

Dale Sattar
504 Marian court
Conshohocken, PA 19428

April 10, 2011

Rosemary Chiavetta, Esquire
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P. O. Box 3265
Harrisburg, PA 17105

Re: Docket No. C- 2010-2169756
Dale Sattar V. Aqua Pennsylvania, Inc.

2011 APR 13 AM 10:46
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F.A.P.U.C.
SECRETARY'S BUREAU

EXCEPTIONS TO THE RULING BY KY VAN NGUYEN ON THIS CASE

Dear Secretary Chiavetta:

Ky Van Nguyen as the administrative judge ruled on this case dated March 24, 2011. He has advised that if "you do not agree with any part of this decision, you must send written comments (called exceptions) to the Commission" to your attention, the Secretary of the Commission. The followings are my comments and Exceptions:

Ky Van Nguyen is not qualified to be an administrative judge and therefore the ruling he has made on this case is not valid because of the following reasons:

1) - At the hearing Ky Van Nguyen requested to file a Main Brief. The Complainant told him that he did not have the qualifications to file a Main Brief as admitted by Ky Van Nguyen on page 5 of his ruling. He then asked Aqua to file a Brief. Aqua did file a Brief to which the Complainant responded.

Now in his ruling Ky Van Nguyen states on page 6 of his ruling that "....the Complainant was precluded from filing a Reply Brief" because he did not file a Main Brief and therefore Ky Van Nguyen states on page 6 of his ruling that "The Complainant's Reply Relief should therefore be stricken from the record".

Ky Van Nguyen is not being fair at all either intentionally or he lacks knowledge how to be a judge because - A) why he did not tell the Complainant at the hearing that if a Main Brief is not filed, the Complainant would be precluded from filing a Reply Brief? - B) why, to begin with, Ky Van Nguyen would request to file Briefs at all (probably because he was asleep at the hearing as detailed below) - the Complainant has been, on a prose basis, in various courts and he was never asked to file a Main Brief - C) why he did not rule based on the presentations and arguments at the hearing (what is a hearing for)? and

- D) doesn't Ky Van Nguyen understand that knowing the complainant is not going to file a Main Brief, asking Aqua to file a Brief and knowing the Complainant would be precluded from filing a Reply Relief, his rulings are going to be one sided and therefore not fair and not just.

2) - Ky Van Nguyen makes untrue statement in his ruling. On page 5, he states "The Respondent seemed to argue that because the Complainant did not file his Main Brief, he should be precluded from raising issues in his Reply Relief..." This is completely untrue. When the Respondent filed their Brief, how did Aqua know what is going to be in the Reply Relief? Furthermore, the Respondent did not make such an argument.

3) - At the start of the hearing, the Complainant stated that his condo was vacant for over one year. The first bill from Aqua (Exhibit C1) covering a period from March 4, 2009 to April 24, 2009 showed a charge of \$26.71 for customer charge. The Complainant then told the judge that he received a bill from Aqua for every month for the next 11 months while the place was vacant with a service charge of \$15.71 per month with no water consumption (0 gallons). The first bill from Aqua that showed any water consumption was (Exhibit C2) covering from February 24, 2010 to March 24, 2010 with a consumption of 100 gallons of water for a total charge of \$17.66 of which \$15.71 was for service charge. So for the first 13 months that the place was vacant with almost no water consumption, the Complainant paid Aqua $13 \times 15.71 = \$204.23$. The Complainant then stated that he paid Aqua over \$200.00 for absolutely nothing.

Ky Van Nguyen then questioned the Complainant how he arrived at over \$200. The thought that crossed the Complainant's mind was "are you sleep or something". Hello, 13×15.71 is over \$200.

4) - Ky Van Nguyen states on page 3 of his ruling "...a second bill dated March 26...". No that was not the second bill. That was the 13th bill. He failed to understand what was being said.

5) - Aqua had stated as defense of not reading the meter once a year "Common problems such as leak or defective toilet flap could go undetected for several months and lead to inordinately higher bills and wasted consumption." The Complainant had stated that this is an absurd statement for the reasons provided. Ky Van Nguyen, like a robot, repeats this statement on page 9 of his ruling as a reason to have Complainant's case dismissed.

As indicated on the Certificate of Service, a copy of this document has been provided to Aqua Pennsylvania, Inc (Respondent).

Sincerely,



Dale Sattar

CC: The Office of Special Assistant
Reger Rizzo & Darnall LLP

DOCKET NO. C 2010-2169756
DALE SATTAR VS. AQUA PA. INC.

CERTIFICATE OF SERVICE

April 10, 2011

I hereby certify that a true and correct copy of the foregoing document has been served upon the following person by First Class Mail:

Margaret A. Morris, Esquire
Reger Rizzo & Darnall, LLP
Cira Center, 13th Floor
2929 Arch Street
Philadelphia, PA 19104



Dale Sattar

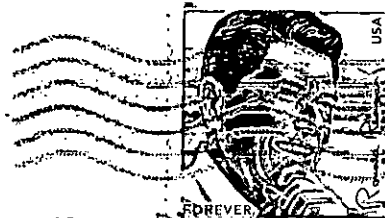
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Vespa Mary Chavetta Esquire
 SECRETARY PRC
 COMMONWEALTH KEYSTONE BLDG
 P.O. BOX 3265
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