

**IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT**

COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF ENVIRONMENTAL PROTECTION,	:	No. 35 WAP 2022
	:	
Appellee	:	Appeal from the Order of the Commonwealth Court at No. 126 MD 2017 dated July 12, 2022
	:	
v.	:	
	:	
GRANT TOWNSHIP OF INDIANA COUNTY AND THE GRANT TOWNSHIP BOARD OF SUPERVISORS,	:	
	:	
Appellants	:	

ORDER

PER CURIAM

AND NOW, this 22nd day of August, 2023, the July 12, 2022 Order of the Commonwealth Court granting the Application for Summary Relief filed by Intervenor, Pennsylvania General Energy Company, LLC, based on the grounds of res judicata and collateral estoppel is **AFFIRMED IN PART**. The portion of the Order that invalidates Grant Township’s Home Rule Charter in its entirety is **VACATED**. We remand to the Commonwealth Court to perform a severability analysis.

The order is affirmed as to the dismissal of the Department of Environmental Protection’s Petition for Review in the Nature of a Complaint and Grant Township’s Counterclaims.

Jurisdiction relinquished.