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attorneys at law

ORIGINAL

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November 4, 2005

RECEIVED

VIA HAND DELIVERY

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

NOV 04 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**Re: Lisa and David Balash v. Utilities, Inc.-Westgate; Docket No. C-20055406
Kris and Joe Saveri v. Utilities, Inc.-Westgate; Docket No. C-20055470
Frederick M. Ronca v. Utilities, Inc.-Westgate; Docket No. C-20055494
Irwin A. Popowsky, Consumer Advocate v. Utilities, Inc.-Westgate;
Docket No. C-20055509**

Dear Secretary McNulty:

Utilities, Inc.-Westgate ("Respondent" or "Westgate") respectfully requests that the Commission consolidate the above-captioned complaints with and into Docket Nos. C-20055305 *et al.* ("Complaint Docket").¹ Westgate also respectfully requests that the Commission deem the above-captioned complaints answered by Respondent's October 7, 2005, Answer and Motion to Dismiss.

The above-captioned complaints, together with the complaints currently filed in the Complaint Docket, involve common questions of law and fact regarding alleged water quality issues in the Westgate service territory. Pursuant to 52 Pa. Code § 5.81, the Commission has the authority, with or without motion, to order the consolidation of proceedings to avoid unnecessary delay and costs. Respondent respectfully requests the Commission exercise this authority, and accept as answered the above-captioned complaints, for the sake of judicial economy. If the Commission determines that a specific answer is necessary to the above captioned complaints, however, Respondent will readily comply.

DOCUMENT
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DOCKETED
JAN 30 2006

¹ Vincent V. Horvath, Docket No. C-20055305; Sandy and Victor Berkey, Docket No. C-20055316; Richard E. and Julliete A. Laury, Docket No. C-20055317; Parveen and Pramila Gupta, Docket No. C-20055318; Armando Villani, Docket No. C-20055319; Anthony Strobel, Docket No. C-20055320; Elaine D. Hokenson, Docket No. C-20055321; George J. Raykos, Docket No. C-20055324; Mr. and Mrs. John Horvath, Docket No. C-20055346; Jeffrey B. Benner, Docket No. C-20055374; and Floyd and Dolores Kennedy, Docket No. C-20055392.

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James J. McNulty, Secretary


November 4, 2005

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As reflected on the attached Certificate of Service, all parties to this proceeding, as well as the Complaint Docket, are being duly served with copies of this letter. Please date stamp the extra copy of this letter and kindly return it to us for our filing purposes. Thank you.

Very truly yours,

McNEES WALLACE & NURICK LLC

By 
James P. Dougherty
Susan E. Bruce
Adam L. Benshoff

Counsel to Utilities, Inc.-Westgate

JPD/alb

c: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA FIRST-CLASS MAIL

Dianne E. Dusman, Esq.
Office of Consumer Advocate
Forum Place, 5th Floor
555 Walnut Street
Harrisburg, PA 17101-1923

Adam N. Bram, Esq.
PA Department Of Environmental
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Office Of Chief Counsel
2 East Main Street
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Mr. Frederick M. Ronca
141 Cross Creek Court
Bethlehem, PA 18017

Kris and Joe Saveri
3016 Summer Lane
Bethlehem, PA 18017

Lisa and David Balash
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Bethlehem, PA 18017

Vincent V. Horvath
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Bethlehem, PA 18017

Sandy & Victor Berkey
2625 Jacksonville Road
Bethlehem, PA 18017

Richard E. & Juliette A. Laury
1250 Wynnewood Drive
Bethlehem, PA 18017

Parveen & Pramila Gupta
122 Wedgewood Road
Bethlehem, PA 18017

Armando Villani
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Anthony A. Strobel
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Bethlehem, PA 18017

Elaine D. Hokenson
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George J. Raykos
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Bethlehem, PA 18017

Mr. & Mrs. John Horvath
1140 Yorkshire Road
Bethlehem, PA 18017

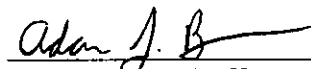
Jeffrey B. Benner
570 Wedgewood Road
Bethlehem, PA 18017

Floyd & Dolores Kennedy
3132 Kenwick Circle
Bethlehem, PA 18017

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2005 NOV -4 PM 1:39

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Adam L. Benschhoff

Dated this 4th day of November, 2005, in Harrisburg, Pennsylvania.



