



FINAL DETERMINATION

DATE ISSUED AND MAILED: June 4, 2026

IN RE: *Alex Osterneck v. Pennsylvania Insurance Department*; OOR Dkt. AP 2026-2127

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, it is determined that the appeal is **DISMISSED** because:

The appeal is untimely. The Request was submitted to the Pennsylvania Department of Insurance (“Department”) on April 24, 2026.¹ As indicated by the Requester on the appeal form, the Department did not respond within five business days and the Request was, therefore, deemed denied on May 1, 2026. Appeals of deemed denied Right-to-Know requests must be filed within 15 business days of the date of the deemed denial, or by May 22, 2026 in this instance. 65 P.S. § 67.1101(a)(1). The appeal was received by the OOR on May 29, 2026. The Requester is not prohibited from refileing the Request and, if necessary, filing a new appeal pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

For this reason, the Department is not required to take any further action. Within thirty days of the mailing date of this Final Determination, you may appeal or petition for review with the Commonwealth Court. 65 P.S. § 67.1301(a). All parties must be served with notice of the appeal. The OOR also shall be served notice and have an opportunity to respond according to court rules as per 65 P.S. § 67.1303. However, as the quasi-judicial tribunal adjudicating this matter, the OOR is not a proper party to any appeal and should not be named as a party.² All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

/s/ Joshua T. Young

Senior Deputy Chief Counsel
Joshua T. Young, Esq.

Sent via OOR e-File Portal to: Requester; Agency Open Records Officer, Pennsylvania Insurance Department

¹ The Requester did not include a copy of the Request; therefore, the appeal is also insufficient under Section 65 P.S. § 67.1101(a).

² *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).