

CAPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00
- 2. BUREAU: LAW
- 3. SECTION(S):
- 5. APPROVED BY: DIRECTOR: SUPERVISOR:
- 6. PERSON IN CHARGE:
- 8. DOCKET NO: I-00070114
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 07/11/07
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: W.P. WATER CO. & W.P. SANITARY CO.

RESPONDENT/APPLICANT: OFFICE OF CONSUMER ADVOCATE

COMP/APP COUNTY:

UTILITY CODE: 999999

ALLEGATION OR SUBJECT

PETITION OF THE OFFICE OF CONSUMER ADVOCATE FOR A COMMISSION ORDER INSTITUTING A PROCEEDING TO ORDER THE ACQUISITION OF W.P. WATER COMPANY AND W.P. SANITARY COMPANY, PURSUANT TO 66 PA. C.S. 529.

DOCUMENT FOLDER

DOCKETED
JUL 11 2007

July 17, 2007

ORIGINAL

VIA OVERNIGHT MAIL

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

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.

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

**DOCUMENT
FOLDER**

Dear Secretary McNulty:

On behalf of Pennsylvania-American Water Company, I enclose an original and three
copies of its Notice 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,



Seth A. Mendelsohn

Pennsylvania American Water

Enclosure

c: See Attached Service List

RECEIVED

JUL 17 2007

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

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

In the matter of:

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

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

NOTICE OF APPEARANCE

DOCUMENT
FOLDER

Please enter my appearance in the above-designated matter on behalf of
Respondent, Pennsylvania-American Water Company. 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.

DOCKETED
JUL 19 2007

Seth A. Mendelsohn

Seth A. Mendelsohn
Corporate Counsel
Pa. Attorney I.D. 77063
Pennsylvania-American Water Company
800 West Hershey Park Drive
Hershey, PA 17033
(717) 533-5000

Susan Simms Marsh
Corporate Counsel
Pa. Attorney I.D. 44689
Pennsylvania-American Water Company
800 West Hershey Park Drive
Hershey, PA 17033
(717) 533-5000

Dated: July 17, 2007

RECEIVED
JUL 17 2007
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Investigation of W.P. Water Co., Inc. and :
W.P. Sanitary Co., Inc. pursuant to Section :
529 of the Pennsylvania Public Utility Code : A-212285F0122
:
W.P. Water Co., Inc. and W.P. Sanitary :
Co., Inc. : P-00072313
:
Application of W.P. Sanitary Co., Inc. for :
Approval of Abandonment of Service : A-230550F2000

RECEIVED
JUL 17 2007
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document, Notice of Appearance, upon the participants listed below, in accordance with the requirements of §1.54:

VIA OVERNIGHT MAIL

Christine Maloni Hoover, Esquire
Darlene Wong, Esquire
Erin Gannon, Esquire
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923

The Honorable Ember S. Jandebaur
Administrative Law Judge
Pennsylvania Public Utility Commission
Scranton State Office Building
100 Lackawanna Avenue, Room 317
Scranton, PA 18503

Rhonda L. Daviston, Esquire
Law Bureau Prosecutory Staff
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Kimberly A. Joyce, Esquire
Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19101-3489

William Lloyd
Office of Small Business Advocate
Suite 1102 Commerce Building
300 North Second Street
Harrisburg, PA 17101


John Hollenbach
United Water Pennsylvania
8189 Adams Drive
Hummelstown, PA 17036

Kieran Michael Casey, Esquire
Borland and Borland, L.L.P.
69 Public Square
Suite 1100
Wilkes-Barre, PA 18701

Fayling Dempsey, Assistant Counsel
Pa. Dept. of Environmental Protection
Office of Chief Counsel
2 Public Square
Wilkes-Barre, PA 18711-0790

Paul Litwin, Esquire
24 East Tioga Street
Tunkhannock, PA 18657

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



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

Dated this 17th day of July, 2007.



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

July 19, 2007

James J. McNulty, Jr., Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

ORIGINAL

Re: Investigation of W.P. Water Co., Inc. and W.P. Sanitary Co., Inc.
pursuant to Section 529 of the Pa. Public Utility Code
No. I-00070114

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

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

Dear Mr. McNulty:

**DOCUMENT
FOLDER**

Enclosed for filing are an original and three (3) copies of the Entry of Appearance on behalf of the Law Bureau of Prosecutory Staff of the Pennsylvania Public Utility Commission in the above-referenced case. Copies have been served on the parties of record in accordance with the Certificate of Service.

Sincerely,

Patricia T. Wiedt
Assistant Counsel

PTW/mab

Enclosure

cc: As per Certificate of Service
Frank B. Wilmarth

SECRETARY'S BUREAU
2007 JUL 19 PM 1:48

37

ORIGINAL

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

RECEIVED
2007 JUL 19 PM 1:48
SECRETARY'S BUREAU

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

ENTRY OF APPEARANCE

**DOCUMENT
FOLDER**

Please enter our appearance as additional counsel for the Law Bureau
Prosecutory Staff of the Pennsylvania Public Utility Commission.

