

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DOCKETED

Cindy Parks

v.

Pennsylvania-American Water Co.

JUL 23 2001

Docket No.
C-00015377

DOCUMENT
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INTERIM ORDER DENYING MOTION TO CONSOLIDATE

History of the Proceeding

On May 3, 2001, Complainant Cindy Parks filed a complaint against Pennsylvania-American Water Company ("Respondent" or "PAWC") stating that she lives in a community (Hickory) that desires public water, presumably from PAWC. She wants this Commission to explain why "...this is such a complicated issue. Tell us what we need to do to get public water."

PAWC filed an answer containing a general denial of adequate information and knowledge on which to base a belief of the allegation that a majority of the Hickory community desires public water. Thereafter the Office of Consumer Advocate ("OCA") intervened in the complaint proceeding and filed, on June 19, 2001, a motion to consolidate the complaint with PAWC's current base rate case docketed at R-00016339. PAWC filed a response to the motion on June 28, 2001, and the motion was argued orally as part of the prehearing conference held June 29, 2001, in the rate proceeding at R-00016339.

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Discussion

In its motion OCA contends that Ms. Parks' complaint raises issues concerning PAWC's main extension policies and "other quality of service rules and regulations are enforce and applied in a fair and equitable manner." In its response to the motion under the heading new matter, PAWC asserts that (1) it has not received an application for service from Ms. Parks or any of her neighbors, (2) Ms. Parks' home is some 2.5 miles from the nearest PAWC water main, and (3) the municipality entities that would be involved in the provision of water service had contacted PAWC "recently" to begin discussing the feasibility of extending water service to the area that includes Ms. Parks' community of Hickory. The facts alleged in the new matter were not denied during the oral argument or in any subsequent pleading.

Extension of service cases have been litigated before this Commission for years. This Commission has adopted a line extension policy for water utilities. 52 Pa. Code §65.21. The first sentence requires every public utility to file a tariff covering extensions of facilities to applicants in its service territory. While it may seem overly technical, apparently Ms. Parks has not yet filed an application for service. It has been my experience that line extension cases are very fact specific, and this one is shaping up to be an especially interesting one. However, it has no place in the midst of a statewide rate proceeding to be conducted within tight time limitations. I conclude that the motion to consolidate should be denied. OCA is free to raise extension of facility issues and other service issues as it sees fit in its presentation. In the meantime, Ms. Parks' complaint should proceed on a different track that allows time for all of the interested parties to participate and work out a practical means for providing water service in her community.


ORDER

THEREFORE,

IT IS ORDERED THAT:

The motion of the Office of Consumer Advocate to consolidate the complaint of Cindy Parks against Pennsylvania-American Water Company, docketed at C-00015377 with the rate proceeding at R-00016339 is denied.

Date: July 12, 2001


MICHAEL A. NEMEC
Administrative Law Judge