

CAPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: . 00/00/00 :
- 2. BUREAU: ALJ :
- 3. SECTION(S) : :
- 5. APPROVED BY: : 4. PUBLIC MEETING DATE:
- DIRECTOR: : 00/00/00
- SUPERVISOR: : :
- 6. PERSON IN CHARGE: : 7. DATE FILED: 10/19/05
- 8. DOCKET NO: C-20055451 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: DEGROOT, BRIAN P.

RESPONDENT/APPLICANT: W.P. WATER CO.

COMP/APP COUNTY: WYOMING

UTILITY CODE: 213520

ALLEGATION OR SUBJECT

COMPLAINANT STATES THERE IS A RELIABILITY, SAFETY OR QUALITY PROBLEM WITH HIS UTILITY SERVICE.

DOCUMENT  
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**DOCKETED**  
OCT 19 2005

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

C-20055451

Please print or type.

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address:

Name BRIAN A. DEGROOT

Street/P.O. Box 13 ROSEMARY DRIVE Apt #

City TUNKHANNOCK State PA Zip 18657

County WYOMING

Area Code/HOME Phone 570-836-4816

Area Code/WORK Phone 570-833-3096

Utility Account Number #8677 (from your bill)

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name

Street/P.O. Box

City State Zip

2. UTILITY NAME (RESPONDENT)

W.P. Water Co.

Name of utility company your complaint concerns: WASHINGTON PARK WATER & SANITARY Co.

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

(taxi, moving company, limousine)

TELEPHONE (local, long distance)

SECRETARY'S BUREAU P.U.C.

05 OCT 19 AM 8:52

RECEIVED

20

You do not need to contact the company if your complaint is against a proposed utility rate increase or if you are not a residential service account customer. You do not need to contact the company again if you are filing an appeal from a Bureau of Consumer Services (BCS) determination on an informal complaint.

If you tried to, but could not speak to a utility company representative, please explain why.

**8. You must sign your complaint.**

In Section Eight (8) of the formal complaint, you must print or type your name in the space provided in the verification paragraph and you must sign and date your formal complaint form on the lines in this Section. If you do not sign the formal complaint form the Commission will not accept it.

**9. If you are represented by a lawyer in this matter, you must provide your lawyer's name, address and telephone number.**

If your complaint is about your residential service, you do not need a lawyer. You may represent yourself at the hearing. If naming a lawyer, please make sure the lawyer is aware of your complaint and is representing you in this matter. If you have a lawyer representing you in this matter, you and your lawyer must be present at your hearing.

The Commission requires corporations, associations, partnerships and political subdivisions to have a lawyer at hearing and to file any motions, answers, briefs or other legal pleadings.

**10. Please return the completed form to one of the addresses listed below:**

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 <sup>nd</sup> Floor Harrisburg, Pennsylvania 17120
--	--

Keep a copy of your complaint for your records.

Facsimiles and/or electronic filings of the complaint form will not be accepted.

4. COMPLAINT (check one)

A. In general, what is your complaint?

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.
- Other.  
(explain)

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

*\* MOST RECENT INCIDENT*  
*10-16-05 STARTING AT ~ 1:00 AM, WE EXPERIENCED VERY LOW WATER PRESSURE UNTIL ~ 4:00 AM ON 10-17-05. I TRIED CALLING OUR UTILITY PROVIDER, BUT WAS NOT ABLE TO REACH ANYONE. WATER PRESSURE WAS SO LOW, THERE WAS BARELY ENOUGH TO ADEQUATELY FLUSH THE TOILET. WATER PRESSURE IS OFTEN TOO LOW TO DO LAUNDRY OR EVEN TAKE A SHOWER. DURING WINTER, IT IS NOT UNCOMMON TO LOSE ALL WATER FOR AT LEAST ONE FULL DAY.*

5. RELIEF

What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space.

