

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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IRWINA. POPOWSKY
Consumer Advocate

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April 1, 2010

James J. McNulty, Secretary
PA Public Utility Commission
Commonwealth Keystone Bldg.
400 North Street
Harrisburg, PA 17105

Re: Albert C. Marth v. Pennsylvania-American Water Co.
Docket No. C-2010-2165804

Dear Secretary McNulty:

Enclosed for filing please find the Notice of Intervention and Public Statement, of the Office of Consumer Advocate in the above-referenced proceeding.

Copies have been served upon all parties of record as shown on the attached Certificate of Service.

Sincerely yours,

A handwritten signature in cursive script that reads "Dianne E. Dusman".

Dianne E. Dusman
Senior Assistant Consumer Advocate
PA Attorney I.D. #38308

Enclosures

cc: Certificate of Service
Office of Administrative Law Judge
Office of Special Assistants
Bureau of Fixed Utility Services

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ALBERT C. MARTH,
Complainant

v.

PENNSYLVANIA-AMERICAN WATER CO.
Respondent

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Docket No. C-2010-2165804

NOTICE OF INTERVENTION

Pursuant to 71 P.S. § 309-1, *et seq.*, and 52 Pa. Code § 5.71(a)(1), the Office of Consumer Advocate hereby gives Notice of Intervention in the above-captioned proceeding. A copy of all correspondence and notices, documents, orders or other communications with respect to the above-captioned proceeding should be addressed to the following:

Dianne E. Dusman
Senior Assistant Consumer Advocate
Christy Appleby
Assistant Consumer Advocate

Office of Attorney General
Office of Consumer Advocate
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, Pa 17101-1923

Respectfully submitted,



Dianne E. Dusman
Senior Assistant Consumer Advocate
Juris No. 38308

Dated: April 1, 2010

PUBLIC STATEMENT OF THE
OFFICE OF CONSUMER ADVOCATE
PURSUANT TO 71 P.S. SECTION 309-4(e)

Act 161 of the Pennsylvania General Assembly, 71 P.S. § 309-2, as enacted July 9, 1976, authorizes the Consumer Advocate to represent interests of consumers before the Pennsylvania Public Utility Commission (PUC). In accordance with Act 161, and for the following reasons, the Consumer Advocate determined to file a Notice of Intervention in proceedings before the Commission filed by Mr. Albert C. Marth against Pennsylvania-American Water Company at Docket Number C-2010-2165804.

The Formal Complaint alleges that the household water bill for Mr. Marth's final month of residence increased by approximately 300% over the monthly average for the previous 2 years. Although the property was vacant during the month of October, the final bill dated October 22, 2008 was in the amount of \$369.77 for 47,300 gallons of water. The Formal Complaint alleges that when Mr. Marth protested the high bill, he was told by a representative of the Company that the water usage could be attributed to his daughter-in-law cleaning the house on October 14th and October 20th or, as stated in a letter that he received from the Company, "due to an unidentified problem at the property." On November 6, 2008 a plumber hired by the landlord found that there were no leaks on the property.

The Consumer Advocate has filed this Notice of Intervention with the PUC to ensure that this customer is heard, to investigate his complaint, and to assist him in seeking a fair resolution of the complaint. The OCA seeks to ensure that safe and reliable service is provided to all consumers at just and reasonable rates and in accordance with applicable statutes.

CERTIFICATE OF SERVICE

Re: ALBERT C. MARTH
v.
PENNSYLVANIA-AMERICAN WATER CO.
DOCKET NO. C-2010-2165804

I hereby certify that I have this day served a true copy of the foregoing document, Notice of Intervention and Public Statement of the Office of Consumer Advocate, 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 1st day of April 2010.

SERVICE IN PERSON

Office of Trial Staff
Pa. Public Utility Commission
400 North Street
Harrisburg, PA 17105

SERVICE BY FIRST CLASS MAIL, POSTAGE PREPAID

Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Kathy Pape, President
Pennsylvania-American Water Company
800 Hershey Park Drive
Hershey, PA 17033

Albert C. Marth
729 Glendora Road
Kissimmee, FL 34759



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