

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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IRWINA. POPOWSKY
Consumer Advocate

May 13, 2010

Rosemary Chiavetta, Secretary
Pa. Public Utility Commission
400 North Street
Harrisburg, PA 17101

Re: Crumlich v. Emlenton Water Co., Docket No. C-20077924
Levy v. Emlenton Water Co., Docket No. C-20077925
Scott v. Emlenton Water Co., Docket No. C-20077926
Zychowski v. Emlenton Water Co., Docket No. C-20078101

Dear Secretary Chiavetta:

The Office of Consumer Advocate (OCA) writes to inform that it believes the low water pressure and service outage issues raised by the above-referenced Formal Complaints are now resolved. The OCA would request that these Complaints be closed subject to a ten-day response period described below. As indicated on the attached certificate of service, the OCA has provided copies of this request to the Formal Complainants and interested parties.

On 8 August 2007 the Office of Consumer Advocate filed its Notice of Intervention for the above-referenced Complaints. These Complaints were subsequently consolidated for litigation purposes. On 28 August 2008 Administrative Law Judge John H. Corbett Jr. issued an Initial Decision granting the quality of service relief requested by the Formal Complainants in the form of water system upgrades. The Commission issued its Secretarial Letter regarding Exceptions and Reply Exceptions on 22 September 2008 (copy attached). The OCA understands that the Commission has not yet issued a Final Order in this matter. This letter attempts to eliminate the need for a Final Order.

In late December 2008 Aqua Pennsylvania purchased the Emlenton Water Company and thereafter constructed system upgrades to resolve the service issues raised by the Formal Complaints. Because of this, a Final Order approving the 28 August 2008 Initial Decision is unnecessary. To bring this matter to a convenient closure, the OCA requests that the Commission mark the above-referenced cases as closed unless any of the Formal Complainants indicates otherwise to the Commission, in writing, within 10 days of their receipt of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Shaun A. Sparks".

Shaun A. Sparks
Assistant Consumer Advocate



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

ISSUED: September 22, 2008

C-20077924
C-20077925
C-20077926
C-20078101

TO ALL PARTIES:

John Crumlich et al
v.
Emlentown Water Company

TO WHOM IT MAY CONCERN:

Enclosed is a copy of the Initial Decision of Administrative Law Judge John H. Corbett, Jr. This decision is being issued and mailed to all parties on the above specified date.

If you do not agree with any part of this decision, you may send written comments (called Exceptions) to the Commission. Specifically, an original and nine (9) copies of your signed exceptions **MUST BE FILED WITH THE SECRETARY OF THE COMMISSION 2ND FLOOR, KEYSTONE BUILDING, 400 NORTH STREET, HARRISBURG, PA OR MAILED TO P.O. BOX 3265, HARRISBURG, PA 17105-3265**, within **twenty (20) days** of the issuance date of this letter. The signed exceptions will be deemed filed on the date actually received by the Secretary of the Commission or on the date deposited in the mail as shown on U.S. Postal Service Form 3817 certificate of mailing attached to the cover of the original document (52 Pa. Code §1.11(a)) or on the date deposited with an overnight express package delivery service (52 Pa. Code 1.11(a)(2), (b)). If your exceptions are sent by mail, please use the address shown at the top of this letter. A copy of your exceptions must also be served on each party of record. 52 Pa. Code §1.56(b) cannot be used to extend the prescribed period for the filing of exceptions/reply exceptions. A certificate of service shall be attached to the filed exceptions.

If you receive exceptions from other parties, you may submit written replies to those exceptions in the manner described above within **ten (10) days** of the date that the exceptions are due.

Exceptions and reply exceptions shall obey 52 Pa. Code 5.533 and 5.535 particularly the 40-page limit for exceptions and the 25-page limit for replies to exceptions. Exceptions should clearly be labeled as "EXCEPTIONS OF (name of party) - (protestant, complainant, staff, etc.)".

If no exceptions are received within **twenty (20) days**, the decision of the Administrative Law Judge may become final without further Commission action. You will receive written notification if this occurs.

Very truly yours,

Encls.
Certified Mail
Receipt Requested
MH

James J. McNulty
Secretary

CERTIFICATE OF SERVICE

Re: JOHN CRUMLICH	:	Docket No. C-20077924
JANET LEVY	:	Docket No. C-20077925
HUGH SCOTT	:	Docket No. C-20077926
GARY ZYCHOWSKI	:	Docket No. C-20078101
v.	:	
EMLENTON WATER CO.	:	

I hereby certify that I have this day served a true copy of the foregoing document 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 13th day of May 2010.

SERVICE BY FIRST CLASS MAIL, POSTAGE PREPAID

John Crumlich
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Emlenton, PA 16373

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