*FORCE WASHINGTON PARK WATER & SANITARY Co. TO UPGRADE THEIR SYSTEMS TO PROVIDE AN ACCEPTABLE WATER SUPPLY WITH AMPLE PRESSURE. IT IS UNSAFE FOR MY FAMILY AND I TO HAVE TO WORRY ABOUT HOW MANY DAYS WE NEED TO BOIL OUR WATER AFTER EVERY WATER LIASET.*

**6. PROTECTION FROM ABUSE**

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company **AND** your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES

NO

**7. PRIOR UTILITY CONTACT**

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES   
(includes appeals of BCS determinations)

NO

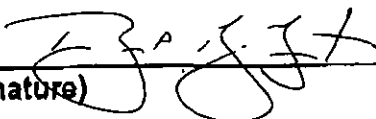
If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

**8. VERIFICATION AND SIGNATURE**

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

**Verification:**

I BRIAN A. DE GROOT, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

  
(Signature)

10-17-05  
(Date)

**9. LEGAL REPRESENTATION (IF ANY)**

If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Area Code/Phone Number: \_\_\_\_\_

**10. FILING**

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

<p>Secretary          Pennsylvania Public Utility Commission          P.O. Box 3265          Harrisburg, PA 17105</p>	<p>Secretary          Pennsylvania Public Utility Commission          400 North Street          Commonwealth Keystone Building, 2<sup>nd</sup> Floor          Harrisburg, Pennsylvania 17120</p>
---	--

**Facsimiles and/or electronic filings of the complaint form will not be accepted.**

**If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.**

**Keep a copy of your complaint for your records.**

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

DATE SERVED: OCTOBER 20, 2005

C-20055451

W. P. WATER COMPANY  
1199 LAUREL RUN ROAD  
WILKES-BARRE PA 18702

DOCUMENT  
FOLDED

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by BRIAN P. DEGROOT. To defend yourself against the claims stated in the following pages, you must act within twenty (20) days by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS, THE CASE MAY GO FORWARD IN YOUR ABSENCE AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

**CUSTOMER OF A UTILITY**

A payment schedule may be prescribed or a termination of utility services may be authorized. You may lose money or property or other rights important to you.

**COMPANY/UTILITY**

An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

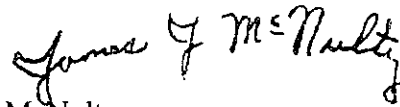
OCTOBER 20, 2005

Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help:

Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375

Very truly yours,

A handwritten signature in cursive script that reads "James J. McNulty". The signature is written in black ink and is positioned above the printed name and title.

James J. McNulty  
Secretary

JH

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: OCTOBER 20, 2005

BRIAN P. DEGROOT  
Complainant

DOCUMENT  
FOLDED

VS.

W. P. WATER COMPANY  
Respondent

Complaint Docket  
No: C-20055451

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FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

---

TO: W. P. WATER COMPANY

DOCKETED

OCT 19 2005

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the **Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265**, an answer (original and three copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

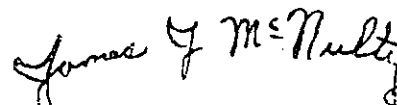
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which

prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after a hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.



James J. McNulty  
Secretary

(SEAL)

Certified Mail  
Return Receipt Requested

2. Article Number



7160 3901 9843 0834 7306

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee)  Yes

1. Article Addressed to:

C-20055451 FC  
W. P. WATER COMPANY  
1199 LAUREL RUN ROAD  
WILKES-BARRE PA 18702

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

NOV 03 2005

C. Signature

X *Carl K. Hage*

Agent  
 Addressee

D. Is delivery address different from item 1?  
If YES, enter delivery address below:

Yes  
 No

**ORIGINAL**

Washington Park Water Company  
1199 Laurel Run Road  
Wilkes-Barre, Pa. 18702  
Phone (570) 472-3871 Fax 472-9501  
November 04, 2005

**RECEIVED**

NOV 04 2005

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

To: Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, Pa. 17105-3265

Re: Brian P. DeGroot Case # C20055451 13 Rose Mary Drive  
Registered certified mail # 7005 1160 0002 6957 3637

Dear Sir / Madam;

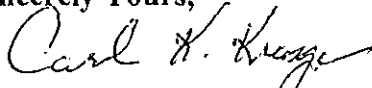
*The only contact Mr. DeGroot had with this company is when we found an un-cashable check sent to pay a bill and it had no number. There was no address or name on the check. The signature was not legible. She did reference the invoice number on the bottom. We then found it in the computer. We were able to find out who it was and send it back and they replaced the payment.*

Mr. DeGroot is a new customer and is not as high as the apartment complex is named in the Sylvester complaint. I have no call from him claiming to be out of water the whole day as Todd from DEP was there the day he mentions and was glad we were able to repair it so fast. Mr. DeGroot does have a point in the paragraph 5 where he explains the company should be forced in to upgrade the system to supply ample water.

