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February 15, 2013

**eFiling**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
Harrisburg, PA 17120

Re: Mark Strohecker v.  
Pennsylvania-American Water Company  
Docket No. C-2012-2324937

Dear Secretary Chiavetta:

Enclosed for filing is Pennsylvania-American Water Company's Reply to Exceptions in the above-referenced case. This document is permitted to be filed electronically.

A copy of the Reply to Exceptions has been provided to the Complainant in the manner indicated on the attached Certificate of Service. Please contact me if you have any questions.

Respectfully submitted,

Susan Simms Marsh  
Corporate Counsel

Enclosure

cc: Certificate of Service

**COMMONWEALTH OF PENNSYLVANIA**  
**BEFORE THE**  
**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

MARK STROHECKER	:	
Complainant	:	
	:	
v.	:	Docket No. C-2012-2324937
	:	
PENNSYLVANIA-AMERICAN	:	
WATER COMPANY	:	
Respondent	:	

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**PENNSYLVANIA-AMERICAN WATER COMPANY'S**  
**REPLY TO EXCEPTIONS**

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Pursuant to 52 Pa Code § 5.535, Pennsylvania-American Water Company ("PAWC" or "Company"), hereby replies to the Exceptions filed by Mark Stohecker ("Complainant"). As set forth below, the Complainant's Exceptions should be denied, and the Initial Decision should be upheld by the Pennsylvania Public Utility Commission ("Commission").

The Complainant's Exceptions are twofold. First, the Complainant contends he did not receive "all documents" regarding the day and time of the hearing. Second, the Complainant's Exceptions simply repeat the central allegation of his Formal Complaint.

The ALJ correctly granted the Company's motion to dismiss the Complaint with prejudice. The address 538 Glen Avenue, Ellwood City, Pennsylvania, 16117 was provided by the Complainant in the body of his Formal Complaint. The telephone number, 724-971-0680, was provided by the Complainant in the body of his Formal Complaint. The Commission's Telephonic Hearing Notice dated November 29, 2012

and the Administrative Law Judge's Prehearing Order dated December 3, 2012 reflect the aforementioned address and telephone number for the Complainant. The Company's Answer and New Matter reflect the Complainant's aforementioned address on the Certificate of Service. There is no record of the Commission or the Company documents being returned. The Complainant filed a response to the Company's Answer and New Matter evidencing his receipt of documents.

The Complainant was in fact aware of the hearing date and elected not to participate. The Company served the hearing exhibits on the Complainant on December 21, 2012 and UPS Proof of Delivery provides a delivery date of December 24, 2012. The Complainant left a voicemail for the undersigned attorney on December 24, 2012 and specifically stated he was calling "regarding the hearing that is going to be coming up". He further stated he retained an attorney and that I would be hearing from his attorney. To date, no attorney has entered an appearance in this proceeding nor have I received correspondence or a telephone call from an attorney.

The Complainant bears the responsibility of being available at the time designated for the hearing absent a request for a change in the hearing date or notification prior to the hearing of circumstances that prevent the Complainant from participating in the hearing. There is no record of the Complainant notifying the Commission of a change in telephone number. To file exceptions after the hearing indicating he did not receive the Prehearing Order and a different telephone number is simply an attempt to prolong paying for water service provided by the Company. Moreover, the Complainant did not state in the Exceptions that he did not receive the Telephonic Hearing Notice which provides the date and time of the hearing.

The second component of the Complainant's Exceptions is a repeat of the allegations in the Formal Complaint. Since the Complainant failed to appear for the hearing and put forth evidence, he cannot at this time use the exceptions to put forth his case.

The ALJ also correctly concluded that the Company's Motion to Dismiss should be granted.

For the reasons set forth above, the Commission should reject the Complainant's Exceptions, adopt the Initial Decision of ALJ Dunderdale in full, and dismiss the Formal Complaint, with prejudice.

Respectfully submitted,



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Susan Simms Marsh  
Corporate Counsel  
Attorney I.D. No. 44689  
Pennsylvania-American Water Company  
800 West Hersheypark Drive  
Hershey, PA 17033  
(717) 533-5000

Dated: February 15, 2013

**COMMONWEALTH OF PENNSYLVANIA**  
**BEFORE THE**  
**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

MARK STROHECKER	:	
Complainant	:	
	:	
v.	:	Docket No. C-2012-2324937
PENNSYLVANIA-AMERICAN	:	
WATER COMPANY	:	
Respondent	:	

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing Pennsylvania-American Water Company's Reply to Exceptions upon the party listed below, in the manner indicated, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party).

VIA First Class U.S. Mail

Mark Strohecker  
538 Glen Avenue  
Ellwood City, PA 16117

The above-referenced Reply to Exceptions was electronically filed on the Pennsylvania Public Utility Commission's eFiling system.



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Susan Simms Marsh  
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Pennsylvania-American Water Company  
800 West Hersheypark Drive  
Hershey, PA 17033  
(717) 533-5000

DATED: February 15, 2013