All service on and communications to the Law Bureau Prosecutory Staff in
this proceeding should be addressed to:

Rhonda L. Daviston
 Patricia T. Wiedt
 Kriss E. Brown
 Assistants Counsel
 Pennsylvania Public Utility Commission
 PO Box 3265
 Harrisburg, PA 17105-3265
 Phone: 717-787-5000

DOCKETED
JUL 23 2007

Patricia T. Wiedt

Patricia T. Wiedt
Assistant Counsel
Attorney ID #79342

Kriss E. Brown

Kriss E. Brown
Assistant Counsel
Attorney ID #89036

P.O. Box 3265
Harrisburg, PA 17105-3265
Phone: 717-787-5000
Dated: July 19, 2007

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the foregoing document, Entry of Appearance, upon the persons listed and in the manner indicated below:

Service by First Class Mail:

Seth A. Mendelsohn, Esquire
Susan Simms Marsh, Esquire
Pennsylvania-American Water Company
800 West Hershey Park Drive
Hershey, PA 17033
Phone: 717-533-5000

Christine Maloni Hoover, Esquire
Darlene Wong, Esquire
Erin Gannon, Esquire
Office of Consumer Advocate
555 Walnut Street, 5th Floor Forum Place
Harrisburg, PA 17101-1923

The Honorable Ember S. Jandebaur
Office of Administrative Law Judge
Scranton State Office Building
100 Lackawanna Avenue, Room 317
Scranton, PA 18503

Kimberly A. Joyce, Esquire
Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19101-3489

John Hollenbach
United Water Pennsylvania
8189 Adams Drive
Hummelstown, PA 17036

Kieran Michael Casey, Esquire
Borland and Borland
69 Public Square Suite 1100
Wilkes Barre, PA 18701

Fayling Dempsey, Assistant Counsel
Pa. DEP
Office of Chief Counsel
2 Public Square
Wilkes-Barre, PA 18711-0790

Paul Litwin, Esquire
24 East Tioga Street
Tunkhannock, PA 18657

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

SECRETARY'S BUREAU

2007 JUL 12 PM 1:48

RECORDED



Patricia T. Wiedt
Assistant Counsel
Attorney ID No. 79342
Pennsylvania Public Utility Commission

P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 787-5000
Dated: July 19, 2007



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
July 25, 2007

IN REPLY PLEASE
REFER TO OUR FILE

In Re: I-00070114
P-00072313
A-230550F2000

(SEE ATTACHED LIST)

I-00070114
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
P-00072313
IN RE: W.P. WATER CO., INC. AND W.P. SANITARY CO., INC.
A-230550F2000
APPLICATION OF W.P. SANITARY COMPANY, INC. D/B/A WASHINGTON PARK
SANITARY COMPANY

Hearing Notice

This is to inform you that a hearing on the above-captioned case will be held as follows:

Type: Initial & Further Hearings
Date: Monday, September 10, 2007
Tuesday, September 11, 2007
Wednesday, September 12, 2007
Wednesday, October 10, 2007
Thursday, October 11, 2007
Time: 10:00 a.m.
Location: Room 318
Scranton State Office Building
100 Lackawanna Avenue
Scranton, PA 18503

DOCUMENT
FOLDER

DOCKETED
AUG 9 2007

Presiding: Administrative Law Judge Ember S. Jandebour
Room 317 Scranton State Office Building
100 Lackawanna Avenue
Scranton, PA 18503
Telephone: 570-963-4818
Fax: 570-963-3310

Attention: You may lose the case if you do not come to this hearing and present facts on the issues raised.

If you intend to file exhibits, 2 copies of all hearing exhibits to be presented into evidence must be submitted to the reporter. An additional copy must be furnished to the Presiding Officer. A copy must also be provided to each party of record.

Individuals representing themselves do not need to be represented by an attorney. All others (corporation, partnership, association, trust or governmental agency or subdivision) must be represented by an attorney. An attorney representing you should file a Notice of Appearance before the scheduled hearing date.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: 717-787-1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired:
1-800-654-5988

pc: Judge Jandebour
Stacy Nolan, Scheduling Officer
Beth Plantz
Docket Section
Calendar File

ORIGINAL

LEBOEUF, LAMB, GREENE & MACRAE LLP

NEW YORK
WASHINGTON, D.C.
ALBANY
BOSTON
CHICAGO
HARTFORD
HOUSTON
JACKSONVILLE
LOS ANGELES
PITTSBURGH
SAN FRANCISCO

200 NORTH THIRD STREET, SUITE 300
P.O. Box 12105
HARRISBURG, PA 17108-2105
(717) 232-8199
FACSIMILE: (717) 232-8720

LONDON
A MULTINATIONAL
PARTNERSHIP
PARIS
BRUSSELS
JOHANNESBURG
(PTY) LTD.
MOSCOW
RIYADH
AFFILIATED OFFICE
ALMATY
BEIJING

July 27, 2007

BY HAND

James J. McNulty, Secretary
Secretary's Bureau
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
2nd Floor, Room-N201
400 North Street
Harrisburg, PA 17120

**DOCUMENT
FOLDER**

2007 JUL 27 PM 2:45
SECRETARY'S BUREAU

Re: Docket Nos. I-00070114, P-00072313 and A-230550F2000
W.P. Water Company, Inc. and W.P. Sanitary Company, Inc.

Dear Secretary McNulty:

Enclosed for filing please find the original and three (3) copies of my entry of appearance in the above-referenced consolidated matters. A certificate of service is also enclosed.

Please time-stamp and return the additional copy of this filing. If you have any questions or concerns, please contact me. Thank you.

Sincerely,

Michael D. Klein
Michael D. Klein

Enclosures

cc: Susan S. Marsh, Esq.
All Parties on Certificate of Service

ORIGINAL

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

NOTICE OF APPEARANCE

Please enter my appearance in the above-designated consolidated matter on behalf of Pennsylvania-American Water Company ("PAWC").

I am authorized to accept service on behalf of PAWC in this matter.

On the basis of this notice, I am requesting a copy of each document hereafter issued by the Commission in this matter.

