

# ORIGINAL



October 5, 2005

RECEIVED

OCT 5 2005

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**VIA OVERNIGHT MAIL**

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

**DOCUMENT  
FOLDER**

Re: Kelli Freeman v. Pennsylvania-American Water Company  
Docket No. C-20055295

Dear Secretary McNulty:

On behalf of Pennsylvania American Water, I enclose an original and three copies of its Answer and New Matter to the Formal Complaint of Kelli Freeman, an Entry of Appearance and Certificate of Service regarding this matter.

As evidenced by the enclosed Certificate of Service, all parties to this proceeding have been duly served. Please time stamp the extra copy of this letter and return it to me in the stamped self-addressed envelope.

Respectfully submitted,

A handwritten signature in black ink that reads "Seth A. Mendelsohn".

Seth A. Mendelsohn

Enclosures

c: Kelli Freeman  
Judy Jordan

Pennsylvania American Water

Seth A. Mendelsohn  
Corporate Counsel  
800 West Hersheypark Drive  
Hershey, PA 17033 USA  
T 717-533-5000  
F 717-531-3252  
E seth.mendelsohn@amwater.com  
I: www.pawc.com

The logo for RWE Group, featuring a stylized globe icon to the left of the text "RWE Group".

**ORIGINAL RECEIVED**  
BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
OCT 5 2005

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

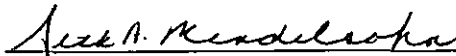
In the matter of:

Re: Kelli Freeman v. Pennsylvania-American Water Company  
Docket No. C-20055295

**DOCUMENT  
FOLDER**

**NOTICE OF APPEARANCE**

Please enter my appearance in the above-designated matter on behalf of Respondent, Pennsylvania American Water. I am authorized to accept service on behalf of said participant in this matter. I am already receiving or have access to a copy of each document issued by the Pennsylvania Public Utility Commission in this matter and do not on the basis of this notice require an additional copy.

  
Seth A. Mendelsohn  
800 West Hershey Park Drive  
Hershey, Pennsylvania 17033  
(717) 533-5000

Dated: October 5, 2005

**DOCKETED**  
OCT 07 2005

RECEIVED

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION OCT 5 2005

ORIGINAL

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

KELLI FREEMAN,  
Complainant

v.

DOCKET NO. C-20055295

PENNSYLVANIA-AMERICAN WATER  
COMPANY,  
Respondent

DOCUMENT  
FOLDER

ANSWER TO FORMAL COMPLAINT OF KELLI FREEMAN

NOW COMES the Respondent, Pennsylvania-American Water Company (the "Company"), by its attorney, and answers the Formal Complaint of Kelli Freeman as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. A. Admitted.
4. B. Admitted in part; Denied in part. Complainant did receive notice

that her water service was being terminated in September 2005 due to non-payment. It is Denied that the termination was unlawful. The payment Complainant made to the Company to avoid termination of her service was returned by her financial institution as not being valid.

5. Paragraph No. 5 of the Complaint is a prayer for relief to which no response is required. To the extent a response is required, it is Denied that the Company has acted unlawfully.

6. Based upon Complainant's representation, Admitted.
7. Admitted.
8. This is a statement to which no response is required.

DOCKETED  
OCT 07 2005

## NEW MATTER

9. The averments contained in Paragraphs 1 through 8 are hereby incorporated by reference.

10. The outstanding balance as of September 2, 2005 on the Complainant's water service account is \$1,793.45. A copy of the Account Statement is included, herein, as Attachment A.

11. The Company previously entered into a payment agreement with the Complainant. The agreement was established May 5, 2003, whereby the Complainant was required to pay current bills, plus \$15.00 towards the arrearage. The Complainant, however, failed to comply with said agreement. A copy of the Company's Report to RTU is included, herein, as Attachment B.

12. The Bureau of Consumer Services (BCS) previously established two payment agreements. The first payment agreement was established September 2, 2003, whereby the Complainant was required to pay \$77.00 per month, with \$15.00 towards the arrearage. The Complainant, however, failed to comply with said agreement. The second and most recent payment arrangement was established February 15, 2005. The BCS decision established a payment agreement requiring the Complainant to pay \$163.00 per month, plus \$33.00 towards arrearage. A copy of the February 15, 2005 BCS decision is included, herein, as Attachment C. The Complainant failed to comply with the February 15, 2005 BCS decision.