I feel if the Pennvest job were done here it would fill that bill. This has been so degraded that the whole job should be a grant for these people!

If you have any questions or input please feel free to contact this office.

Sincerely Yours,



Carl K. Kresge, President

**DOCUMENT  
FOLDER**

52

THE LAW OFFICES OF  
BORLAND & BORLAND, L.L.P.

11TH FLOOR  
69 PUBLIC SQUARE  
WILKES-BARRE, PENNSYLVANIA 18701-2597

KIMBERLY D. BORLAND  
RUTH SLAMON BORLAND  
DAVID P. TOMASZEWSKI  
KIERAN M. CASEY

TELEPHONE (570) 822-3311

FAX (570) 822-9894

ORIGINAL

borlandk@borlaw.com  
borlandr@borlaw.com  
tzewski@borlaw.com  
caseyk@borlaw.com

November 7, 2005

RECEIVED

NOV 7 2005

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

JAMES J McNULTY  
SECRETARY  
COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P O BOX 3265  
HARRISBURG PA 17105-3265

DOCUMENT  
FOLDER

Re: W.P. Water Company v. Corey  
Pries  
Docket #C-20055452  
W.P. Water Company v. Brian P.  
DeGroot  
Docket #C-20055451  
W.P. Water Company v. James Holly  
& Sandy Phillips  
Docket #C-20055461  
W.P. Water Company v. Leigh Powell  
Docket #C-20055468  
W.P. Water Company v. Joseph  
Yakoski  
Docket #C-20055460  
W.P. Water Company  
Docket #C-20055473  
W.P. Water Company  
Docket #C-20055472  
W.P. Sanitary Company v. Kandi Jo  
Madill  
Docket #C-20055456  
W.P. Sanitary Company v. Kathleen  
Sylvester  
Docket #C-20055455  
W.P. Sanitary Company v. Kathleen  
Sylvester  
Docket #C-20055453  
File #LK/57292

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Dear Mr. McNulty:

By copy of this letter please enter my appearance on behalf of W.P. Water Company with regard to the above-referenced matters.

I am also requesting a 15 day extension in which to respond to these complaints as I just received them today, November 7, 2005.

Thank you for your consideration.

Very truly yours,

  
Kimberly D. Borland

KDB/jp

VIA OVERNIGHT MAIL  
TRACKING #1Z F13 96R 22 1000 067 0

pc: Carl Kresge

DOCUMENT  
FOLDER

**DOCKETED**  
DEC 08 2005

RECEIVED

NOV 07 2005

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
November 9, 2005

PLEASE DOCKET

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: C-20055451

KIMBERLY D. BORLAND, ESQUIRE  
BORLAND & BORLAND, L.L.P.  
69 PUBLIC SQUARE, 11<sup>TH</sup> FLOOR  
WILKES-BARRE, PA 18701-2597

DOCUMENT  
FOLDER

Brian P. DeGroot v. W. P. Water Company

NOTICE

Please be advised that your request for extension of time to file an answer on the above-captioned complaint has been granted.

An answer must be filed on or before November 28, 2005. Failure to submit an answer by that date may result in the scheduling of a hearing.

If you have any questions regarding this response, please contact the scheduling office at (717) 787-1399.

pc: Mr. Brian B. DeGroot  
Mr. Bruce Bigelow, Mediator  
Beth Plantz  
~~Docket Section~~

**DOCKETED**  
NOV 16 2005

THE LAW OFFICES OF  
BORLAND & BORLAND, L.L.P.

