



## **FINAL DETERMINATION**

DATE ISSUED AND MAILED: August 28, 2026

IN RE: *Juliette Rihl and PennLive v. Steelton Borough*, OOR Dkt. AP 2026-3179

On June 11, 2026, Juliette Rihl and PennLive (collectively “Requester”) submitted a request (“Request”) to Steelton Borough (“Borough”) pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.* The Borough did not respond after invoking an extension of time to respond, and the Request was, therefore, deemed denied on July 20, 2026.<sup>1</sup> 67.902(b)(2). On August 5, 2026, the Requester filed an appeal with the Office of Open Records (“OOR”).

Local agencies have the burden of proving that records are exempt from access. 65 P.S. § 67.708(a)(1). Here, the Borough did not comply with the RTKL by timely responding to the Request, nor did the Borough participate on appeal by submitting legal argument or evidence in support of withholding records. Accordingly, the Borough did not meet its burden of proof under the RTKL. 65 P.S. § 67.305.<sup>2</sup>

For this reason, the appeal is **granted**, the Borough is required to provide the requested records to the Requester within thirty days, or, in the alternative, a sworn affidavit or a statement made under the penalty of perjury demonstrating that the records do not exist. Within thirty days of the mailing date of this Final Determination, either party may appeal or petition for review with the Dauphin County Court of Common Pleas. 65 P.S. § 67.1302(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, but 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.<sup>3</sup> All documents or communications following the issuance of this Final Determination shall be sent to [oor-postfd@pa.gov](mailto:oor-postfd@pa.gov). This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

/s/ Kelly C. Isenberg

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DEPUTY CHIEF COUNSEL

Sent via OOR E-file Portal to: Juliette Rihl; Aaron Curry, AORO

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<sup>1</sup> The thirtieth calendar day fell on Saturday, July 18, 2026. Therefore, the Request was deemed denied on the following business day, Monday, July 20, 2026, in this instance.

<sup>2</sup> We note that the Borough’s Open Records Officer access the OOR E-file appeal portal for this docket on August 10 and 17, 2026.

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