



OFFICE OF CONSUMER ADVOCATE

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

ORIGINAL

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

IRWINA. POPOWSKY  
Consumer Advocate

October 17, 2005

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SECRETARY'S BUREAU

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

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

Dear Secretary McNulty:

Enclosed please find for filing an original and three (3) copies of the Office of Consumer Advocate's Notice of Intervention and Public Statement in the above-captioned proceeding.

Copies have been served upon all parties of record as shown on the attached Certificate of Service.

Sincerely,

DOCUMENT  
FOLDER

Dianne E. Dusman  
Senior Assistant Consumer Advocate

Enclosures

cc: Hon. Veronica A. Smith, CALJ  
All parties of record

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ORIGINAL

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

VINCENT V. HORVATH;	:	Docket Nos.	C-20055305
SANDY & VICTOR BERKEY;	:		C-20055316
RICHARD E. & JULIETTE A. LAURY;	:		C-20055317
PARVEEN & PRAMILA GUPTA;	:		C-20055318
ARMANDO VILLANI;	:		C-20055319
ANTHONY A. STROBEL;	:		C-20055320
ELAINE D. HOKENSON;	:		C-20055321
GEORGE J. RAYKOS;	:		C-20055324
MR. & MRS. JOHN HORVATH;	:		C-20055346
JEFFREY B. BENNER; and	:		C-20055374
FLOYD & DOLORES KENNEDY,	:		C-20055392

*Complainants*

v.

UTILITIES, INC. - WESTGATE,

*Respondent*

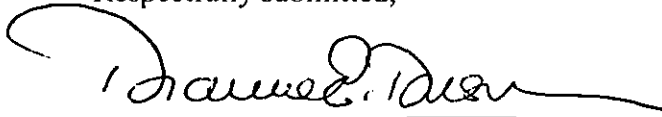
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NOTICE OF INTERVENTION

Notice is hereby given that the Office of Consumer Advocate hereby intervenes in this matter pursuant to 71 P.S. §309-1, *et seq.*

Respectfully submitted,



Dianne E. Dusman  
Attorney I.D. No. 38308  
Sr. Assistant Consumer Advocate

**DOCKETED**  
OCT 26 2005

Office of Attorney General  
Office of Consumer Advocate  
555 Walnut Street 5th Floor, Forum Place  
Harrisburg, PA 17101-1923  
(717) 783-5048

PUBLIC STATEMENT OF THE CONSUMER ADVOCATE  
PURSUANT TO 71 P.S. SECTION 309-4(e)

Act 161 of the Pennsylvania General Assembly, 71 P.S. § 309-2, enacted July 9, 1976, authorizes the Consumer Advocate to represent the interests of consumers before the Pennsylvania Public Utility Commission (“PUC” or “Commission”). In accordance with Act 161, the Consumer Advocate determined to file a Notice of Intervention in the eleven Formal Complaints against Utilities, Inc. – Westgate, a regulated public utility, (Westgate) in support of the Westgate customers. Westgate provides water service to approximately 670 customers in Hanover Township, Northampton County, near the City of Bethlehem, PA.

The Consumer Advocate has made this filing primarily because of water quality concerns brought to his attention by a group known as “Concerned Citizens for Westgate.” Preliminary laboratory tests demonstrate that water samples drawn from the residents’ home water systems contain excessive levels of total dissolved solids (TDS) and sodium. Excessive TDS levels cause water to be unpalatable. Contact with the water also causes damage to customers’ plumbing, fixtures and appliances because of its corrosive quality. As such, the water Westgate provides to its customers is not suitable for all household purposes, as required by Section 1501 of the Public Utility Code, 66 Pa.C.S. §1501.

By participating in this proceeding, the Consumer Advocate seeks to ensure that Westgate fulfills its obligation to provide adequate, efficient, safe and reasonable water service to its customers at just and reasonable rates, pursuant to the Public Utility Code and relevant regulations.

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**DOCKETED**  
OCT 26 2005

**DOCUMENT  
FOLDER**

CERTIFICATE OF SERVICE

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

I hereby certify that I have this day served a true copy of the foregoing document, Office of Consumer Advocate's Notice of Intervention and Public Statement, 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 17th day of October, 2005.

SERVICE BY FIRST CLASS MAIL, POSTAGE PREPAID

James P. Dougherty, Esq.  
Susan E. Bruce, Esq.  
100 Pine Street  
P. O. Box 1166  
Harrisburg, PA 17108-1166

Vincent V. Horvath  
2738 Whitewood Road  
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  
122 Cross Creek Court  
Bethlehem, PA 18017

Anthony Strobel  
1445 Lane Avenue  
Bethlehem, PA 18017

Elaine D. Hockenson  
355 Wedgewood Road  
Bethlehem, PA 18017

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George J. Raykos  
1240 Wynnewood Drive  
Bethlehem, PA 18017

Jeffrey B. Benner  
570 Wedgewood Road  
Bethlehem, PA 18017

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

Floyd & Dolores Kennedy  
3132 Kenwick Circle  
Bethlehem, PA 18017



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Dianne E. Dusman  
Senior Assistant Consumer Advocate

Counsel for  
Office of Consumer Advocate  
555 Walnut Street 5th Floor, Forum Place  
Harrisburg, PA 17101-1923  
(717) 783-5048  
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COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
October 20, 2005

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: C-20055346

(See attached list)

# DOCUMENT FOLDER

Mr. and Mrs. John Horvath v. Utilities, Inc. – Westgate

## Motion Judge Assignment Notice

This is to inform you that a preliminary motion was filed on the above-captioned case. This motion is being assigned to Chief Administrative Law Judge Veronica A. Smith for ruling. The Commission rule of practice at 52 Pa. Code §5.101 specifies that the person who filed the complaint has ten (10) days from the date the motion was served on you to file an answer.

If you file any pleading or document relating to this motion with the Secretary of the Commission, please provide a duplicate copy to the judge.

Procedural questions or comments should be directed to the judge at:

(717) 783-5453

pc: Eric Rohrbaugh  
Susan Licon  
Beth Plantz  
Docket Section

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OCT 21 2005