11TH FLOOR  
69 PUBLIC SQUARE  
WILKES-BARRE, PENNSYLVANIA 18701-2597

KIMBERLY D. BORLAND  
RUTH SLAMON BORLAND  
DAVID P. TOMASZEWSKI  
KIERAN M. CASEY

TELEPHONE (570) 822-3311

FAX (570) 822-9894

borlandk@borlaw.com  
borlandr@borlaw.com  
tzewski@borlaw.com  
caseyk@borlaw.com

November 21, 2005

JAMES J McNULTY  
SECRETARY  
COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P O BOX 3265  
HARRISBURG PA 17105-3265

ORIGINAL

DOCUMENT  
FOLDER

Re: W.P. Water Company v. Corey  
Pries  
Docket #C-20055452  
W.P. Water Company v. Brian P.  
DeGroot  
Docket #C-20055451  
W.P. Water Company v. James Holly  
& Sandy Phillips  
Docket #C-20055461  
W.P. Water Company v. Leigh Powell  
Docket #C-20055468  
W.P. Water Company v. Joseph  
Yakoski  
Docket #C-20055460  
W.P. Water Company  
Docket #C-20055473  
W.P. Water Company  
Docket #C-20055472  
W.P. Sanitary Company v. Kandi Jo  
Madill  
Docket #C-20055456  
W.P. Sanitary Company v. Kathleen  
Sylvester  
Docket #C-20055455  
W.P. Sanitary Company v. Kathleen  
Sylvester  
Docket #C-20055453  
File #LK/57292

RECEIVED

2005 NOV 22 AM 9:14

PA P.U.C.  
SECRETARY'S BUREAU

Dear Mr. McNulty:

Enclosed please find Respondents Answers to the above noted Complaints.

Thank you for your consideration.

Sincerely,

  
Kieran M. Casey

KMC/jp  
Enclosures

pc: Carl Kresge (w/encl.)  
Cory Pries (w/enc.)  
Brian DeGroot (w/encl.)  
Kandi Jo Madill (w/encl.)  
Kathleen Sylvester (w/encl.)  
James Holly & Sandy Phillips (w/encl.)  
William J. Finkler (w/encl.)  
Lisa Higgins (w/encl.)  
Leigh Powell (w/encl.)  
Joseph Yakoski (w/encl.)

RECEIVED

2005 NOV 22 AM 9: 14

PA P.U.C.  
SECRETARY'S BUREAU

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
BRIAN P. DEGROOT  
Complainant

ORIGINAL

RECEIVED  
2005 NOV 22 AM 9:15  
PA P.U.C.  
SECRETARY'S BUREAU

VS.

W.P. WATERCOMPANY  
Respondent

Complaint Docket  
No. C-20055451

Answer to FORMAL COMPLAINT FORM

1. CUSTOMER NAME (COMPLAINANT)  
Admitted

2. UTILITY NAME (RESPONDENT)  
Respondent's proper address is W.P. Water Company, 1199 Laurel Run, Rd., Wilkes-Barre, PA 18702

3. TYPE OF UTILITY  
It is admitted that Respondent provides water service to Complainant.

4. COMPLAINT  
It is denied there is a reliability, safety or quality problem with the utility service Respondent provides to Complainant.

4(b) FACTS OF THE COMPLAINT

Washington Park's water supply comes from three wells that are operating at the park. As such, during particularly dry periods of time, the water supply can be reduced, which can lead to reduced water pressure for service recipients. The summer of 2005 was particularly dry. As such, there have recently been occasional periods of low water pressure. It was this period of reduced precipitation and a well malfunction, described below, which led to low water pressure on October 16, 2005.

As noted above, the water supply in Washington Park comes from three wells which are situated in the park. On October 5, 2005, the monitoring systems for well #2 indicated that it was functioning below acceptable capacity. As such, Respondent took pump two off line so that the motor and pump could be replaced. Respondent acted promptly to make the necessary repairs to well #2. By

October 12, 2005, he had obtained a new motor and pump for this well. However, he had not received a new electric starter by that day. Respondent had hoped to wait to place well #2 back on line until he had obtained a new starter so that this well could function efficiently when made operational again. Accordingly, from October 5 through October 15, 2005, two wells were sufficiently supplying residents with water.

On Saturday October 15<sup>th</sup> Respondent had employees in the area doing general maintenance. Those employees soon discovered that well # 3 had shut down due to a mechanical failure. To remediate this problem, Respondent promptly directed that well #2 be brought back on line, despite the absence of a new electric starter.