Respectfully,



Michael D. Klein, Esq.
Pa. Attorney No. 23854
LeBoeuf, Lamb, Greene & MacRae, LLP
200 North Third Street, Suite 300
P.O. Box 12105
Harrisburg, PA 17108-2105
(717) 232-8199
Fax: (717) 232-8720

**Counsel for Pennsylvania-American
Water Company**

Date: July 27, 2007

**DOCUMENT
FOLDER**

DOCKETED
AUG 9 2007

2007 JUL 27 PM 2:45
SECTION 101

ORIGINAL

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In re: Investigation of W.P. Water Co., Inc. and W.P. Sanitary Co., Inc.	:	Docket No. I-00070114
Pursuant to Section 529 of the Pennsylvania Public Utility Code	:	
:		
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 27th day of July, 2007, served a true and correct copy of the foregoing document upon the persons and in the manner indicated below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party):

First Class Mail, Postage Prepaid:

Honorable Ember Jandebour
Administrative Law Judge
Pennsylvania Public Utility Commission
100 Lackawanna Avenue, Room 317
Scranton, PA 18503

Darlene Wong, Esq.
Office of Consumer Advocate
555 Walnut St.
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Rhonda Daviston, Esquire
Pennsylvania Public Utility Commission
3rd Floor West
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105-3265

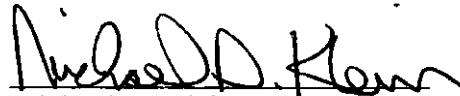
Ernie Preate, Esquire
Mellon Bank Building
400 Spruce Street, Third Floor
Scranton, PA 18503

SECRET
2007 JUL 27 PM 2:45

[Remainder of page intentionally left blank.]

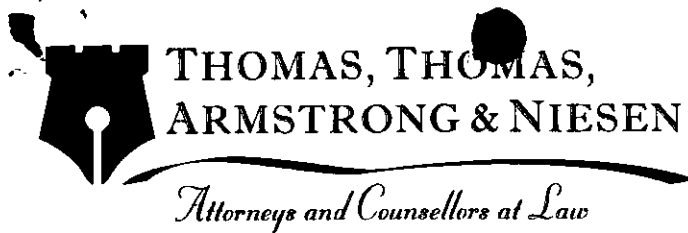
Thomas T. Niesen, Esquire
Thomas, Thomas, Armstrong & Niesen
212 Locust St., Suite 500
P.O. Box 9500
Harrisburg, PA 17108-9500

Respectfully,



Michael D. Klein, Esq.
Pa. Attorney No. 23854
LeBoeuf, Lamb, Greene & MacRae, LLP
200 North Third Street, Suite 300
P.O. Box 12105
Harrisburg, PA 17108-2105
(717) 232-8199
Fax: (717) 232-8720

**Counsel for Pennsylvania-American
Water Company**



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

July 27, 2007

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

DOCUMENT
FOLDER

SECRETARIAT FOR THE P.U.C.

2007 JUL 27 AM 10:59

In re: Dockets Nos. I-00070114, P-00072313 and A-230550F2000
W.P. Water Company, Inc. and W.P. Sanitary Company, Inc.

Dear Secretary McNulty:

Enclosed for filing are an original and three (3) copies of our Notice of Appearance in the above consolidated matters. A copy of the Notice is being served upon the persons and in the manner set forth on the certificate of service attached to it.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By

Thomas T. Niesen

Encl.

cc: Certificate of Service (w/encl.)
Frances P. Orth, Esquire (w/encl.)
Kimberly A. Joyce, Esquire (w/encl.)

070727 - McNulty (Appearance).wpd

39

Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Administrative Law Judge
Ember Jandebeur, Presiding

2007 JUL 27 11:10:59
SECRETARY OF STATE

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

In re: W.P. Water Co., Inc. And W.P. : Docket No. P-00072313
Sanitary Co., Inc. :

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

NOTICE OF APPEARANCE

DOCUMENT
FOLDER

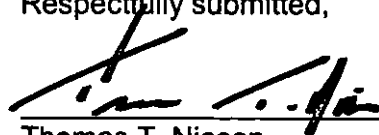
Please enter the appearance of the following as counsel for Aqua Pennsylvania,
Inc. in the above-captioned consolidated matters:

Thomas T. Niesen, Esquire
THOMAS, THOMAS, ARMSTRONG & NIESEN
Suite 500
212 Locust Street
P.O. Box 9500
Harrisburg, PA 17108-9500
Phone: 717.255.7641
Fax: 717.236.8278
email: tniesen@ttanlaw.com

DOCKETED
JUL 31 2007

On the basis of this notice, I request a copy of each document filed hereafter
by any party or issued by the Commission in this matter.

Respectfully submitted,



Thomas T. Niesen
PA Attorney ID No. 31379

DATED: July 27, 2007



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

SECRETARY'S BUREAU
2001 AUG - 1 11:10:36

August 1, 2007

Herbert R. Nurick, Mediation Coordinator
PA Public Utility Commission
Office of Administrative Law Judge
400 North Street, 2nd Floor
P.O. Box 3265
Harrisburg, PA 17105-3265

DOCUMENT
FOLDER

Re: Investigation of W.P. Water Co., Inc. and W.P. Sanitary Co., Inc.
pursuant to Section 529 of the Pa. Public Utility Code
No. I-00070114

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

KJR

Dear Mr. Nurick:

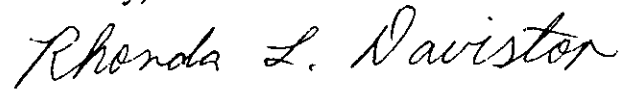
Pursuant to 52 Pa. Code § 69.391, Law Bureau Prosecutory Staff (Prosecutory Staff) respectfully requests the Office of Administrative Law Judge initiate mediation of this matter. Prosecutory Staff believes mediation will promote the goal of obtaining a negotiated settlement.

An effective mediation in this matter should include all parties in interest including the three capable public utilities (United Water, Pa American, and Aqua) as well as Washington Park Township. Prosecutory Staff believes that mediation of this matter would be productive and is warranted pursuant to 66 Pa. C.S. § 529(b) (relating to alternatives for acquisition).

