

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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March 3, 2021

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Indian Springs Water Company
Docket No. M-2019-3011972

Dear Secretary Chiavetta:

Attached for electronic filing please find the Comments of Formal Complainant Thomas V. Tinsley, Jr. regarding the Joint Petition for Approval of Settlement of All Issues in the above-referenced proceeding, consistent with the process approved by Administrative Law Judge Steven K. Haas. Mr. Tinsley's Comments were timely provided to ALJ Haas and all parties by email on January 26, 2021. Please contact the OCA with any questions related to this filing.

Copies have been served as indicated on the enclosed Certificate of Service.

Respectfully submitted,

/s/ Laura J. Antinucci
Laura J. Antinucci
Assistant Consumer Advocate
PA Attorney I.D. # 327217
E-Mail: LAntinucci@paoca.org

Enclosures:

cc: The Honorable Steven K. Haas (**email only**)
Certificate of Service

*304657

CERTIFICATE OF SERVICE

Re: Indian Springs Water Company : Docket No. M-2019-3011972

I hereby certify that I have this day served a true copy of the following document, the Comments of Formal Complainant Thomas V. Tinsley, Jr. regarding the Joint Petition for Approval of Settlement of All Issues, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 3rd day of March 2021.

SERVICE BY E-MAIL ONLY

Scott B. Granger, Esquire
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Elizabeth Rose Triscari, Esquire
Pennsylvania-American Water Company
852 Wesley Drive
Mechanicsburg, PA 17055

Louise A. Knight, Esquire
3610 Logan Court
Unit 3B
Camp Hill, PA 17011

Thomas V. Tinsley, Jr.
286 White Birch Lane
Mountain Top, PA 18707

/s/ Laura J. Antinucci
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Dated: March 3, 2021
*304659

From: Tom Tinsley
To: [Gannon, Erin L.](#)
Subject: Dear Judge Haas,
Date: Tuesday, January 26, 2021 4:34:31 PM

Dear Judge Haas,

In response to the Settlement my objections to the agreements you forwarded to me for Docket Nos. M-2019-3011972, C-2019-3012933 Pennsylvania Public Utility Commission vs. Indian Springs Water Company, are as follows:

\$5,000 is inadequate amount since the cost of installing a well is Between \$10,000 and \$25,000. In respect to declining the money it maybe taxable to customers for Federal, State or Local purposes under the theory of constructive receipt. There should be no option in accepting the \$5,000 this should be mandatory and complete regardless of any other agreement or understanding. The customer must be unrestricted to the compensation. His use of the proceeds are unrelated to this or any other agreement.

History page 3, item #10

Glen Summit's only relationship to the ISWC is that of a customer and as land owner that gave right of way to ISWC for distribution of its water. Therefore I object to Glen Summit having preferential treatment in this case over other customers and stock holders.

Page 3,11

The status reports only specified that negotiations were continuing and did not give dates, times or specific progress by item.

Page 3,13

The Glen Summit Company does not have the financial or cash flow ability to acquire additional assets indirectly related to its stated purpose. The pennies for Fountain Lake fundraising created by the children and praised by the parents is proof that the company is unable to meet its financial obligations therefore it is not in the interest of the ISWC stock holders the Glen Summit stock holders, the Commonwealth of PA, the customers or the residents of the commonwealth of PA, no one will benefit by allowing the Glen Summit Company to acquire assets as it is ill equipped to manage and will in all likelihood lead to bankruptcy of the Company. An examination of the financial statement by a competent reviewer could provide the PUC with an analysis.

Page 7,22

The \$5,000 is inadequate as previously stated.

Page 7,25

The time frame would be reasonable under normal circumstances but due to the delay in all mail because of the current problems with the USPS, it should be doubled or tripled in order to provide a fair timing as desired by the court. As discussed previously every customer should receive a check, the disposition of that check should be the choice of the customer and it shouldn't be based on any other agreement. The purpose of this is to insure that no undue

influence is being exercised by anyone in the use of the funds.

Page 8,26

Since the Glen Summit Company and the ISWC are commercial enterprises with different but similar stock holders the transfer of assets should be based on a fair market value at the time of the transfer. Since the current value of lot transfers in Glen Summit are in the neighborhood of \$75,000 the value of 86.4 acres should be in the neighborhood of \$6,480,000. The estimate is a mathematical compilation not fair market value as it doesn't include road access, utility access, location, etc., which would subsequently increase its worth. The stock holders of the ISWC are entitled to fair compensation for these assets.

Page 9, B

The list of recipients should be provided to the PA department of Revenue and the IRS of the United States.

Page 12, 39

Eliminate this statement. This is a adjudicated settlement.

Page 12, 40

Eliminate this statement as well.

All items above carry through this document and all related documents and attachments.

Yours Truly,

Thomas V. Tinsley Jr.
Customer of ISWC
Stock holder of ISWC
Past Officer of ISWC
Resident of Glen Summit since 1947
Stockholder of Glen Summit
Past Officer of Glen Summit

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Please put this in a format acceptable to the court and forward to Judge Haas

Sent from my iPad