As well #2 was only placed back on line the day before the incident Complainant describes, the water pressure from that line had been built back up, a process which takes approximately one day. Monday, October 17, well # 3 was repaired and a new starter was placed on well #2. Accordingly, by the end of that day, all three wells were functioning efficiently.

Any problem Complainant experienced in contacting Respondent on October 16, 2005 was due to an isolated answering machine malfunction.

It is denied the residents of the park commonly lose all water for at least a day.

5 RELIEF

It is denied the water provided to Respondent's customers is unsafe. It is denied Respondent has resisted upgrading the water delivery service to the residents of Washington Park.

6 PROTECTION FROM ABUSE  
N/A

7 PRIOR UTILITY CONTACT

Denied. Respondent does not recall speaking with Complainant regarding the issues raised in Complainant's Complaint.

8

VERIFICATION AND SIGNATURE

I Carl Kresge, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. Sec. 4904 (relating to unsworn falsification to authorities).

Carl H. Kresge  
Signature

11-15-05  
(Date)

9 LEGAL REPRESENTATION

Respondent is represented by Kimberly D. Borland, Esq. and Kieran Casey, Esq of Borland & Borland, L.L.P.  
69 Public Square, Suite 1100  
Wilkes-Barre, PA 18701

PENNSYLVANIA PUBLIC UTILITY COMMISSION

BRIAN P. DEGROOT,  
Complainant

VS.

W.P. WATER COMPANY  
Respondent

Complaint Docket  
No. C-20055451

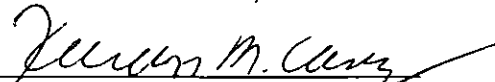
**CERTIFICATE OF SERVICE**

I, Kieran Casey, Esquire, hereby certify that I mailed a true and correct copy of Respondent's Formal Complaint to the following person at the following address:

BRIAN DEGROOT  
13 ROSEMARY DRIVE  
TUNKHANNOCK PA 18657

By First Class Mail this 21<sup>st</sup> day of November, 2005.

Borland & Borland, L.L.P.

  
Kieran M. Casey, Esquire



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

IN REPLY PLEASE  
REFER TO OUR FILE

November 30, 2005

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

DOCUMENT  
FOLDER

- Re: Brian P. DeGroot v. WP Water Co. C-20055451
- Corey Pries v. WP Water Co. C-20055452
- Kathleen Sylvester v. WP Water Co. C-20055453
- Kandi Jo Madill v. WP Water Co. C-20055454
- Joseph Yakoski v. WP Water Co. C-20055460
- James Holly & Sandy Phillips v. WP Water Co. C-20055461
- Leigh Powell v. WP Water Co. C-20055468
- Lisa Higgins v. WP Water Co. C-20055472
- William J. Finkler v. WP Water Co. C-20055473
- Fred T. Riebeling v. WP Water Co. C-20055556
- Kathleen Sylvester v. WP Sanitary Co. C-20055455
- Kandi Jo Madill v. WP Sanitary Co. C-20055456
- Fred T. Riebeling v. WP Sanitary Co. C-20055557

SECRETARY'S BUREAU  
PA PUC

2005 DEC - 1 AM 9:55

RECEIVED

Dear Secretary McNulty:

Please find enclosed for filing an original and three copies of Law Bureau Prosecutory Staff's Notice of Intervention in the above-captioned proceeding. Copies have been served on the parties of record in accordance with the Certificate of Public Convenience.

Please contact me at (717) 787-6166, or at the address listed above, if you have any questions. Thank you for your attention to this matter.

