents Senator Joseph B. Scarnatti, III, Senator Jake Corman, and Senate Republican Caucus filed a No Answer Letter to the Application.

3. This Court's determination concerning the Proclamation of Emergency Disaster has the potential to impact the health and safety of hundreds of thousands of residential utility customers in Pennsylvania.

4. Given the importance of this issue and the unique perspective the *amici curiae* can offer as advocates for low-income utility consumers, seniors, and tenants with respect to utility service rights, the *amici curiae* respectfully ask the Court for permission to file an amicus brief in this matter.

5. Due to the emergent nature of this matter, the *amici curiae* have attached the Brief proposed to be filed as Exhibit A hereto.

6. On June 19, 2020, the Supreme Court of Pennsylvania Office of the Prothonotary served *amici* with a letter requiring it to file an amended proposed Brief or supplement in compliance with Pa. R.A.P 531(b)(2). *Amici* hereby file this Amended Application for Leave to File Amicus Brief and amended proposed Brief in compliance therewith.

6. Pursuant to Pa. R.A.P. 531(b)(2), a statement of interest of the *amici curiae* is included on pages 1 and 2 of its proposed Brief (Exhibit A). As noted

therein, and as amended in compliance with the June 19, 2020 letter from the Office of the Prothonotary, *amici curiae* certifies that it has not been paid in whole or in part for the preparation of its proposed Brief by any person or entity other than the *amici curiae*, nor has anyone other than the *amici curiae*, its members, or its counsel authored the proposed Brief in whole or in part.

7. Apart from the amendments described in paragraph 6, the proposed Brief in Exhibit A has not otherwise been amended from the version filed by *amici curiae* on June 17, 2020.

Respectfully submitted,

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June 19, 2020

EXHIBIT A

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PHILADELPHIA**

Governor Wolf's Application for the Court to Exercise Jurisdiction Pursuant to its
King's Bench Powers and/or Powers to Grant Extraordinary Relief

Filed June 12, 2020

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