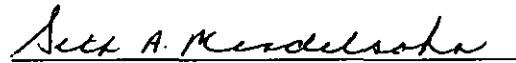
13. The Responsible Utility Customer Protection Act, which became effective December 14, 2004, specifically states "[a]bsent a change in income, the commission shall not establish or order a public utility to establish second or subsequent payment agreement if a customer has defaulted on a previous payment agreement" 66 Pa. C. S. §1405(d).

14. As previously stated, herein, the Company entered into a payment agreement. The Complainant failed to comply with the terms of the aforementioned agreement.

15. In accordance with 66 Pa. C.S. §1405(d) and Alan Godfrey v Pennsylvania American Water Company, Opinion and Order entered July 18, 2005 at Docket No. Z-01579616, the Formal Complaint should be dismissed.

WHEREFORE, Pennsylvania American Water requests your Honorable Commission to dismiss, without hearing, the Formal Complaint of Kelli Freeman at Docket No. C-20055295.

Respectfully submitted,



Seth A. Mendelsohn  
Corporate Counsel  
Pennsylvania American Water  
800 West Hershey Park Drive  
Hershey, Pennsylvania 17033

Dated: October 5, 2005

ACCOUNT STATEMENT

Connect Date: 11/4/2002

Customer: Kelli Freeman  
 Address: 1418 McClure St., Homestead, PA 15120  
 Acct. No.: 24-1466341

SVC TO	DAYS	MTR RDG	TYPE	CONS	ADC	WATER AMT	SEWER AMT	DUE DATE	LPC	PAYMENT	DATE	BALANCE	COMMENTS
9/2/2005						\$20.00		9/22/2005		\$430.00	9/19/2005	\$1,793.45	
8/30/2005						\$133.00		9/20/2005				\$2,223.45	RET'D PAYMENT CHARGE
8/24/2005	33	3573	A	3,800	115.15	\$33.88	\$24.72	9/15/2005				\$2,203.45	RETURNED PAYMENT
										\$30.00	8/22/2005	\$2,011.85	
										\$133.00	8/22/2005	\$2,041.85	
8/3/2005						\$20.00		8/23/2005				\$2,174.85	RET'D PAYMENT CHARGE
7/29/2005						\$102.00		8/18/2005				\$2,154.85	RETURNED PAYMENT
7/22/2005	29	3535	A	4,100	141.38	\$35.63	\$26.49	8/16/2005				\$2,052.85	
7/22/2005						-\$39.06	-\$39.53	8/16/2005				\$1,990.73	WATER OVERESTIMATE, SEWER BILLING ERROR
										\$102.00	7/22/2005	\$2,069.32	
7/8/2005						\$20.00		7/28/2005				\$2,171.32	RET'D PAYMENT CHARGE
7/1/2005						\$326.00		7/21/2005				\$2,151.32	RETURNED PAYMENT
6/30/2005							-\$98.68	7/20/2005				\$1,825.32	UNCOLLECTED-SEWER ADJ.
										\$326.00	6/27/2005	\$1,924.00	
6/23/2005	34	3561	E	11,400	335.29	\$78.16	\$69.56	7/18/2005				\$2,250.00	
5/20/2005	30	3447	A	4,400	146.67	\$37.34	\$28.26	6/14/2005				\$2,102.28	
5/20/2005						\$20.00		6/9/2005				\$2,036.68	RET'D PAYMENT CHARGE
5/18/2005						\$18.00		6/7/2005				\$2,016.68	RETURNED PAYMENT
										\$60.81	5/6/2005	\$1,998.68	
										\$18.00	5/4/2005	\$2,059.49	
4/20/2005	29	3403	A	3,600	124.14	\$32.68	\$23.54	5/16/2005				\$2,077.49	
3/22/2005	28	3367	A	3,500	125.00	\$31.98	\$22.95	4/14/2005				\$2,021.27	
3/17/2005							-\$84.19	4/6/2005				\$1,966.34	UNCOLLECTED SEWER ADJ.
2/22/2005	29	3332	A	3,800	131.03	\$33.71	\$24.72	3/16/2005				\$2,050.53	
1/24/2005	33	3294	A	4,300	130.30	\$36.62	\$27.67	2/15/2005				\$1,992.10	
12/22/2004	28	3251	A	3,800	135.71	\$33.57	\$24.72	1/18/2005				\$1,927.81	
12/14/2004							-\$165.02	1/3/2005				\$1,869.52	UNCOLLECTED SEWER ADJ.
11/24/2004	33	3213	A	5,000	151.52	\$40.53	\$31.80	12/20/2004				\$2,034.54	
10/22/2004	28	3163	A	3,400	121.43	\$31.26	\$22.36	11/15/2004				\$1,962.21	
9/24/2004	35	3129	A	4,500	128.57	\$37.46	\$28.85	10/19/2004				\$1,908.59	
9/1/2004							-\$926.71	9/21/2004				\$1,842.28	UNCOLLECTED SEWER ADJ.
8/20/2004	29	3084	A	18,900	651.72	\$120.38	\$113.81	9/14/2004				\$2,768.99	
7/22/2004	30	2895	A	50,500	1683.33	\$302.35	\$300.25	8/16/2004				\$2,534.80	
6/22/2004	32	2390	M	66,600	2081.25	\$394.59	\$395.24	7/15/2004				\$1,932.20	
5/27/2004							-\$193.93	6/16/2004				\$1,142.37	
5/21/2004	28	1724	A	38,800	1385.71	\$234.70	\$231.22	6/15/2004				\$1,336.30	
4/23/2004	31	1336	A	19,900	641.94	\$125.99	\$119.71	5/17/2004				\$870.38	
3/23/2004	29	1137	E	6,200	213.79	\$47.06	\$38.88	4/14/2004				\$624.68	
3/3/2004							-\$77.16	3/23/2004				\$538.74	UNCOLLECTED SEWER ADJ.
2/23/2004	27	1075	E	5,600	207.41	\$43.48	\$35.34	3/17/2004				\$615.90	