Very truly yours,

Rhonda L. Daviston  
Law Bureau Prosecutory Staff

cc: Per Certificate of Service

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMISSION

Brian P. DeGroot v. WP Water Co.	:	C-20055451
Corey Pries v. WP Water Co.	:	C-20055452
Kathleen Sylvester v. WP Water Co.	:	C-20055453
Kandi Jo Madill v. WP Water Co.	:	C-20055454
Joseph Yakoski v. WP Water Co.	:	C-20055460
James Holly & Sandy Phillips v. WP Water Co.	:	C-20055461
Leigh Powell v. WP Water Co.	:	C-20055468
Lisa Higgins v. WP Water Co.	:	C-20055472
William J. Finkler v. WP Water Co.	:	C-20055473
Fred T. Riebeling v. WP Water Co.	:	C-20055556
Kathleen Sylvester v. WP Sanitary Co.	:	C-20055455
Kandi Jo Madill v. WP Sanitary Co.	:	C-20055456
Fred T. Riebeling v. WP Sanitary Co.	:	C-20055557

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NOTICE OF INTERVENTION

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DOCUMENT  
FOLDER

Pursuant to 52 Pa. Code § 5.71-76 and 66 Pa.C.S. § 332(h), Law Bureau Prosecutory Staff (LBPS) hereby gives Notice of Intervention in each of the above-captioned proceedings. 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:


Rhonda L. Daviston  
Assistant Counsel  
P.O. box 3265  
Harrisburg, PA 17105-3265  
[rdaviston@state.pa.us](mailto:rdaviston@state.pa.us)

**DOCKETED**  
DEC 20 2005

On October 19, 20, 2005, and November 11, 2005, the above-captioned Complaints were filed by customers of WP Water Co. and WP Sanitary Co. The Complaints were filed as a result of a water outage as well as water pressure problems and sanitary problems.

By intervening in this proceeding, LBPS seeks to monitor this proceeding to ensure that the standards imposed upon WP Water Co. and WP Sanitary Co. are in compliance with the Respondents' duty to provide safe, adequate, and reasonably continuous service pursuant to 66 Pa. C.S. §1501 of the Public Utility Code, the Commission's regulations, and previous Commission orders.

Respectfully submitted,

  
Rhonda L. Daviston

Law Bureau Prosecutory Staff  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Dated: December 1, 2005

CERTIFICATE OF SERVICE

I hereby certify that I have this 1<sup>st</sup> day of December, 2005, served a true copy of the foregoing document upon the participants listed below, in accordance with the requirements of §1.54 (relating to service by a participant).

FIRST CLASS MAIL

Kimberly D. Borland, Esquire  
Kieran Casey, Esquire  
Borland & Borland, LLP  
69 Public Square, Suite 1100  
Wilkes-Barre, PA 18701

Brian P. DeGroot  
13 Rosemary Drive  
Tunkhannock, PA 18657

Corey Pries  
10 Rosemary Dr.  
Tunkhannock, PA

James Holly and Sandy Phillips  
3 Rosemary Drive  
Tunkhannock, PA 18657

Kathleen Sylvester  
17 Jeanne Drive  
Tunkhannock, PA 18657

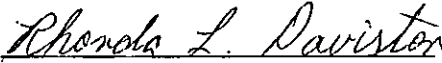
Leigh Powell  
31 Morio Drive  
Tunkhannock, PA 18657

Kandi Jo Madill  
27 Morio Drive  
Tunkhannock, PA 18657

Lisa Higgins  
17 Karin Drive  
Tunkhannock, PA 18657

Joseph Yakoski  
7 Rosemary Drive  
Tunkhannock, PA 18657

Fred T. Riebeling  
13 Jeanne Drive  
Tunkhannock, PA 18657

  
Rhonda L. Daviston  
Assistant Counsel

Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

December 1, 2005

SECRETARY'S BUREAU  
PA PUC

2005 DEC - 1 AM 9:55

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

IN REPLY PLEASE  
REFER TO OUR FILE

December 12, 2005

In Re:	C-20055451	C-20055473
	C-20055453	C-20055556
	C-20055454	C-20055455
	C-20055460	C-20055456
	C-20055461	C-20055557
	C-20055468	

(SEE ATTACHED LIST)

**DOCUMENT  
FOLDER**

**DOCKETED**  
DEC 28 2005

C-20055451 - Brian P. DeGroot, C-20055453 - Kathleen Sylvester  
C-20055454 - Kandi Jo Madill, C-20055460- Joseph  
Yakoski, C-20055461 - James Holly & Sandy Phillips, C-20055468 -  
Leigh Powell, C-20055472 - Lisa Higgins, C-20055473 - William J.  
Finkler, C-20055556 - Fred T. Reibeling v. W. P. Water Co.

