

JMS.

416 Commonwealth Avenue  
West Mifflin, Pennsylvania  
15122  
August 8, 2012

RECEIVED

POC  
2012 AUG 14 AM 10:48  
HARRISBURG, PA 17105

ORIGINAL

Dear <sup>PA P.H.C.</sup> SECRETARY'S BUREAU:

1. Thank you for the extension to submit my comments to the Commission because of the circumstances, I mentioned.
2. Your letter of July 12, 2012 indicated I may send written exceptions to the commission on the initial decision of the office of Administrative Law Judge, Katrina L. Dunderdale in my complaint against Pennsylvania American Water Company, Docket No. C-2011-2248437
3. My formal complaint was made and sent June 7, 2011.
4. July 13, 2011 attorney Michael Grein notified me that I can file responses to his "New Matter" sent to the Secretary.
5. December 5, 2011, ALJ Judge Salago sent a pre hearing order for January 14, 2012. I requested a change because I learned this hearing would be held in Harrisburg or by telephone. January 4, 2012, legal assistant Shelby acknowledged my request since I wanted in-person meeting.
6. January 10, 2012, I received a letter, undated, from ALJ Katrina Dunderdale. She assigned the new hearing date.
7. At 1 PM, Wednesday January 18, 2012 an initial in-person hearing was held in Pittt Place, Pittsburgh, Pa, and ended 3:30 PM (C).
8. From ~~June 7, 2011~~ <sup>June 7, 2011</sup> to TP 7, January 18, 2012 1 month transpired.
9. From January 18, 2012, hearing date, to July 6, 2012 almost 6 months transpired for a decision.
10. On April 6, 2012, the ALJ issued a mailed statement that the "plead at Docket no. C-2011-2248437 is closed. The initial decision in this case shall be prepared and issued." April 6 to July 6, 2012 - 3 months to make a decision?
11. June 7, 2011 - START TO FINISH. Wow! 13 MONTHS ~~\*\*\*~~
12. On January 18, 2012, hearing date, just before she slammed the gavel down, she said, "I'll have a decision in 2 1/2 - 3 months." after closure I remarked that

I heard it said, "justice delayed, is justice denied," she smiled and acknowledged my remark.

(13) January 24, 2012 I sent a letter (post - 6 days) to be more deliberate to prove the inaccuracies in communications from PAWC. I received 5-6 letters from PAWC with no person's name on it; no signature, either. I made calls to PAWC and no one could help me because they said these are automatically generated by the "machine" system; letter #4 had sincerely - - - Customer Service Superintendent, no name. A couple reps told me there is no such superintendent. Several reps refused to talk with me because I gave only my account numbers. January 26, 2012 I spoke with Nicole in Florida who was not pleasant. She kept talking over me, would not let me speak, said they have no superintendent. But she said her supervisor will be contacted. Nicole reported back that she will not talk with me unless I give my name, address, and phone number. A second transfer was made and I was told they will call me back within 72 hours. Humor! Nicole hanged up on me. No call within that 72 hour period.

(14) March 19, 2012 I delivered a 2nd letter to the judge's office and the letter was from Attorney Bruin; stating the the meter was removed from my property in July 2011. The meter tested as (being) accurate within POC guidelines, A 3 line letter. Nothing is wrong with the meter.

(15) On 2 other occasions between January and June I visited the POC office to see to what extent the judge has a decision.

These past 13 months from June 7, 2011 to July 6, 2012 has been a true nightmare for me. Full of anxiety, apprehensions, worries, fears, embarrassment and shame and unhappiness, indescribable because I could not invite my daughters and grandchildren to my house. For 7 months they were not aware of no visits for household use. In July 2011, they came on their own from Texas and the other with family from upper Pennsylvania. Above is a brief history.

Comments to the Commission on the Decision

① Pages, IP1. Omitted a drop of bob at the Company in place of postage. The Dequeant Light Co. has a drop off station on the sidewalk in Pittsburgh.