OFFICE OF CONSUMER ADVOCATE

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 (717) 783-5048
 800-684-6560 (in PA only)

IRWINA. POPOWSKY
 Consumer Advocate

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

November 9, 2005

ORIGINAL

RECEIVED
 2005 NOV -9 PM 3:51
 PA PUC
 SECRETARY'S BUREAU

James J. McNulty, Secretary
 PA Public Utility Commission
 Commonwealth Keystone Bldg.
 400 North Street
 Harrisburg, PA 17120

Re: Lisa and David Balash v. Utilities, Inc. - Westgate, Docket No. C-20055406; Kris and Joe Saveri v. Utilities, Inc. - Westgate, Docket No. C-20055470; Frederick M. Ronca v. Utilities, Inc. - Westgate, Docket No. C-20055494; and Irwin A. Popowsky v. Utilities, Inc. - Westgate, Docket No. C-20055509.

Dear Secretary McNulty:

On November 4, 2005, Utilities, Inc. – Westgate, Respondent (Westgate) in the above-referenced Formal Complaints submitted a letter requesting consolidation of all of the Formal Complaints against Westgate. Westgate further requested that the Commission “deem” the above-referenced complaints to be answered by Respondent’s October 7, 2005, Answer and Motion to Dismiss.

On October 24, 2005, the Office of Consumer Advocate (OCA) filed an Answer, Reply to New Matter and Motion to Consolidate the Formal Complaints of which the OCA was aware as of that filing¹ and the pending Application at Docket Nos. A-210072F0003, A-230063F0003 and A-210093F0002.

¹ Vincent Horvath v. Utilities, Inc. Westgate, Docket No. C-20055305; Sandy and Victor Berkey v. Utilities Inc. - Westgate, Docket No. C-20055316; Richard E. and Julliete A. Laury v. Utilities, Inc.- Westgate, Docket No. C-20055317; Parveen and Pramila Gupta v. Utilities, Inc. - Westgate, Docket No. C-20055318; Armando Villani v. Utilities, Inc. - Westgate, Docket No. C-20055319; Anthony Strobel v. Utilities, Inc. - Westgate, Docket No. C-20055320; Elaine D. Hokenson v. Utilities, Inc. - Westgate, Docket No. C-20055321; George J. Raykos v. Utilities, Inc. - Westgate, Docket No. C-20055324; Mr. and Mrs. John Horvath v. Utilities, Inc. - Westgate, Docket No. C-20055346; Jeffrey B. Benner v. Utilities, Inc. - Westgate, Docket No. C-20055374; Floyd and Dolores Kennedy v. Utilities, Inc. - Westgate, Docket No. C-20055392

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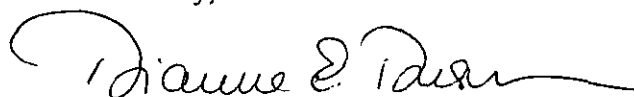
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James J. McNulty, Secretary
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In the interest of administrative economy, the OCA would thus request that the Presiding Officer, Administrative Law Judge Angela T. Jones, and the Commission deem the OCA's October 14, 2005 pleading as responsive to Westgate's October 7, 2005, Answer and Motion to Dismiss to the extent they may be deemed responsive to the newly filed Formal Complaints.

Should any questions arise with regard to this letter, please contact the undersigned.

Sincerely,

A handwritten signature in cursive script that reads "Dianne E. Dusman". The signature is written in black ink and is positioned above the printed name and title.

Dianne E. Dusman
Senior Assistant Consumer Advocate

Enclosures

cc: Veronica A. Smith, CALJ
Hon. Angela T. Jones, OALJ
All parties of record

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