TYPE CODES: A - ACTUAL C - CUSTOMER IA - INITIAL (ACTUAL)  
 E - ESTIMATE M - MANUAL IE - INITIAL (ESTIMATE)

FA - FINAL (ACTUAL)  
 FE - FINAL (ESTIMATE)

RECEIVED  
 OCT 5 2005  
 PA PUBLIC UTILITIES  
 PA SECRETARIAT

ATTACHMENT A

Customer: Kelli Freeman  
 Address: 1418 McClure St., Homestead, PA 15120  
 Acct. No.: 24-1466341

SVC TO	DAYS	MTR RDG	TYPE	CONS	ADC	WATER AMT	SEWER AMT	DUE DATE	LPC	PAYMENT	DATE	BALANCE	COMMENTS
1/27/2004	32	1019	E	6,600	206.25	\$46.55	\$24.70	2/18/2004				\$537.08	
										\$100.00	1/22/2004	\$465.83	
12/26/2003	32	953	A	9,000	281.25	\$59.05	\$32.86	1/20/2004				\$565.83	
11/24/2003	32	863	A	5,100	159.38	\$38.10	\$19.60	12/22/2003				\$473.92	
11/19/2003							-\$91.41	12/9/2003				\$416.22	UNCOLLECTED SEWER ADJ.
10/23/2003	30	812	A	6,600	220.00	\$46.16	\$24.70	11/17/2003				\$507.63	
										\$45.00	10/13/2003	\$436.77	
9/23/2003	32	746	E	5,900	184.38	\$42.22	\$22.32	10/15/2003				\$481.77	
										\$50.00	9/2/2003	\$417.23	
8/22/2003	30	687	A	6,500	216.67	\$45.43	\$24.36	9/15/2003				\$467.23	
										\$50.00	8/4/2003	\$397.44	
7/23/2003	30	622	A	6,400	213.33	\$44.89	\$24.02	8/18/2003				\$447.44	
7/23/2003							-\$178.83	8/18/2003				\$378.53	UNCOLLECTED SEWER ADJ.
6/23/2003	32	558	A	7,700	240.63	\$51.77	\$28.44	7/15/2003				\$557.36	
										\$50.00	6/6/2003	\$477.15	
									\$5.58		5/29/2003	\$527.15	
5/22/2003	28	481	A	4,700	167.86	\$35.73	\$18.24	6/16/2003				\$521.57	
4/24/2003	29	434	A	4,200	144.83	\$33.06	\$16.54	5/19/2003				\$467.60	
3/26/2003	29	392	A	9,000	310.34	\$58.68	\$32.86	4/17/2003				\$418.00	
									\$3.34		3/3/2003	\$326.46	
2/25/2003	32	302	E	2,100	65.63	\$21.84	\$9.40	3/19/2003				\$323.12	
1/24/2003	29	281	A	5,900	203.45	\$42.13	\$22.32	2/19/2003				\$291.88	
									\$1.88		1/24/2003	\$227.43	
12/26/2002	31	222	A	3,900	125.81	\$31.38	\$15.52	1/21/2003				\$225.55	
									\$1.39		12/18/2002	\$178.65	
11/25/2002	21	183	A	3,400	161.90	\$25.53	\$13.14	12/17/2002				\$177.26	
11/4/2002	66	149	IA	9,200	139.39	\$72.34	\$36.25	12/9/2002				\$138.59	
11/4/2002						\$30.00		12/9/2002				\$30.00	ACTIVATION FEE

