



**THOMAS, LONG,  
NIESEN & KENNARD**

*Attorneys and Counsellors at Law*

**DOCUMENT  
FOLDER**

THOMAS T. NIESEN  
Direct Dial: 717.255.7641  
tniesen@thomaslonglaw.com

October 30, 2008

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
P. O. Box 3265  
Harrisburg, PA 17105-3265

 **ORIGINAL**

RECEIVED  
2008 OCT 30 PM 3:43  
PA PUC  
SECRETARY'S BUREAU

In re: Docket No. I-00070114  
Investigation of W.P. Water Co., Inc. and W.P. Sanitary Co., Inc. Pursuant to  
Section 529 of the Pennsylvania Public Utility Code

Docket No. P-00072313  
W.P. Water Co., Inc. and W.P. Sanitary Co., Inc.

Docket No. A-230550F2000  
Application of W.P. Sanitary Co., Inc. For Approval of Abandonment of Service

Dear Secretary McNulty:

We represent Aqua Pennsylvania, Inc. ("Aqua") and Little Washington Wastewater Company, dba Suburban Wastewater ("LWWC"), in the above matters and have received Judge Jandebour's Initial Decision on Emergency Petition and Amended Emergency Petition On Unauthorized Liens and Mortgages, dated October 8, 2008.

Aqua and LWWC filed a Brief explaining that they did not object to the relief requested by the Emergency Petitioners and explaining further that, in the view of Aqua and LWWC, successful mediation required complete and total removal by the Kresges and the W.P. Companies of any and all mortgages, mechanics liens and/or other encumbrances recorded against their system assets. The Initial Decision recognizes that the matter is currently in the mediation process. Aqua and LWWC, of course, will continue to participate in the mediation process as potential acquiring entities of the W.P. Companies' water and wastewater systems.

Very truly yours,

THOMAS, LONG, NIESEN & KENNARD

By

Thomas T. Niesen

Encl.

cc: Certificate of Service  
Frances P. Orth, Esquire

081030-McNulty (Initial Decision Re Mortgages).wpd

Before The  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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In re: Investigation of W.P. Water Co., Inc. : and W.P. Sanitary Co., Inc. Pursuant to : Section 529 of the Pennsylvania Public : Utility Code :	Docket No. I-00070114
In re: W.P. Water Co., Inc. and W.P. : Sanitary Co., Inc. :	Docket No. P-00072313
Application of W.P. Sanitary Co., Inc. For : Approval of Abandonment of Service :	Docket No. A-230550F2000

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 30<sup>th</sup> day of October 2008, served a true and correct copy of the foregoing letter, upon the persons and in the manner set forth below:

**FIRST CLASS MAIL, POSTAGE PREPAID**

Honorable Ember S. Jandebaur Administrative Law Judge Pennsylvania Public Utility Commission Scranton Office Building, Room 317 100 Lackawanna Avenue Scranton, PA 18503	Rhonda L. Daviston, Assistant Counsel Law Bureau Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street P. O. Box 3265 Harrisburg, PA 17105-3265
Christine Maloni Hoover, Esquire Darlene Wong, Esquire Erin Gannon, Esquire Office of Consumer Advocate 555 Walnut Street Forum Place, 5 <sup>th</sup> Floor Harrisburg, PA 17101-1923	Ernest D. Preate, Jr., Esquire Mellon Bank Building, Suite 300 400 Spruce Street Scranton, PA 18503
Kimberly D. Borland, Esquire Borland & Borland, LLP 11 <sup>th</sup> Floor 69 Public Square Wilkes-Barre, PA 18701-2597	Lance H. Zeyher Regional Counsel PA Dept. of Environmental Protection Office of Chief Counsel 2 Public Square Wilkes-Barre, PA 18711-0790
Boyd Hughes, Esquire Hughes Nicholls O'Hara 1421 East Drinker Street Dunmore, PA 18512-2614	Michael D. Klein, Esquire Dewey & Leboeuf, LLP 1101 New York Avenue, NW Washington, DC 20005-4213

Joseph J. Albert, Esquire  
Albert & Kamage  
Suite 201  
458 Wyoming Avenue  
Kingston, PA 18704

Carl L. Kresge & Sons  
1199 Laurel Run Road  
Wilkes-Barre, PA 18702

Anthony P. Litwin, Esquire  
24 East Tioga Street  
Tunkhannock, PA 18657



---

Thomas T. Nieser  
PA Attorney ID No. 31379

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

555 Walnut Street, 5th Floor, Forum Place  
Harrisburg, Pennsylvania 17101-1923  
(717) 783-5048  
800-684-6560 (in PA only)

IRWINA. POPOWSKY  
Consumer Advocate

FAX (717) 783-7152  
consumer@paoca.org

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FOLDED

November 10, 2008

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
P.O. Box 3265  
Harrisburg, PA 17105-3265

