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FRANK D. KITZMILLER

OCTOBER 30, 2014

2014 OCT 31 AM 11:04

1041 PRESTON RD

LANCASTER PA 17601

PA P.U.C.
SECRETARY'S BUREAU

717-569-0132 / DKITZ@COMCAST.NET

RE: DOCKET NUMBER C-2014-2435567

FRANK D. KITZMILLER, COMPLAINANT

CITY OF LANCASTER WATER DEPT, RESPONDENT

SECRETARY

PUBLIC UTILITY COMMISSION

400 NORTH ST

HARRISBURG, PA 17120

Please provide information as requested below for the above noted case.

1. What is the present status of this case?

BACKGROUND - On 7/10/14, I filed a Formal Complaint with your office relating to an apparent overcharge of the Customer Charge portion of my water bill resulting from a billing based on a 1 " meter size rather than the ¾ " meter size that the City of Lancaster Water Dept provided to me.

On 8/4/14, your office recorded this case as C-2014-2435567

On 8/4/14, your office served a notice of this Formal Complaint to John Gallagher, attorney for the City of Lancaster Water Dept and required certain actions, including the submission of an answer by the City of Lancaster Water Dept. within 20 days. A copy of such answer was required to be provided to the Complainant.

Through 10/29/14, I have not received any copy of any answer to the Formal Complaint.

Please note that on 9/17/14, I discussed the status of this case with various members of the staff of your office and was told that they were experiencing delays in processing of the Formal Complaint information due to presently being understaffed, but was assured that action would be taken within the next week or 2.

2. If the City of Lancaster Water Dept has made a written answer to your office related to this Formal complaint, please provide a copy of this answer.

3. Please confirm that I, as Complainant, have the ability to initiate Discovery at this time, even though it is not known whether the City of Lancaster Water Dept is contesting the Formal Complaint. (52 PA Code section 5.331).
4. If this case is scheduled for resolution, could your office provide me with a timeline estimate showing the various events which will be scheduled and the approximate dates of such events?

8/14/14 – Case created

8/4/14 – Document served to City of Lancaster Water Dept

/14 – Answer(s) to served document

/14 - Discovery / Interrogatories

/14 – Prehearing conference

/ 14 – Rebuttal, Surrebuttal testimony

/14 – Main, Reply briefs

/14 – Hearing

5. Could the provisions of 52 PA Code Section 5.23, Joinder of Formal Complaints, or 52 PA Code Section 5.81, Consolidations, be applied to this case? Based upon information provided by the City of Lancaster, PA in connection with a right-to-know request, it has been determined that 3,071 customers of the City of Lancaster Water Dept. located in Manheim Township of Lancaster County, PA having a $\frac{3}{4}$ " water meter size are being billed the 1 " meter size in the calculation of the Customer Charge portion of their water bill. It would appear that a group filing would benefit all parties to the complaint by reducing or eliminating legal and administrative expenses which would be incurred if such complaint was part of a class action lawsuit.

Please either phone, write or email me with any questions or comments on the above information.

Sincerely yours,

Frank D. Kitzmiller

FRANK D KITZMILLER

KITZMILLER
1041 PRESTON RD
LANCASTER PA 17601

HARRISBURG PA 171

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