W.P. Water Company, Inc., W.P. Sanitary Company, Inc., OCA, and Aqua PA have agreed to this request for mediation. Prosecutory Staff respectfully requests that this

matter be referred to mediation on an expedited basis. Copies of this letter request have been submitted to all parties on the certificate of service list and the Secretary's Bureau. Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Rhonda L. Daviston".

Rhonda L. Daviston
Assistant Counsel

cc: Kriss Brown, Esquire
Patricia Wiedt, Esquire
James McNulty, Secretary

CERTIFICATE OF SERVICE

I hereby certify that I have this 1st day of August, 2007 served 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).

FIRST CLASS MAIL

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

Paul Litwin, Esquire
24 East Tioga Street
Tunkhannock, PA 18657

Christine Maloni Hoover, Esquire
Darlene Wong, Esquire
Erin Gannon, Esquire
Office of Consumer Advocate
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, PA 17101-1923

Susan Simms Marsh, Esquire
PA American Water Company
800 West Hershey Park Drive
Hershey, PA 17033

Fayling Dempsey, Esquire
Pa. Dept. of Environmental Protection
Office of Chief Counsel
2 Public Square
Wilkes-Barre, PA 18503

Kimberly Joyce, Esquire
Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19101-3489

Office of Small Business Advocate
Suite 102 Commerce Building
300 North Second Street
Harrisburg, PA 17101

John Dillon, Esquire
United Water Pennsylvania
8189 Adams Drive
Hummelstown, PA 17036

SECRETARIAT'S BUREAU

2007 AUG -1 AM 10:36

PA - 17101-1923

Kieran M. Casey, Esquire
Borland and Borland, LLP
69 Public Square, Suite 1100
Wilkes-Barre, PA 18701

Michael D. Klein, Esquire
LeBoeuf, Lamb, Greene & McRae, LLP
200 North Third Street, Suite 300
P.O. Box 12105
Harrisburg, PA 17108-2105

Thomas T. Niesen, Esquire
Thomas Thomas Armstrong & Niesen
212 Locust Street, Suite 500
P.O. Box 9500
Harrisburg, PA 17108-9500

Rhonda L. Daviston
Rhonda L. Daviston
Law Bureau Prosecutory Staff

Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Dated: August 1, 2007

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)

DOCUMENT
FOLDER

IRWINA. POPOWSKY
Consumer Advocate

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

August 3, 2007

RECEIVED

AUG - 6 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Michael D. Klein, Esquire
LeBoeuf, Lamb, Greene & MacRae, LLP
200 North Third Street, Suite 300
P.O. Box 12105
Harrisburg, PA 17108-2105

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

Dear Mr. Klein:

Enclosed you will find two copies of the Office of Consumer Advocate's Interrogatories and Requests for Production of Documents, Set VII, in the above-referenced proceeding.

We request that the Company provide verified answers to these inquiries within fifteen (15) days of service. Also, please forward the verified answers as they are completed, rather than waiting until the responses to the full set are completed. We would appreciate it if you would communicate any objections you may have to these interrogatories as soon as possible.

We also request that you send a copy of the answers directly to our consultant, as listed below:

Marilyn J. Kraus
Senior Regulatory Analyst
Office of Consumer Advocate
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, PA 17101-1923

Michael D. Klein, Esquire
August 3, 2007
Page 2

If you have any questions, please call us. By copy of this letter, copies of these interrogatories have been served upon all parties. A certificate of service showing service of these interrogatories on all parties has been filed with Secretary McNulty of the Pennsylvania Public Utility Commission as required by 52 Pa. Code §5.341(b).

Sincerely,



Darlene R. Wong
Assistant Consumer Advocate
PA Attorney I.D. #87381

Enclosures

cc: All parties of record

cc: Secretary McNulty (letter and certificate of service only)

95022.doc

CERTIFICATE OF SERVICE

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

I hereby certify that I have this day served a true copy of the foregoing document, Interrogatories and Requests for Production of Documents of the Office of Consumer Advocate to Pennsylvania-American Water Co., Set VII, 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 3rd day of August, 2007.

SERVICE BY E-MAIL and INTER-OFFICE MAIL

Larry Lash, P.E.
Bureau of Fixed Utility Services
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

Johnnie E. Simms, Esquire
Office of Trial Staff
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Rhonda L. Daviston
Chris Brown
Patty Weidt
Law Bureau Prosecutory Staff
P.O. Box 3265
Harrisburg, PA 17105-3265

SERVICE BY E-MAIL & FIRST CLASS MAIL, POSTAGE PREPAID

William Lloyd
Office of Small Business Advocate
Suite 1102 Commerce Building
300 North Second Street
Harrisburg, PA 17101

Ernest D. Preate, Jr., Esquire
Mellon Bank Building
400 Spruce Street, Suite 300
Scranton, PA 18503
Attorney for W.P. Water Company

Kieran Michael Casey, Esq.
Borland and Borland, L.L.P.
69 Public Square, Suite 1100
Wilkes-Barre, PA 18701
Attorney for W.P. Water Company

Fay Dempsey, Assistant Counsel
Pa. Dept. of Environmental Protection
Office of Chief Counsel
2 Public Square
Wilkes-Barre, PA 18711-0790

Paul Litwin, Esquire
24 East Tioga Street
Tunkhannock, PA 18657
Attorney for Washington Township

Kimberly Joyce, Esquire
Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19101-3489

John Dillon, Esquire
Boyd Hughes, Esquire
United Water Pennsylvania, Inc.
8189 Adams Drive
Hummelstown, PA 17036

Thomas Niesen, Esquire
Thomas, Thomas, Armstrong and Niesen
212 Locust Street
P.O. Box 9500
Harrisburg, PA 17108-9500
Attorneys for Aqua Pennsylvania, Inc.