ORIGINAL

2008 NOV 10 PM 3:45  
PA PUC  
SECRETARY'S BUREAU

RECEIVED

RE: Application of W.P. Sanitary Co., Inc. for Approval of  
Abandonment of Service,  
Docket No. A-230550F2000  
Investigation of W.P. Water Co., Inc. & W.P. Sanitary  
Co., Inc., Pursuant to 66 Pa. C.S. § 529,  
Docket No. I-00070114  
Petition of W.P. Water Co., Inc. & W.P. Sanitary Co., Inc.  
Docket No. P-00072313

Dear Secretary McNulty:

Please be advised that the Office of Consumer Advocate will not be filing Reply  
Exceptions in the above-referenced proceeding.

A copy of this notification has been served on the parties of record as indicated on  
the enclosed Certificate of Service.

Sincerely,

Erin L. Gannon  
Assistant Consumer Advocate

Enclosures

cc: Honorable Ember S. Jandebour  
Certificate of service

106213

CERTIFICATE OF SERVICE

Application of W.P. Sanitary Co., Inc. ' :  
for Approval of Abandonment of Service : Docket No. A-230550F2000  
:  
Investigation of W.P. Water Co., Inc. and :  
W.P. Sanitary Co., Inc., Pursuant to : Docket No. I-00070114  
66 Pa. C.S. § 529 :  
:  
Petition of W.P. Water Co., Inc. and : Docket No. P-00072313  
W.P. Sanitary Co., Inc. :

I hereby certify that I have this day served a true copy of the foregoing letter upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 10th day of November 2008.

SERVICE BY ELECTRONIC MAIL and HAND DELIVERY

Rhonda L. Daviston, Esquire  
Kriss Brown, Esquire  
Pa. PUC Law Bureau  
400 North Street  
Harrisburg, PA 17105

SERVICE BY ELECTRONIC and FIRST CLASS MAIL, POSTAGE PREPAID

Lance Zeyher, Esquire  
Pa. Dept. of Environmental Protection  
2 Public Square  
Wilkes-Barre, PA 18711-0790

Thomas T. Niesen, Esquire  
Thomas, Thomas, Armstrong and Niesen  
Suite 500  
212 Locust Street  
Harrisburg, PA 17108-9500

Michael D. Klein, Esquire  
Dewey & LeBoeuf L.L.P.  
1101 New York Avenue, N.W.  
Suite 1100  
Washington, DC 20005-4213

Ernest D. Preate, Jr., Esquire  
Mellon Bank Bldg.  
400 Spruce Street, Suite 300  
Scranton, PA 18503

Anthony P. Litwin, Esquire  
24 East Tioga Street  
Tunkhannock, PA 18657

Boyd Hughes, Esquire  
Hughes, Nicholls Ohara  
1421 East Drinker Street  
Dunmore, PA 18512-2614

Kimberly D. Borland, Esquire  
Borland & Borland, L.L.P.  
69 Public Square, 11<sup>th</sup> Floor  
Wilkes-Barre, PA 18701-2597

Frances P. Orth  
Assistant General Counsel  
Aqua Pennsylvania, Inc.  
762 West Lancaster Avenue  
Bryn Mawr, PA 19010



Erin L. Gannon  
Assistant Consumer Advocate  
PA Attorney I.D. #83487  
Email:EGannon@paoca.org  
Darlene R. Wong  
Assistant Consumer Advocate  
PA Attorney I.D. #87381  
Email:DWong@paoca.org  
Christine Maloni Hoover  
Senior Assistant Consumer Advocate  
PA Attorney I.D. #50026  
Email:CHoover@paoca.org

Counsel for  
Office of Consumer Advocate  
555 Walnut Street 5th Floor, Forum Place  
Harrisburg, PA 17101-1923  
Phone: (717) 783-5048 Fax: (717) 783-7152  
105701.doc

HUGHES, NICHOLLS & O'HARA

ATTORNEYS AT LAW  
1421 E. DRINKER STREET  
DUNMORE, PENNSYLVANIA 18512-2614

W. BOYD HUGHES  
ALBERT E. NICHOLLS, JR.  
BARBARA J. O'HARA \*  
SUSAN NICHOLLS BOWEN  
\*ALSO A MEMBER OF NJ BAR

TELEPHONE 344-7171  
AREA CODE 570  
TELEFAX 342-8459  
240 MAIN STREET  
BLAKELY, PA 18447

November 11, 2008

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
P.O. Box 3265  
Harrisburg, PA 17105-3265

ORIGINAL


RE: Application of W.P. Sanitary Company, Inc. for Approval of Abandonment  
of Service (A-23550F2000)  
Investigation of W.P. Water Company, Inc. and W.P. Sanitary Company,  
Inc. (I-00070114)  
Petition of W.P. Water Company, Inc., and W.P. Sanitary company, Inc.  
(P-00072313)

Dear Secretary McNulty:

This letter serves as notification that United Water Pennsylvania, Inc., will not file  
Exceptions to the Initial Decision on the Emergency Petition and Amended Emergency Petition  
on Unauthorized Liens and Mortgages of Administrative Law Judge Ember S. Jandebaur.