TYPE CODES: A - ACTUAL C - CUSTOMER IA - INITIAL (ACTUAL) FA - FINAL (ACTUAL)  
 E - ESTIMATE M - MANUAL IE - INITIAL (ESTIMATE) FE - FINAL (ESTIMATE)

**Pennsylvania American Water Co-Company Report to RTU**

<b>General Information</b>		<b>REPEATER</b>			
Customer's Name:	Kelli Freeman	BCS Investigator:	Julia Byndas		
Account Number:	24-14663415	BCS Case Number:	1705604		
Service Address:	1418 McClure St	Type of Account:	Residential/Monthly		
Mailing Address:	1418 McClure St	Hot Water Heat: No	Service: On		
	Homestead PA 15120	Termination Date:			
<b>Prior Agreements (Most recent first, attach additional sheets if necessary)</b>					
Type:	PUC #1705604	Type:	PUC #1454864	Type:	Payment
Date:	02/15/05	Date:	9/2/03	Date:	5/5/03
Balance:	\$1992.10	Balance:	\$373.42	Balance:	\$285.92
Terms:	\$163 Mo; \$33 arrears	Terms:	\$77 Mo; \$15 arrears	Terms:	Current bills + \$15 arrears
Beginning Date:	03/20/05	Beginning Date:	9/25/03	Beginning Date:	5/20/03
Income:	\$620	Income:	\$820.00	Income:	\$700.00
Expenses:	N/A	Expenses:	N/A	Expenses:	\$405.00
Level:	I	Level:	I	Level:	I

**RECEIVED**  
 OCT 5 2005  
 PA PUBLIC UTILITY COMMISSION  
 SECRETARY'S BUREAU

# Pennsylvania American Water Company

## PA Public Utility Commission Complaints and reports

### CASE OPENING

BCS Case# 1454864 Case Date Closed

BCS Investigator: VERNELL BRIDDELLE

Account Number: 2414663415

Account Number: 2414663415

Class Of Service: RESIDENTIAL

Case Origin: TELEPHONE

Reason for Contact: ON - PAR NEEDED

Termination Date: 8/5/2003

Prior Case#: *37342*  
*8/18/03*  
*60 monthly*

Customer Name: KELLI FREEMAN

Service Address: 1418 MCCLURE ST, HOMESTEAD, PA, 15102

Phone (Home): (412) 4613082

Work Phone: (412) 6080450

Universal Service:

Income Source	Amount
WAGES	820

Family Size:

Adults	Children	Age
1	3	6,3,2MTH

Arrange: 256

Company Position: PAWC WANTS \$256 TO KEEP SERVICE ON.

# RECEIVED

OCT 5 2005

Related Information: \*\*\*\*\*STRAIGHT PAR\*\*\*\*\* NO RENT OR MORTGAGE. PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

ATTACHMENT C

Create Reports

Main menu

Delete Case

**ATTACHMENT C**



# Pennsylvania American Water Company

## PA Public Utility Commission Complaints and reports

### CASE CLOSING

BCS Case#	1454864	Date Case Closed	9/2/2003
BCS Investigator:	VERNELL BRIDDELLE	Account Number:	2414663415
Customer Name	KELLI FREEMAN		
Service Address	1418 MCCLURE ST, HOMESTEAD, PA, 15102		