Michael D. Klein, Esquire
LeBoeuf, Lamb, Greene & MacRae, LLP
200 North Third Street, Suite 300
P.O. Box 12105
Harrisburg, PA 17108-2105
Attorneys for Pennsylvania-American Water Co.

Seth Mendelsohn, Esquire
Susan Simms Marsh, Esquire
Pennsylvania-American Water Co.
800 West Hershey Park Drive
Hershey, PA 17033



Christine Maloni Hoover
Senior Assistant Consumer Advocate
PA Attorney I.D.#50026
E-Mail: CHoover@paoca.org

Darlene R. Wong
Assistant Consumer Advocate
PA Attorney I.D.#87381
E-Mail: DWong@paoca.org

Erin L. Gannon
Assistant Consumer Advocate
PA Attorney I.D. # 83487
E-Mail: EGannon@paoca.org

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

COMMONWEALTH OF PENNSYLVANIA



DOCUMENT
FOLDER

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

August 3, 2007

RECEIVED

AUG - 6 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Thomas Niesen, Esquire
Thomas, Thomas, Armstrong and Niesen
121 Locust Street
P.O. Box 9500
Harrisburg, PA 17108-9500

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

Dear Mr. Niesen:

Enclosed you will find two copies of the Office of Consumer Advocate's Interrogatories and Requests for Production of Documents, Set VI, in the above-referenced proceeding.

We request that the Company provide verified answers to these inquiries within fifteen (15) days of service. Also, please forward the verified answers as they are completed, rather than waiting until the responses to the full set are completed. We would appreciate it if you would communicate any objections you may have to these interrogatories as soon as possible.

We also request that you send a copy of the answers directly to our consultant, as listed below:

Marilyn J. Kraus
Senior Regulatory Analyst
Office of Consumer Advocate
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, PA 17101-1923

Thomas Niesen, Esquire
August 3, 2007
Page 2

If you have any questions, please call us. By copy of this letter, copies of these interrogatories have been served upon all parties. A certificate of service showing service of these interrogatories on all parties has been filed with Secretary McNulty of the Pennsylvania Public Utility Commission as required by 52 Pa. Code §5.341(b).

Sincerely,



Darlene R. Wong
Assistant Consumer Advocate
PA Attorney I.D. #87381

Enclosures

cc: All parties of record
cc: Secretary McNulty (letter and certificate of service only)
95022.doc

CERTIFICATE OF SERVICE

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

I hereby certify that I have this day served a true copy of the foregoing document, Interrogatories and Requests for Production of Documents of the Office of Consumer Advocate to Aqua Pennsylvania, Inc., Set VI, 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 3rd day of August, 2007.

SERVICE BY E-MAIL and INTER-OFFICE MAIL

Larry Lash, P.E.
Bureau of Fixed Utility Services
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

Johnnie E. Simms, Esquire
Office of Trial Staff
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Rhonda L. Daviston
Chris Brown
Patty Weidt
Law Bureau Prosecutory Staff
P.O. Box 3265
Harrisburg, PA 17105-3265

SERVICE BY E-MAIL & FIRST CLASS MAIL, POSTAGE PREPAID

William Lloyd
Office of Small Business Advocate
Suite 1102 Commerce Building
300 North Second Street
Harrisburg, PA 17101

Ernest D. Preate, Jr., Esquire
Mellon Bank Building
400 Spruce Street, Suite 300
Scranton, PA 18503
Attorney for W.P. Water Company

Kieran Michael Casey, Esq.
Borland and Borland, L.L.P.
69 Public Square, Suite 1100
Wilkes-Barre, PA 18701
Attorney for W.P. Water Company

Fay Dempsey, Assistant Counsel
Pa. Dept. of Environmental Protection
Office of Chief Counsel
2 Public Square
Wilkes-Barre, PA 18711-0790

Paul Litwin, Esquire
24 East Tioga Street
Tunkhannock, PA 18657
Attorney for Washington Township

Kimberly Joyce, Esquire
Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19101-3489

John Dillon, Esquire
Boyd Hughes, Esquire
United Water Pennsylvania, Inc.
8189 Adams Drive
Hummelstown, PA 17036

Thomas Niesen, Esquire
Thomas, Thomas, Armstrong and Niesen
212 Locust Street
P.O. Box 9500
Harrisburg, PA 17108-9500
Attorneys for Aqua Pennsylvania, Inc.

Michael D. Klein, Esquire
LeBoeuf, Lamb, Greene & MacRae, LLP
200 North Third Street, Suite 300
P.O. Box 12105
Harrisburg, PA 17108-2105
Attorneys for Pennsylvania-American Water Co.

Seth Mendelsohn, Esquire
Susan Simms Marsh, Esquire
Pennsylvania-American Water Co.
800 West Hershey Park Drive
Hershey, PA 17033



Christine Maloni Hoover
Senior Assistant Consumer Advocate
PA Attorney I.D.#50026
E-Mail: CHoover@paoca.org

Darlene R. Wong
Assistant Consumer Advocate
PA Attorney I.D.#87381
E-Mail: DWong@paoca.org

Erin L. Gannon
Assistant Consumer Advocate
PA Attorney I.D. # 83487
E-Mail: EGannon@paoca.org

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

COMMONWEALTH OF PENNSYLVANIA



DOCUMENT
FOLDER

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

August 3, 2007

RECEIVED

AUG - 6 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

John Dillon, Esquire
Boyd Hughes, Esquire
United Water Pennsylvania, Inc.
8189 Adams Drive
Hummelstown, PA 17036

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

Dear Messrs. Dillon and Hughes:

Enclosed you will find two copies of the Office of Consumer Advocate's Interrogatories and Requests for Production of Documents, Set VIII, in the above-referenced proceeding.

We request that the Company provide verified answers to these inquiries within fifteen (15) days of service. Also, please forward the verified answers as they are completed, rather than waiting until the responses to the full set are completed. We would appreciate it if you would communicate any objections you may have to these interrogatories as soon as possible.