A copy of this notification has been served as indicated on the accompanying Certificate  
of Service.

Sincerely yours,

  
W. BOYD HUGHES

WBH/jgp

Enclosures

cc: Honorable Ember S. Jandebaur

DOCUMENT  
FOLDER

RECEIVED  
2008 NOV -7 AM 9:23  
PA P.U.C.  
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

I hereby certify that I have on t his 4<sup>th</sup> day of November, 2008, served a true and correct copy of the foregoing letter upon the persons and in the manner indicated below:

Rhonda L. Daviston, Esquire  
Kriss Brown, Esquire  
Pa. PUC Law Bureau  
400 North Street  
Harrisburg, PA 17105

Lance Zeyher, Esquire  
Pa. Dept. Of Environmental Protection  
2 Public Square  
Wilkes-Barre, PA 18711-0790

Thomas T. Niesen, Esquire  
Thomas, Thomas, Armstrong and Niesen  
212 Locust Street, Suite 500  
Harrisburg, PA 17108-9500

Michael D. Klein, Esquire  
Dewey & LeBoeuf LLP  
1101 New York Avenue, NW  
Suite 1100  
Washington, DC 20005-4213

Ernest D. Preate, Jr., Esquire  
Mellon Bank Building  
400 Spruce Street, Suite 300  
Scranton, PA 18503

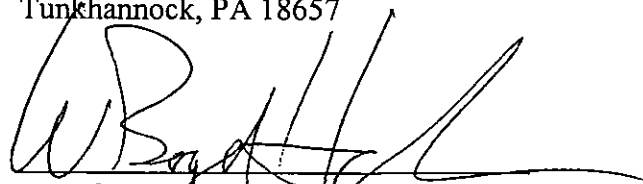
Kimberly D. Borland, Esquire  
Borland & Borland, LLP  
69 Public Square, 11<sup>th</sup> Floor  
Wilkes-Barre, PA 18701-2597

Erin L. Gannon, Esquire  
Darlene R. Wong, Esquire  
Office of Consumer Advocate  
555 Walnut Street, 5<sup>th</sup> Floor  
Forum Place  
Harrisburg, PA 17101-1923

Frances P. Orth, Esquire  
Assistant General Counsel  
Aqua Pennsylvania, Inc.  
762 Lancaster Avenue  
Bryn Mawr, PA 19010

Honorable Ember S. Jandebour  
Pa PUC  
State Office Building, Room 317  
100 Lackawanna Avenue  
Scranton, PA 18503

Anthony P. Litwin, Esquire  
24 East Tioga Street  
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Hughes, Nicholls & O'Hara  
1421 E. Drinker Street  
Dunmore, PA 18512  
Tel: (570) 344-7171  
Fax: (570) 342-8459  
Attorney for United Water PA

**RECEIVED**

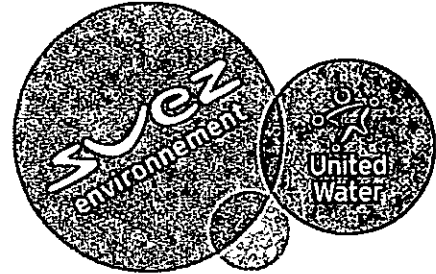
NOV 07 2008

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

John T. Dillon  
Corporate Attorney - Regulated Operations

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Harrington Park, NJ 074640  
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FAX 201-767-7018  
john.dillon@unitedwater.com  
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DOCUMENT  
FOLDER



March 18, 2009

Hon. James J. McNulty  
Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
P.O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

ORIGINAL

RECEIVED  
MAR 18 2009  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

RE: L-00070114 - Investigation of W.P. Water Co., Inc. and W.P. Sanitary Co., Inc.  
Pursuant to Section 529 of the Pennsylvania Public Utility Code

P-00072313 - W.P. Water Co., Inc. and W.P. Sanitary Co., Inc.

A-230550F2000 - Application of W.P. Sanitary Co., Inc. for  
Approval of Abandonment of Service

Dear Secretary McNulty:

Please be advised that United Water Pennsylvania Inc. fully supports the Joint Petition for Settlement filed with Pennsylvania Public Utility Commission regarding the above matters.

Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'John T. Dillon', is written over a faint, larger version of the same signature.

John T. Dillon  
Secretary  
United Water Pennsylvania Inc.

cc: All Parties on Certificate of Service

BN-28838