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July 21, 2014

VIA ELECTRONIC FILING

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

RE: Sean Slattery v. Pennsylvania-American Water Company
Docket No. C-2014-2429603

Dear Secretary Chiavetta:

Enclosed for filing on behalf of Pennsylvania-American Water Company is an original of its Preliminary Objection to the above-referenced Complaint. A copy has been served on the Complainant in accordance with the attached Certificate of Service.

If you have any questions, please feel free to contact me.

Best Regards,

STEVENS & LEE



Michael A. Gruff

Enclosure

cc: Certificate of Service

Philadelphia • Reading • Valley Forge • Lehigh Valley • Harrisburg • Lancaster • Scranton
Wilkes-Barre • Princeton • Cherry Hill • New York • Wilmington

A PROFESSIONAL CORPORATION

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

SEAN SLATTERY	:	
Complainant	:	
	:	
v.	:	Docket No. C-2014-2429603
	:	
PENNSYLVANIA-AMERICAN	:	
WATER COMPANY	:	
Respondent	:	

NOTICE TO PLEAD

To: Sean Slattery

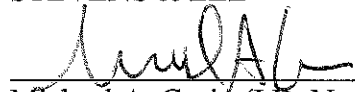
You are hereby notified to file a written response to the attached Preliminary Objection of Pennsylvania-American Water Company within ten (10) days from the date of service of this notice. If you do not file a written response denying or correcting the enclosed Preliminary Objection within ten(10) days of service, the facts set forth by Pennsylvania-American Water Company may be deemed to be true, thereby requiring no other proof, and judgment may be entered against you. All pleadings, such as responses to Preliminary Objections, must be filed with the Secretary of the Pennsylvania Public Utility Commission:

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

You must also serve a copy of your response on the undersigned counsel for Pennsylvania-American Water Company. Failure to respond to this Preliminary Objection could result in the dismissal of your case.

July 21, 2014

STEVENS & LEE


Michael A. Gruin (I.D. No. 78625)
17 N. 2nd St., 16th Floor
Harrisburg, PA 17101
Tel. (717) 255-7365
Fax (610) 988-0852

Counsel for Pennsylvania American Water
Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

SEAN SLATTERY	:	
Complainant	:	
	:	
v.	:	Docket No. C-2014-2429603
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PENNSYLVANIA-AMERICAN	:	
WATER COMPANY	:	
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**PENNSYLVANIA-AMERICAN WATER COMPANY’S PRELIMINARY
OBJECTION TO THE COMPLAINT**

Respondent, Pennsylvania-American Water Company (“the Company”), pursuant to 52 Pa. Code § 5.101(3) respectfully petitions this Honorable Commission to order the Complainant to amend his Complaint to provide more specificity.

1. On July 1, 2014 the Company was served with a formal Complaint from Sean Slattery (“Complainant”). A copy of the complaint is attached as Exhibit 1.

2. The Company avers that the Complaint does not conform to the requirements of 52 Pa.Code §5.22 (a)(5), which provides:

5.22. Content of formal complaint.

(a) A formal complaint must set forth the following:

...

(5) A clear and concise statement of the act or omission being complained of including the result of any informal complaint or informal investigation.

3. A formal Complaint must set forth “the act or thing done or omitted to be done” by a public utility “in violation, or claimed violation, of any law which the

commission has jurisdiction to administer, or any regulation or order of the commission.”

66 Pa.C.S. §701; 52 Pa.Code §5.22

4. A Complaint should contain information specific enough to allow the respondent to understand the allegations against it, in order to conduct a meaningful investigation of the allegations and to prepare a coherent response.

5. In the instant matter, Complainant’s complaint contains no information whatsoever regarding an act or omission of Pennsylvania American Water Company.

6. On the Complaint form, the Complainant has marked “other” in Paragraph 4 regarding the nature of the complaint, and Paragraph 4b of the Complaint sets forth no additional facts that would allow the Company to understand the nature of the complaint. Paragraph 4b of the Complaint merely states “charges that cannot be sustained”.

7. Because this is not an appeal from a decision of the Bureau of Consumer Services (“BCS”) in connection with an informal complaint, the Company has no background on Mr. Slattery’s dispute that would allow the Company to understand the nature of his complaint or the relief he is seeking. Furthermore, the Company has no record of any recent contacts from Mr. Slattery to shed light on the nature of his complaint.

8. The Company has no way of knowing what Mr. Slattery is alleging when he states only “charges that cannot be sustained”. This sentence could mean that Mr. Slattery is objecting to the Company’s rates, or objecting to a bill. This sentence could also mean that Mr. Slattery is seeking a payment arrangement with the company.

9. Likewise, in response to paragraph 5 of the Complaint form which asks the Complainant to explain the relief he is seeking, the Complainant has inserted only the word "hearing", with no explanation of the relief that he is seeking from the Commission.