We also request that you send a copy of the answers directly to our consultant, as listed below:

Marilyn J. Kraus
Senior Regulatory Analyst
Office of Consumer Advocate
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, PA 17101-1923

John Dillon, Esquire
Boyd Hughes, Esquire
August 3, 2007
Page 2

If you have any questions, please call us. By copy of this letter, copies of these interrogatories have been served upon all parties. A certificate of service showing service of these interrogatories on all parties has been filed with Secretary McNulty of the Pennsylvania Public Utility Commission as required by 52 Pa. Code §5.341(b).

Sincerely,



Darlene R. Wong
Assistant Consumer Advocate
PA Attorney I.D. #87381

Enclosures

cc: All parties of record
cc: Secretary McNulty (letter and certificate of service only)

CERTIFICATE OF SERVICE

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

I hereby certify that I have this day served a true copy of the foregoing document, Interrogatories and Requests for Production of Documents of the Office of Consumer Advocate to United Water Pennsylvania, Inc., Set VIII, 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 3rd day of August, 2007.

SERVICE BY E-MAIL and INTER-OFFICE MAIL

Larry Lash, P.E.
Bureau of Fixed Utility Services
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

Johnnie E. Simms, Esquire
Office of Trial Staff
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Rhonda L. Daviston
Chris Brown
Patty Weidt
Law Bureau Prosecutory Staff
P.O. Box 3265
Harrisburg, PA 17105-3265

SERVICE BY E-MAIL & FIRST CLASS MAIL, POSTAGE PREPAID

William Lloyd
Office of Small Business Advocate
Suite 1102 Commerce Building
300 North Second Street
Harrisburg, PA 17101

Ernest D. Preate, Jr., Esquire
Mellon Bank Building
400 Spruce Street, Suite 300
Scranton, PA 18503
Attorney for W.P. Water Company

Kieran Michael Casey, Esq.
Borland and Borland, L.L.P.
69 Public Square, Suite 1100
Wilkes-Barre, PA 18701
Attorney for W.P. Water Company

Fay Dempsey, Assistant Counsel
Pa. Dept. of Environmental Protection
Office of Chief Counsel
2 Public Square
Wilkes-Barre, PA 18711-0790

Paul Litwin, Esquire
24 East Tioga Street
Tunkhannock, PA 18657
Attorney for Washington Township


Kimberly Joyce, Esquire
Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19101-3489

John Dillon, Esquire
Boyd Hughes, Esquire
United Water Pennsylvania, Inc.
8189 Adams Drive
Hummelstown, PA 17036

Thomas Niesen, Esquire
Thomas, Thomas, Armstrong and Niesen
212 Locust Street
P.O. Box 9500
Harrisburg, PA 17108-9500
Attorneys for Aqua Pennsylvania, Inc.

Michael D. Klein, Esquire
LeBoeuf, Lamb, Greene & MacRae, LLP
200 North Third Street, Suite 300
P.O. Box 12105
Harrisburg, PA 17108-2105
Attorneys for Pennsylvania-American Water Co.

Seth Mendelsohn, Esquire
Susan Simms Marsh, Esquire
Pennsylvania-American Water Co.
800 West Hershey Park Drive
Hershey, PA 17033



Christine Malcom Hoover
Senior Assistant Consumer Advocate
PA Attorney I.D.#50026
E-Mail: CHoover@paoca.org

Darlene R. Wong
Assistant Consumer Advocate
PA Attorney I.D.#87381
E-Mail: DWong@paoca.org

Erin L. Gannon
Assistant Consumer Advocate
PA Attorney I.D. # 83487
E-Mail: EGannon@paoca.org

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



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
August 3, 2007

IN REPLY PLEASE
REFER TO OUR FILE

In Re: I-00070114
P-00072313
A-230550F2000

(SEE LETTER DATED 7/25/07)

I-00070114
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
P-00072313
IN RE: W.P. WATER CO., INC. AND W.P. SANITARY CO., INC.
A-230550F2000
APPLICATION OF W.P. SANITARY COMPANY, INC. D/B/A WASHINGTON PARK SANITARY
COMPANY

CORRECTED Hearing Notice

This is to inform you that the notice dated July 25, 2007, on the above-captioned case contained incorrect information. The purpose of this notice is to correct that information. All corrections will be double underlined.

Type: Initial & Further Hearings

Date: Tuesday, September 11, 2007
Wednesday, September 12, 2007
Thursday, September 13, 2007
Wednesday, October 10, 2007
Thursday, October 11, 2007

Time: 10:00 a.m.

Location: Room 318
Scranton State Office Building
100 Lackawanna Avenue
Scranton, PA 18503

Presiding: Administrative Law Judge Ember S. Jandebour
Room 317 Scranton State Office Building
100 Lackawanna Avenue
Scranton, PA 18503
Telephone: 570-963-4818
Fax: 570-963-3310

DOCUMENT
FOLDER

DOCKETED
AUG 24 2007

Attention: You may lose the case if you do not come to this hearing and present facts on the issues raised. If you intend to file exhibits, 2 copies of all hearing exhibits to be presented into evidence must be submitted to the reporter. An additional copy must be furnished to the Presiding Officer. A copy must also be provided to each party of record.

