

27 January 2014

Keith Tomkins
211 Warren St.
West Pittston, PA 18643

Rosemary Chiavetta
PA PUC
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120
RE: Keith Tomkins vs. Pennsylvania American Water Company
Docket # C-2013-2398055

Dear Secretary Chiavetta:

Enclosed is the response to the New Matter in this case.

Respectfully,



Keith A. Tomkins

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Response to New Matter

10. Admitted.
11. Admitted.
12. Building at 211 Warren St., West Pittston, PA is NOT a commercial building. It is zoned R-2 by the township. A variance was required to operate a business on this premises.
13. I am not aware of a “check meter” account (2272919) opened in my name. When I spoke with Mr. Guin, he did not know what that was either.
14. I contacted American Water to transfer the account into my name as of October 2012. There was no agreement to back date the account as the previous owner was taking responsibility prior to that. This was due to a tenant that was still occupying the building.
15. Admitted, I was double billed for service.
16. Admitted.
17. Admitted.
18. Admitted. It took a month for them to correct the error.
19. Admitted.
20. Denied. This is NOT a commercial property. It is zoned R-2 (residential) by the township.
21. Admitted. It took three calls to American Water in order to find a source for the testing. They were very adamant that I get the backflow tested, but they referred me to the township in order to get the names of qualified testers in my area. After 2 more calls to them I was able to get the names of several qualified testers.
22. Admitted.
23. Admitted.
24. Admitted. No leaks were found.
25. Denied. No data was provided for the testing.

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26 Denied. There were NO leaks found anywhere on the premises. There are no outdoor spigots to facilitate theft.

27 Denied. American Water has been contacted several times regarding both the billing issue and the water quality. They NEVER followed up on this until this formal complaint was filed.

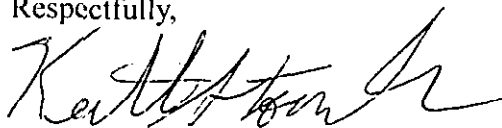
28 Admitted. However, their solution to this problem is lacking in due diligence.

29 Denied. In the event that an agreement cannot be reached the PUC has the authority to impose fines against American Water for failure to operate in good faith.

Request For Relief

I agree to mediation. However, in the event that an agreement cannot be reached, I reserve the right to a hearing.

Respectfully,

A handwritten signature in black ink, appearing to read "Keith A. Tomkins". The signature is written in a cursive, flowing style with a large initial "K".

Keith A. Tomkins

Tomkins Holding LLC
14 Kimberly Dr.
Dallas, PA 18612

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Rosemary Chiavetta
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