10. The Company has attempted to contact the Complainant since being served with the Complaint in order to ascertain the facts and address the Complainant's concerns, but as of the date of the filing of this pleading, the Company has been unsuccessful in contacting the Complainant.

11. Without any additional details about Mr. Slattery's complaint, the Company is left to speculate as to the basis of Complainant's complaint, what actions by the Company were allegedly improper, and whether or not the averments in the Complaint can be admitted or denied.

12. Without additional information, the Company is unable to provide a meaningful Answer to the Complaint.

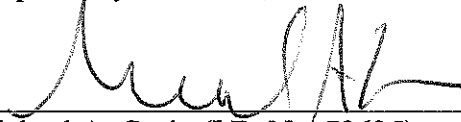
13. Upon receiving additional details regarding the Complainant's Complaint, it is very possible that the Company will be able to resolve the Complainant's concerns without the need for further Commission action.

14. Pennsylvania-American Water Company therefore objects to this Complaint and requests the Complainant file a more specific pleading pursuant to 52 Pa. Code § 5.101 (a)(3) in order to provide the Company with sufficient information to understand the nature of his complaint and the relief requested.

WHEREFORE, Pennsylvania-American Water Company respectfully requests that your Honorable Commission order the Complainant to amend its Complaint with

more specificity so that Pennsylvania-American Water Company may Answer accordingly.

Respectfully submitted,



Michael A. Gruin (I.D. No. 78625)
17 North Second Street, 16th Floor
Harrisburg, PA 17101
Telephone: 717-255-7365
Facsimile: 610-988-0852
mag@stevenslee.com

COUNSEL FOR PENNSYLVANIA
AMERICAN WATER COMPANY

Dated: July 21, 2014

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

SEAN SLATTERY
Complainant

v.

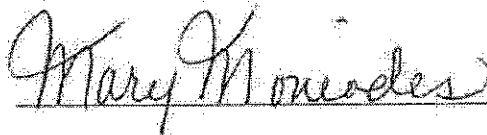
PENNSYLVANIA-AMERICAN
WATER COMPANY
Respondent

Docket No. C-2014-2429603

VERIFICATION

I, Mary Moniodes, Sr. Divisional Liaison with Pennsylvania- American Water Company, verify that the answers and the factual allegations contained in the foregoing Preliminary Objection are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsifications to authorities.

Date: July 21, 2014



PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

RECEIVED

2014 JUN 20 AM 10:33

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

Please print in ink or type.

1. CUSTOMER (COMPLAINANT) INFORMATION

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

Name SEAN SLATTERY

Street/P.O. Box 105 LILIAN STREET Apt # _____

City WALDWICK State NJ Zip 07463

County BERGEN

Daytime Telephone Number Where We Can Contact You: 561 427 0177

E-mail Address (optional): SSLATT57133@YAHOO.COM

Utility Account Number 1024210032879222
(from your bill)

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

Name SEAN SLATTERY

Street/P.O. Box 17-21 BROADWAY

City MILTON State PA Zip 17847

2. FULL NAME OF UTILITY COMPANY (RESPONDENT):

PENNSYLVANIA AMERICAN WATER

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

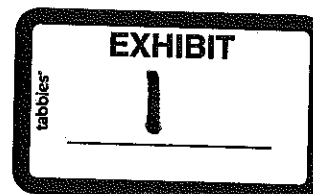
GAS

WASTE WATER

WATER

MOTOR CARRIER
(e.g., taxi, moving company, limousine)

TELEPHONE
(local, long distance)



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 may be 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.

CHARGES THAT CANT BE SUSTAINED.

5. RELIEF

✓ How do you want your complaint to be resolved? Use additional paper if you need more space.

HEARING.

6. **PROTECTION FROM ABUSE**

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

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

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.

N/A

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

If you are represented by a lawyer **in this matter** you must provide your lawyer's name, address, telephone number, and e-mail address, if known.

Lawyer's Name *N/A*

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number *N/A*

E-mail Address (If Known) *N/A*

9. 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 SEAN SLATTERY, 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).

Sean Slattery (Signature) 6/16/14 (Date)

OWNER.
Title of authorized employee or officer

10. FILING

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

If using <u>U.S. Postal Service</u> : Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105-3265	If using <u>overnight delivery service</u> : Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
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Facsimiles and/or electronic filings of the complaint 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.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

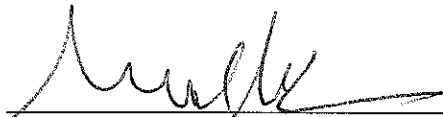
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Complainant	:	
	:	
v.	:	Docket No. C-2014-2429603
	:	
PENNSYLVANIA-AMERICAN	:	
WATER COMPANY	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Preliminary Objection upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

VIA First Class U.S. Mail

Sean Slattery
105 Lilyan Street
Waldwick, NJ 07463



Michael A. Gruin

DATED: July 21, 2014