② Page 1 IP2 it's easy to deny everything which is quite frequently used in their response. PAUC has acted 'improperly' (by definition) in good taste or decency, and in accordance with truth or fact. In 3-4 letters they gave ~~indecision~~ reasons for wanting to enter my house. They write that since there was (0) zero reading on the meter for 2 consecutive months, they want to "change out the meter," then "inspect the meter," then "check out the accurate reading," etc... I thought no logical reason. In fact, during the hearing one witness said "it's PAUC policy" to do this when 2 consecutive months reveal zero readings. I immediately raised a paper with proof and exclaimed "when <sup>were</sup> you over the last 9 months with zero readings?" Why all of a sudden you are challenging me for zero reading for 2 months? The Judge states on page 3 IP #5 that zero consumption was recorded 33 times from November 6, 2010 during 49 billing cycles. This one statement proves harassment in 3D technicians. The insistence by PAUC to do whatever with my meter is unfair and discriminatory, yet they deny acting improperly. The truth is none contacted me by mail or telephone of what their concern was. The rep at the curb showed no ID while checking the meter at the curb. I said maybe the electronic add on to my building is defective, which I doubted. Their denial in lines 3-4, p.1, is totally untrue and 1-sided.

③ On page 2 top IP "Mr. Korbic did not file an answer to PAUC's new matter pursuant to 52 Pa Code §5.63" So what is the Judge referring to? I'm at a loss. In the "New Matter" from Mr. Bruer, p.5 IP 21, there is no request or directive that required an answer from me, nor any action.

This entry is not true, unfounded; why did the judge make such an accusation? Furthermore, her citing of legalese " -- pursuant to 52 Pa. Code § 5203" is above reproach. She knows I'm not acquainted with the legal jargon or codes or references. This is most unfair of her. I understand Greek and Latin academia more than legalese.

④ P.3 #4 my extended periods of time usually 2-3 days or 5-8 days or 2 weeks to 2 mos, or 1-2 weeks whenever I could get away to. After all, I had no water when I left & always shut the main valve off and opened my faucets from cellar to bathroom. How often has one heard of laundry water lines breaking even with a laundry room on a 2nd floor. I never wanted my cellar to be flooded.

⑤ P.3 # 5: 33 times zero readings. Where was PAWC to challenge those readings? I always paid my monthly water bill and monthly sewage bill with 0 zero readings. PAWC has decided to penalize me, continue to harass me all amounting high levels emotionally. After all the sewage authority, not light, gas, and phone utilities never challenged me on minimum usage of their services.

⑥ p.3 # 6, line 2, " -- to check on the continued accuracy of the water meter -- " It was always accurate. I should know. But this entry implies I'm cheating or tampering with the meter. Where were they before this in their negligence to harass me more; Continued harassment.

⑦ p.4 # 7 Again, overpowering legalese;  
⑧ p.4 # 8 Again, uncertain or why removal, this time they want to "check on the accuracy."

⑨ p.4 # 10 Again, uncertain --- this time "change the meter." This means in contradiction to # 5 p.4. where it's stated replacement, maintenance or repair. This is P.4

the umbrella cover - up

⑩ p. 5 #14 final bill, unissued, again, no water meter

⑪ Please refer to Mr. Gruin Exhibit # 6, "Utility Report p. 2, the last 2 paragraphs

- (a) account is \$0. March 23, 2011
- (b) account will become delinquent on Tuesday, April 12, 2011, unless I enter into a payment or settlement agreement.
- (c) no complimentary close. no signature for the 7th time, who can I refer to business there? Mr. Nobody.