C-20055455 - Kathleen Sylvester, C-20055456 - Kandi Jo Madill  
C-20055457 - Fred T. Riebeling v. W. P. Sanitary Co.

Service dispute.

Telephone Hearing Notice

This is to inform you that a hearing by telephone on the  
above-captioned case will be held as follows:

Type: Initial Telephonic Prehearing Conference

Date: Tuesday, December 20, 2005

Time: 11:15 a.m.

Presiding: Administrative Law Judge Ember S. Jandebour  
Room 317  
Scranton State Office Building  
100 Lackawanna Avenue  
Scranton, PA 18503  
Telephone: (570) 963-4818  
Fax: (570) 963-3310

Please note that the December 9, 2004 telephonic pre-hearing conference will include 33 additional complainants.

The telephonic pre-hearing conference will be conducted through the Commonwealth Conference Operator. If you are located in Harrisburg, dial the following number between 9:55 a.m. and 10:00 a.m.: 433-9020. After dialing the number, enter the PIN (2567) and then enter the (#) sign.

If you are located outside Harrisburg, call 1-866-224-4890 and then enter the PIN (4372) followed by the (#) sign.

You will hear three tones indicating that you have been connected to the conference call. If you are disconnected, please follow the same procedure to be reconnected.

If you have any questions, please do not hesitate to call this office.

If you have any hearing exhibits to which you will refer during the hearing, 3 copies must be sent to the Administrative Law Judge and 1 copy each must be sent to every other party. All copies must be received at least 3 days before the hearing.

*Attention: You may lose the case if you do not take part in this hearing and present facts on the issues raised.*

Except for those individuals representing themselves, the Commission's rules require that all parties have an attorney; therefore, you should have an attorney of your choice file an entry of appearance before the scheduled hearing.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission:

- Scheduling Office: (717) 787-1399.
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.

pc: Judge Jandebaur  
Cherie Pyle, Scheduling Officer  
Beth Plantz  
Docket Section  
Calendar File

C-20055451 - BRIAN P DEGROOT V. W P WATER COMPANY  
C-20055453 - KALTHEEN SYLV. ESTER V. W P WATER COMPANY  
C-20055454 - KANDI JO MADILL V. W P WATER COMPANY  
C-20055460 - JOSEPH YAKOSKI V. W P WATER COMPANY  
C-20055468 - LEIGH POWELL V. W P WATER COMPANY  
C-20055472 - LISA HIGGINS V. W P WATER COMPANY  
C-20055473 - WILLIAM J FINKLER V. W P WATER COMPANY  
C-20055556 - FRED T RIEBELING V. W P WATER COMPANY

C-20055455 - KATHLEEN SYLVESTER V. W P SANITARY COMPANY  
C-20055456 - KANDI J MADILL V. W P SANITARY COMPANY  
C-20055557- FRED T RIEBELING V. W P SANITARY COMPANY

BRIAN P DEGROOT  
13 ROSEMARY DRIVE  
TUNKHANNOCK PA 18657

KATHLEEN SYLVESTER  
17 JEANNE DRIVE  
TUNKHANNOCK PA 18657  
570.836.8622

KANDI JO MADILL  
27 MORIO DRIVE  
TUNKHANNOCK PA 18657  
570.836.4316

JOSEPH YAKOSKI  
7 ROSE MARY DRIVE  
TUNKHANNOCK PA 18657-9582  
570.836.2954

LEIGH POWELL  
31 MORIO DRIVE  
TUNKHANNOCK PA 18657  
570.836.7214

LISA HIGGINS  
17 KARIN DRIVE  
TUNKHANNOCK PA 18657  
570.836.1922

WILLIAM J FINKLER  
18 JEANNE DRIVE  
TUNKHANNOCK PA 18657  
570.836.0715

FRED T RIEBERLING  
13 JEANNE DRIVE  
TUNKHANNOCK PA 18657  
570.836.6156

KIERAN M CASEY ESQUIRE  
BORLAND & BORLAND LLP  
69 PUBLIC SQUARE  
11TH FLOOR  
WILKES-BARRE PA 18701-2597  
570.822.3311