Individuals representing themselves do not need to be represented by an attorney. All others (corporation, partnership, association, trust or governmental agency or subdivision) must be represented by an attorney. An attorney representing you should file a Notice of Appearance before the scheduled hearing date.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: 717-787-1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired:
1-800-654-5988

pc: Judge Jandebaur
Stacy Nolan, Scheduling Officer
Beth Plantz
Docket Section
Calendar File

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

August 8, 2007

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

ORIGINAL
DOCUMENT
FOLDER

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 I-00070114

In re: W.P. Water Co., Inc. and W.P. Sanitary Co., Inc. P-00072313

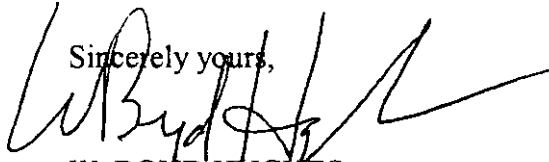
Application of W.P. Sanitary Co., Inc. for Approval of Abandonment of Service A-230550F2000

Dear Secretary McNulty:

Enclosed for filing is an original and three (3) copies of United Water Pennsylvania's Motion to Exclude United Water Pennsylvania as a capable public utility to acquire W.P. Sanitary Co., as well as a Certificate of Service evidencing service of the Motion upon the presiding Administrative Law Judge and all parties of record in this proceeding.

Please time stamp the extra copy and return it in the enclosed stamped self-addressed envelope. If you have any questions please contact me. Thank you for your cooperation in this matter.

Sincerely yours,


W. BOYD HUGHES

WBH/jgp

cc: All parties of record
Ember S. Jandebour, ALJ

SECRETARY'S BUREAU

2007 AUG 13 AM 8:43

RECEIVED

JS

ORIGINAL

BEFORE THE
PENNSYLVANIA
PUBLIC UTILITY COMMISSION

RECEIVED
2007 AUG 13 AM 8:43
SECRETARY'S BUREAU

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	I-00070114
In re: W.P. Water Co., Inc. and W.P. Sanitary Co., Inc.	P-00072313
Application of W.P. Sanitary Co., Inc. for Approval of Abandonment of Service	A-230550F2000

MOTION TO EXCLUDE UNITED WATER PENNSYLVANIA AS A CAPABLE PUBLIC UTILITY TO ACQUIRE W.P. SANITARY COMPANY

NOW COMES United Water Pennsylvania Inc. ("United") by and through its attorneys, Hughes, Nicholls & O'Hara and pursuant to the provisions of 52 Pa. Code §5.103 respectfully requests that the Commission grant this Motion to Exclude United as a Capable Public Utility to Acquire W.P. Sanitary Company and in support of this Motion, United avers as follows:

1. On June 6, 2007, the Office of Consumer Advocate ("OCA") filed a Petition for a Commission Order Instituting a Proceeding to Order the Acquisition of W.P. Water Company, Inc., and W.P. Sanitary Company, Inc. ("W.P.") pursuant to 66 Pa. C.S. §529 ("Petition").
2. W.P. Water Company, Inc. and W.P. Sanitary Company, Inc., are separate and distinct Pennsylvania Corporations, W. P. Water Co., Inc., being incorporated on July 17, 1970, having Entity Number 377738 and W.P. Sanitary Company being incorporated on July 17, 1970, having Entity Number 377734.

**DOCUMENT
FOLDER**

DOCKETED
AUG 13 2007

3. The OCA in its Petition collectively referred to W.P. Water Co., Inc., and W.P. Sanitary Co., Inc. as "W.P."

4. On June 14, 2007, W.P. filed an answer to OCA's section 529 petition and in paragraph 19 of W.P.'s answer it identified United Water Pennsylvania Inc., Aqua Pennsylvania, Inc., and Pennsylvania American Water as appropriate proximate utilities capable to acquire W.P.

5. On June 22, 2007, OCA filed a Motion to Consolidate the Application of W.P. Sanitary Co., Inc. For Approval of Abandonment of Service at Docket No. A-230550F2000 (the Application) and the Petition for A Commission Order Instituting a Proceeding to Order the acquisition of W.P. Water Co. Pursuant to 66 Pa. C.S. §529 at Docket No. P-00072313 (the Petition).

6. On July 11, 2007 the Commission adopted its Investigation Order which was entered July 11, 2007 which in paragraph 6, "...joined as parties to the consolidated proceedings: United Water Pa., American Water Co., and Aqua Pennsylvania, Inc."

7. United Water does not meet the definition of a Capable Public Utility pursuant to 66 Pa. C.S. §529(m) since United does not "...regularly provide(s) the same type of service as ...the small sewer utility to 4000 or more customer connections,..."

8. W. P. Sewer provides sewage treatment services to approximately 120 residential customers in Washington Park, Washington Township, Wyoming County.

9. United does not provide any sewage treatment services to any residential customers in Pennsylvania but it does provide sewage treatment services to eleven (11) commercial customers in the Columbia County Industrial Park, Columbia County.

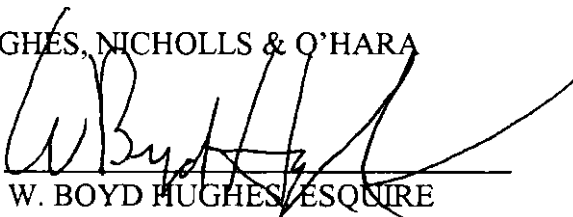
10. United, pursuant to 66 Pa. C.S. §529(m) does not "...elect to be a capable public utility for the purpose of this section regardless of the number of customer connections and regardless of whether or not it is proximate to the small sewer utility...to be acquired."

WHEREFORE, United requests the Commission to delete United as a Capable Public Utility under 66 Pa. C.S. §529 in this proceeding only as it is applicable to W.P. Sanitary Co., Inc.

Respectfully submitted,

HUGHES, NICHOLLS & O'HARA

By:



W. BOYD HUGHES, ESQUIRE

CERTIFICATE OF SERVICE

I hereby certify that I have this 8th day of August, 2007 served 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).