d. Again, harassing, taunting, and intimidating

⑫ p. 5 #18. H<sub>2</sub>O program. I never knew or knew anyone what this was. Personally, I thought it was an aim of PAWC to render assistance. All this brings me to this point: The 3 witnesses mentioned on p. 2 of the Judge's decision; viz. Judy Jordan, Patricia Lovelace, and Lynn Roehm, are not all employees of PAWC. Only Judy Jordan with whom I never talked, never met or saw her til the hearing. Both other ladies said they were only affiliated with the H<sub>2</sub>O program. I don't know to this day what Judy's title (job) is or how she is involved as a witness; & what was she verifying. As far as I know, Mr. Gruin was using her to verify the preparation and submission of the utility report, Exhibit 6 in New Matter by Mr. Gruin. That's why in follow-up calls with the 2 ladies, they said they can't talk with me about PAWC. The Judge does <sup>not</sup> identify who these 2 witnesses are. I don't think she knows or is taking it for granted.

⑬ p. 5 #19. line 3 is not true. We talked about the wash rings under the emode maybe replaced because they are dried out & probably cracked. No work on this entry was done. When the plumber saw the tank next to the water cabinet, he offered to do it as a courtesy without a charge.

It took him about 10-15 minutes to remove and replace this kit. I do remember thoroughly the plumber talking with Pat and he mentioned that the toilet rings would need to be replaced. A big job! I don't know how the judge had to include this item in her report. It is not true.

(14) p. 6 # 21-22, This, I reported to the secretary in POC office in Pittsburg to inform the judge,

(15) p. 6 # 23, Why does she state that I have not received a sewage bill since July 2011? Apparently the water Co. informed the sewage department that my water has been shut off. That's automatic. But she doesn't say I paid a sewage bill for 33 months with 0 usage.  $33 \text{ months} \times \$15 = \$495^{00}$  paid for non usage. That is money down the drain not water.

(16) Under "Discussion", The third paragraph is a comprehensive Mission Statement with all its inherent obligations to the company and its employees and patrons.

(17) p. 7 Complainant's Position.

P. 1. Water pipes needed repair 2 different times. I had leakage in cellar and kitchen but was still able to use water as I needed but always shut off main valve after usage. I referred to this to the unidentified worker at the work. Prior to Nov. 2016, shut off date. With no water available, I used water from the water tank in the cellar for many basic needs. Naturally, I opened all faucets. The water breakage on 2nd floor resulted after P & W shut off and for whatever reason the water leakage developed with water retained in ceiling pipes. How can I drain hidden pipes?

(17) could

The leaks were terrible from the 2nd floor when the plumber turned on the water, I never had these leaks before. My house thermostat was always on to keep me and the house warm. During Jan, 2011 I was home every day because I feel cold weather more easily because of the coronatin medication I am taking. I record on my calendar (everything like a miniature diary) temperature High-Low. January 2011 was very cold on the 13<sup>th</sup> 14<sup>th</sup> - 18<sup>th</sup> - 22 with lows on these days from 16° - 14°. My water usage came from outside the house. More about collateral, personal, ~~Situations~~ later.

(18) P 2, p. 7 Store front was not the term in my Complaints I refused to pay stations, or drop off box where mailed checks can be deposited, or pre paid postage metered envelopes. Equitable Gas does this.

(19) Rip in name! Over and over is the same litany of questions whenever I get a rep on the line. They invariably want name, address, city, zip, phone number and practically what I normally eat for breakfast. I'm not being facetious but I want my privacy too, a phone ID name or pin number like a credit ATM card or some such identification. The judge made responses her findings - all supporting PAWC Contentions. Could she not have rendered a judgment regarding my positions mentioned here? There are not positions; but rather she disguised my "complaints" with no rendered opinion as to my declarations. This, again is biased and unfair.

(20) p 8 Respondents position. Throughout my formal complaint, my responses to Attorney's new matters, and throughout this treatise, the total question centers on the 2 months with zero usage as the basic premise to justify their harassing process. Also, their undidled of correct words to identify their reason to want to gain access to my house. All they had to do was review my record of water usage from 2009 to 2011 and readily

observe consistent usage or non usage. Why could they not have reviewed their own records? Why could they not have called me personally to discuss this inordinate pattern? I call it "pregnant thinking" and harassment 1st class with all the unhealthy feeding to think I'm covering up for something, or cheating or tampering with the meter.