Decision Issue :	Y	Violation	NO
Oral/Written	W		
Chapter		SectionRule	
TotalBalance:	373.42	BalanceDate	8/5/2003
Resolution:	STRAIGHT PAR-WAIVE LPC'S		
Serv. Cont. Amount		Serv. Cont. Date	
Service Restored Pay		Terms :	9/25/03-(ONLY SEPT. DUE DATE EXTE
Special Budget Amount	77	Regular Budget Amount	62
ArrearsPaymentPlus	15	FinalMonthlyPayment	
CurrentMonthlyPayment		EndMonthlyPayment	
LetterDescription	EGW STRAIGHT PAR/NO LPCS/BUDGET +		
ParDescr	YOU ARE ADVISED TO CONTACT THE DEPARTMENT OF PUBLIC WELFARE AND OTHER AVAILABLE SOCIAL AGENCIES FOR FINANCIAL ENERGY ASSISTANCE.		
HeadDate	9/4/2003	BillDate	
ReconnectAmount		PayAmount	

[View Report](#)
[View Caseopen](#)
[Main menu](#)

417.23 total  
 368.95 water

ATTACHMENT C



# Pennsylvania American Water Company

## ***PA Public Utility Commission Complaints and reports***

### ***CASE OPENING***

BCS Case# 1705604 Date  
Case Closed

BCS Investigator: JULIA BYNDAS

Account Number: 2414663415

Account Number: 2414663415

Class Of Service: RESIDENTIAL

Case Origin: TELEPHONE

Reason for Contact: ON - PAR NEEDED

Termination Date: 6/30/2004

Prior Case#: 1454864

Customer Name: KELLI FREEMAN

Service Address: 1418 MCCLURE ST, HOMESTEAD, PA, 15102

Phone (Home): (412) 4613082

Work Phone (412) 2879547

Universal Service:

Family Size: Adults Children Age  
1 3 7,4,1

Income Source	Amount
WAGES	620

Arrange: 135.55

Company Position: 06/30/2004 PAWC WANTS BAL IN FULL.

ATTACHMENT C

Related Information:

CIC: CHANGE IN CIRCUMSTANCE-REFER TO CAP. CUST INCOME HAS DROPPED  
180.00 SINCE PRIOR PAR.

Create Reports

Main menu

Delete Case

ATTACHMENT C



# Pennsylvania American Water Company

## PA Public Utility Commission Complaints and reports

### CASE CLOSING

BCS Case#	1705604	Date Case Closed	2/15/2005
BCS Investigator:	JULIA BYNDAS	Account Number:	2414663415
Customer Name	KELLI FREEMAN		
Service Address	1418 MCCLURE ST, HOMESTEAD, PA, 15102		

Decision Issue :	N	Violation	NO
Oral/Written	W		
Chapter		SectionRule	
TotalBalance:	1992.1	BalanceDate	2/15/2005
Resolution:	SEE CS17 SCREEN FOR PMT ARR. WAIVE LPC'S		
Serv. Cont. Amount		Serv. Cont. Date	
Service Restored Pay		Terms :	MARCH 2005
Special Budget Amount	163	Regular Budget Amount	130
ArrearsPaymentPlus	33	FinalMonthlyPayment	
CurrentMonthlyPayment		EndMonthlyPayment	
LetterDescription	EGW STRAIGHT PAR/NO LPCS/BUDGET +		
ParDescr	YOU ARE ADVISED TO CONTACT THE DEPARTMENT OF PUBLIC WELFARE AND OTHER AVAILABLE SOCIAL AGENCIES FOR FINANCIAL ENERGY ASSISTANCE.		
HeadDate	2/15/2005	BillDate	
ReconnectAmount		PayAmount	

[View Report](#)
[View Caseopen](#)
[Main menu](#)

ATTACHMENT C

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

KELLI FREEMAN,	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-20055295
	:	
PENNSYLVANIA-AMERICAN WATER	:	
COMPANY,	:	
Respondent	:	

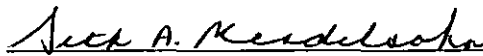
**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing document, Pennsylvania American Water's Answer and New Matter to the Formal Complaint, upon the participants listed below, in accordance with the requirements of §1.54:

**VIA OVERNIGHT MAIL**

Kelli Freeman  
1418 McClure St.  
Homestead, PA 15120

Dated this 5<sup>th</sup> day of October , 2005.

  
Seth A. Mendelsohn  
Pennsylvania American Water  
800 West Hershey Park Drive  
Hershey, Pennsylvania 17033  
(717) 533-5000

**RECEIVED**  
OCT 5 2005  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

