

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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IRWINA. POPOWSKY
Consumer Advocate

April 13, 2012

Rosemary Chiavetta, Secretary
PA Public Utility Commission
Commonwealth Keystone Bldg.
400 North Street
Harrisburg, PA 17101

Re: Utility Workers Union of America System
Local 537
v.
Pennsylvania-American Water Co.
Docket No. C-2012-2287204

Dear Secretary Chiavetta:

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

Copies have been served on the parties as indicated on the enclosed 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

Enclosure

cc: Office of Administrative Law Judge
Office of Special Assistants
Certificate of Service

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

UTILITY WORKERS UNION OF :
AMERICA SYSTEM LOCAL 537 :
:
v. : DOCKET NO. C-2012-2287204
:
PENNSYLVANIA-AMERICAN :
WATER COMPANY :

NOTICE OF INTERVENTION

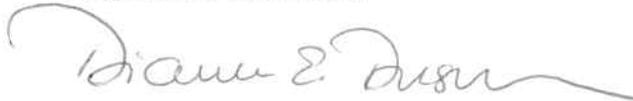
Pursuant to 52 Pa. Code Section 5.71(a)(1) and 71 P.S. § 309-2, the Office of Consumer Advocate hereby gives Notice of Intervention in the above-captioned proceeding. A copy of all correspondence and notices, documents, orders or other communications with respect to this proceeding should be addressed to the following:

Dianne E. Dusman, Senior Assistant Consumer Advocate
PA Attorney ID #38308
Email: DDusman@paoca.org

Shaun A. Sparks, Assistant Consumer Advocate
PA Attorney ID #87372
Email: Ssparks@paoca.org

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Respectfully submitted,



Dianne E. Dusman
Senior Assistant Consumer Advocate

DATED: April 13, 2012

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 19, 1976, authorizes the Consumer Advocate to represent the 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 intervene in and to participate in proceedings involving the Formal Complaint filed by the Utility Workers Union of America System Local 537 (UWUA) against Pennsylvania-American Water Company (PAWC).

The Formal Complaint alleges that from January 2008 through November 2011, PAWC did not require its employees to serve the three-day notices required by 52 Pa. Code § 56.93 on customers whose service was about to be disconnected for non-payment of bills. Service of the three-day notices is ordinarily the responsibility of UWUA members who allegedly were not called upon to do so, as were their fellow union members in other districts. The Complaint also alleges that post-termination notices have been served in a manner inconsistent with PUC regulations. The Complaint seeks an investigation into these complaints, penalties and refunds of connection fees and any other appropriate action to ensure future compliance with the regulations. The OCA is intervening in this Formal Complaint proceeding to participate on behalf of the customers who may not be receiving adequate notice prior to or subsequent to termination of their water service.

The regulatory requirements for notice have their underpinnings in due process considerations protected by the Public Utility Code and pertinent regulations. More important, however, safe, adequate and reasonably continuous water utility service is essential to the health, sanitation and safety of the citizens of this Commonwealth served by Pennsylvania-American Water Company and utilities should adhere strictly to the Commission's notice requirements for termination. The OCA intervenes to participate and to represent the interests of PAWC

customers in receiving timely and adequate notice prior to the termination of essential water utility service.

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CERTIFICATE OF SERVICE

Re: Utility Workers Union of America
System Local 537

v.

Pennsylvania-American Water Company

Docket No. C-2012-2287204

I hereby certify that I have this day served a true copy of the foregoing 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 13th day of April 2012.

SERVICE BY EMAIL and FIRST CLASS MAIL, POSTAGE PREPAID

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Bloomsburg, PA 17815
Counsel for Utility Workers Union, Local 537

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