(19) Burden of proof. <sup>PP1</sup> Throughout all my responses on position papers, I have made the burden of proof I have shown over and over how they put themselves in the position of being unfair, making implied allegations, undermining my integrity, not doing their homework according to their real duties.

PP2. Why hadn't the Judge disclaimed my proofs if any disclaimers were warranted. My evidence I believe is more sound; their's is inconsistent in procedural approach and attitude with unfairness and character demeaning in discussing this whole, horrible affair.

(20) Jurisdictional issue. The \$300 figure for 5 welds is over charged at least \$100-\$150 or more. He worked well but no more than 1-1 1/2 hours repairing them readily.

(\*) The Judge failed to report that I would settle for a payment of \$600 for additional repairs, but <sup>he</sup> used the \$900-\$1200 figures in my hearing exhibits.

PP2 I never was aware that PUC cannot empower awards for damages. Then why go to the PUC?

(21) Customer Service Issues - Please refer to my statement in paragraph # 17 PP1. The 2nd floor pipes leaked because the water remained in pipes after shut off date. The faucets were left open because I had no water anyway.

PP2 "store front" is not my wording. I used drop off station in Pittsburgh. I already responded to PP2 p10 in # 19.

## ANALYSIS

(22) TP1 The judge's declaration of refusal of was wrong is not true. This is in poor discretion. It's in the manner they used efforts to gain entrance while not using a more ethical and business approach. The PAUC got themselves into a tangle and now it was wrong. There is not any statement by her to offer a right or a wrong method or procedure. Ethically and logically, they were indeed wrong. Again, refer to #17 TP1 above.

(a) See 4th line: "PAUC knew the meter was reporting zero usage (for only 2 consecutive months) which is unusual for a meter to do." What about the other 33 zero reading times? The judge did not reference the evidence cited in my exhibit.

(23) TP3 "Water service is a privilege, not a right." According to syllogistic reasoning in Logic Philosophy, this premise is not entirely true. This major premise is inductive, not deductive. Is buying groceries a privilege, gasoline, car insurance, etc. a privilege? According to etymology privilege is derived from - privilegium (Latin) privus means separate + lex means law. Ergo: a special right, advantage, or favor, etc. granted to some person or group; also it is a basic civil right guaranteed by our government; as privilege of equality.

Right, ethically, is the freedom to do what should be done, not what you want to do. (vs license). License freedom is the right to do what should be done not what you want to do. Rights presume duties - that is why we have police, fire, military personnel, etc. Inherent in privilege is "right" contrary to the judge's ":- not a right."

TP5 The judge's contention that I have not provided sufficient evidence is unbelievable, undeniably wrong.

## #24 Conclusions of law:

TP3 Over and over in response to "new matter" by attorney brief and specifically in my formal complaint I cited how representatives treat me over the phone.

Am I to have a tape recorder to verify my calls? Is she serious? Again, <sup>on</sup> unfair strike 3.

TP4 The PAUC has not repaired any pipes, The H<sub>2</sub>O program did.

TP5 Throughout this report if the Judge has not read hundreds of pages of proof I presented - no I.D., notice, dropped on floor outside my door (see formal complaint) illogical reasoning based on 2 months of zero readings vs. 33 zero readings over the last few years. (Now in getting repetitive,

TP8 Again, being redundant, what would be more to be said of this statement? The frozen 2nd floor pipes froze because of shutting off the curb water

## #25. Conclusions

I do not accept nor do I agree with the Judges dismissal of my case. All of the rulings seemed to have degrees of bias and unfairness and appeals to the PAUC. I have cited contrary facts and statements to her varied opinions. I am deeply hurt and feel abused in the manner PAUC pursued their approach.

