

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

PENNSYLVANIA INDEPENDENT WASTE HAULERS	:	NO. 02-01,629
ASSOCIATION and COUNTY OF LYCOMING,	:	
Plaintiffs	:	
	:	
vs.	:	
	:	CIVIL ACTION
COUNTY OF NORTHUMBERLAND, COUNTY OF	:	DECLARATORY JUDGMENT
UNION, SNYDER COUNTY SOLID WASTE	:	
MANAGEMENT AUTHORITY, COUNTY OF	:	
COLUMBIA, and COUNTY OF MONTOUR,	:	
Defendants	:	

OPINION IN SUPPORT OF ORDER OF FEBRUARY 7, 2005,
IN COMPLIANCE WITH RULE 1925(A) OF
THE RULES OF APPELLATE PROCEDURE

Defendants have appealed this Court’s Order of February 7, 2005, which granted the Plaintiff’s motion for summary judgment and declared the subject contracts to be unenforceable to the extent of the imposition and collection of the administrative fee at issue. Since only the issue of preemption was addressed and the decision was based on that issue, the Court has not requested Defendants to file a Statement of Matters Complained of on Appeal, and will simply rely on the Opinion issued in support of its Order for purposes of the instant appeal, believing its rationale to be adequately set forth therein.

BY THE COURT,

DATED: March 7, 2005

Dudley N. Anderson, Judge

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