



FINAL DETERMINATION

DATE ISSUED AND MAILED: September 28, 2026

IN RE: *Deborah L Ciak v. Westmoreland County Municipal Authority*, OOR Dkt. AP 2026-4054

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 denied by Westmoreland County Municipal Authority (“Authority”) on July 27, 2026. Appeals of denied Right-to-Know requests must be filed within 15 business days of the date of the denial, or by August 17, 2026 in this instance.¹ 65 P.S. § 67.1101(a)(1). The appeal was submitted to the OOR on September 21, 2026. The Requester is not prohibited from refiling 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 Authority is not required to take any further action. Within thirty days of the mailing date of this Final Determination, either party may appeal or petition for review with the Westmoreland 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.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*

Joshua T. Young, Esq.
Senior Deputy Chief Counsel

Sent to: Requester, Agency Open Records Officer, Westmoreland County Municipal Authority

¹ The Requester alleges that the Authority’s final response was not properly transmitted and was first received on or about September 8, 2026; however, if true, the Request would have been deemed denied in July, and the appeal would be equally untimely from that deemed denial. Additionally, on her appeal form, the Requester states that she is appealing the Authority’s response because the Authority provided “absolutely inadequate answer[s] to the questions of the final impact on their delay in getting the pipeline repaired...” A RTKL request must seek records and not answers to questions and, based upon the Requester’s own statements, the Request seeks answers to questions rather than records.

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