# Closing Remarks to be considered

## Collateral damage:

1. No water after November, 2010. 33 year readings, out of 49 billing periods.
2. I estimate about 75 gallons (guess) per month x 13 months 975-1000 galls @ 70¢ per gallon. Cost about \$700. (Very conservatively figured)
3. PAWC paid an attorney to serve them at a fee which would be more than my cost repairs
4. No compassion, no calls, no human treatment, no respect, etc, during this ongoing ordeal.
5. How do or would you wash your hands or face and conserve your amount of water usage? Try using an 8 oz glass and do it. From the gallon jug.
6. No toilet facilities. I had to use public washroom for urinal use. Handling frequent urination is too painful to describe.
7. House maintenance is at a standstill. Windows, floors, fixtures have not received attention. No extra water to scrub floors.
8. Cost me my laundry facilities - outside use which cost \$600.
9. No other water for dishes except a cup to, wash and rinse 1 spoon, 1 knife, 1 plate, 1 bowl, 1 fork, etc.
10. No hot water available at all. Must be heated on stove.
11. No water for special cooking which I can't do.
12. Only visitors to my house were my 2 daughters and 2 grandchildren in July 2011. No one else. They know I have no water supply. No other visitors, Oh, what humiliation!
13. I go to my gym or YMCA for showers. Unable to do this at home. I take bid baths.
14. Neighbors see me bringing in bottled water. I'm embarrassed and ashamed with a zero level of pride, comfort, and happiness.

15. I almost cry when I spill a glass of water.

Memories of living in grandma's cellar in 1937-43 because Mom & Dad lost the house to foreclosure in 1937. Lived & slept in the attic with long underwear, tassel cap socks, no heat. Gas heat came in '50's since 1937, my Mom raised us 4 boys. No pay, no social security. We sold papers and shoveled snow for groceries, etc., etc., etc. What PAWC has done to me cannot be forgotten.

16. I'm under doctor's care. Cardiologist has me on Coumadin 7 1/2 mg for atrial flutter and diet & control cholesterol. I bleed easily & plenty when I cut myself.

17. My primary care doctor treats me with blood pressure pills, Cardura for enlarged prostate, and IBS - irritable bowel syndrome; on the BRAT diet (bananas, rice, apple toast) for fiber in bowel excretions.

My mother spoiled me, my wife destroyed me twice as much as my mother spoiled me. I can't cook, but try to do the best I can.

At 83, God is good! I still travel, jog frequently, cut my grass, hedge trim, etc. al.

This biography is to inform the commission on the style, quality, and type <sup>of life</sup> they have caused me. The judge's opinions and decisions do not help either.

I have no more family to rely on for assistance of any kind. Mother had 6 sisters and 1 brother. 2 1st cousins are aged 80 & 78 but distant out of a very large family.

Oh! how important water is! All the other utilities - to quote the phrase - are privileges(?)

See 2 enclosures from medical doctors.

Friday, August 10, 2012

Dear Rosemary:

Rush, rush, rushed! I forgot my letter of transmittal  
so will you please accept this substitute?

Finally completed my book of responses!

I appreciate your making copies & am send attorney Grinn  
his copy now, too.

God bless you and your loved ones.

Docket C-2011-2248437

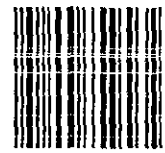
Thank you  
Ray Kohls

PA P.U.S. BUREAU  
SECRETARY'S BUREAU

2012 AUG 14 AM 10:48

RECEIVED

From: Ray Kochis  
46 Commonwealth St.  
West Mifflin, Pa. 15122



1000

17105

U.S. POSTAGE  
PAID  
PITTSBURGH, PA.  
15236  
AUG 10, 12  
AMOUNT

\$0.65

00055252-07



To: Secretary Chisapette  
Commonwealth of Pennsylvania  
Public Utility Commission  
2nd. Floor  
Keystone Building  
400 North St.  
Harrisburg, Pa. 17105-3265

Ready **P**ost.

Document Mailer