FIRST CLASS MAIL

Ember S. Jandebaur, Administrative Law Judge
Pennsylvania Public Utility Commission
Room 317 Scranton State Office Building
100 Lackawanna Avenue
Scranton, PA 18503

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

Christine Maloni Hoover, Esquire
Darlene Wong, Esquire
Erin Gannon, Esquire
Office of Consumer Advocate
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, PA 17101-1923

Fayline Dempsey, Esquire
Pa. Dept of Environmental Protection
Office of Chief Counsel
2 Public Square
Wilkes-Barre, PA 18503

Office of Small Business Advocate
Suite 102 Commerce Building
300 North Second Street
Harrisburg, PA 17101

Paul Litwin, Esquire
24 East Tioga Street
Tunkhannock, PA 18657

Susan Simms Marsh, Esquire
PA American Water Company
800 West Hershey Park Drive
Hershey, PA 17033

Kimberly Joyce, Esquire
Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19101-3489

Rhonda L. Daviston, Esquire
Law Bureau Prosecutory Staff
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-2365

RECEIVED
2007 AUG 13 AM 8:43
SECRETARY'S OFFICE

Kieran M. Casey, Esquire
Borland and Borland, LLP
69 Public Square, Suite 1100
Wilkes-Barre, PA 18701

Michael D. Klein, Esquire
LeBoeuf, Lamb, Greene & McRae, LLP
200 North Third Street, Suite 300
P.O. Box 12105
Harrisburg, PA 17108-2105

Thomas T. Niesen, Esquire
Thomas Thomas Armstrong & Niesen
212 Locust Street, Suite 500
P.O. Box 9500
Harrisburg, PA 17108-9500

John Dillon, Esquire
United Water
200 Old Hook Road
Harrington Park, NJ 07640

HUGHES, NICHOLLS & O'HARA

By: 

W. BOYD HUGHES, ESQUIRE



THOMAS, THOMAS,
ARMSTRONG & NIESEN

Attorneys and Counsellors at Law

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

August 17, 2007

DOCUMENT
FOLDER

Darlene R. Wong
Assistant Consumer Advocate
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

In re: Dockets Nos. I-00070114, P-00072313 and A-230550F2000
W.P. Water Co., Inc. and W.P. Sanitary Co., Inc.

Dear Ms. Wong:

Enclosed are the responses of Aqua Pennsylvania, Inc. to the OCA Set III Interrogatories in the above matter.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By

Thomas T. Niesen

cc: Frances P. Orth, Esq. (w/encl.)
Keith E. Gabage (w/encl.)
James J. McNulty
(certificate of service only)

070816 Wong (OCA Set III).wpd

KJR

070816 Wong (OCA Set III).wpd

**Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

RECEIVED
AUG 23 2007
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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 17th day of August, 2007, served a true and correct copy of the responses of Aqua Pennsylvania, Inc. to the OCA Set III Interrogatories in the above matter, upon the persons and in the manner indicated below:

FIRST CLASS MAIL, POSTAGE PREPAID

Darlene R. Wong
Assistant Consumer Advocate
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Rhonda L. Daviston, Esquire
Law Bureau Prosecutory Staff
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

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

Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Fayline Dempsey, Esquire
PA Dept. of Environmental Protection
Office of Chief Counsel
2 Public Square
Wilkes-Barre, PA 18503

Susan Simms Marsh, Esquire
PA American Water Company
800 West Hershey Park Drive
Hershey, PA 17033

Paul Litwin, Esquire
24 East Tioga Street
Tunkhannock, PA 18657

Michael D. Klein, Esquire
LeBoeuf, Lamb, Greene & McRae, LLP
200 North Third Street, Suite 300
P.O. Box 12105
Harrisburg, PA 17108-2105

Kieran M. Casey, Esquire
Borland and Borland, LLP
69 Public Square, Suite 1100
Wilkes-Barre, PA 18701

John Dillon, Esquire
United Water
200 Old Hook Road
Harrington Park, NJ 07640

W. Boyd Hughes, Esquire
Hughes, Nicholls & O'Hara
1421 E. Drinker Street
Dunmore, PA 18512-2614

Marilyn J. Kraus
Senior Regulatory Analyst
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923



Thomas T. Niesen
PA Attorney ID No. 31379

LEBOEUF, LAMB, GREENE & MACRAE LLP

NEW YORK
WASHINGTON, D.C.
ALBANY
BOSTON
CHICAGO
HARTFORD
HOUSTON
JACKSONVILLE
LOS ANGELES
PITTSBURGH
SAN FRANCISCO

200 NORTH THIRD STREET, SUITE 300
P.O. Box 12105
HARRISBURG, PA 17108-2105
(717) 232-8199
FACSIMILE: (717) 232-8720

E-MAIL ADDRESS: MKLEIN@LLGM.COM
WRITER'S DIRECT DIAL: (717) 232-8196

LONDON
A MULTINATIONAL
PARTNERSHIP
PARIS
BRUSSELS
JOHANNESBURG
(PTY) LTD.
MOSCOW
RIYADH
AFFILIATED OFFICE
ALMATY
BEIJING

August 21, 2007

VIA REGULAR MAIL

Christine M. Hoover, Esquire
Darlene R. Wong, Esquire
Erin L. Gannon, Esquire
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923

DOCUMENT
FOLDER

Re: 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

PAWC First Amended Response to Discovery Requests from OCA

Dear Counsel:

Enclosed is a copy of the First Amended Response by Pennsylvania-American Water Company ("PAWC") to OCA-IV-1, OCA-IV-3, OCA-IV-5, OCA-VII-1, and OCA-VII-4 of Set IV and Set VII of the Interrogatories and Request for Production of Documents from the Office of Consumer Advocate ("OCA"). A Certificate of Service is also enclosed.

Please note that these First Amended Responses are intended to replace, amend, clarify and supplement the initial responses to said Discovery Requests. The First Amended Responses provide separate information on the water systems of W.P. Water Company in Washington Park and Sleepy Hollow.

PAWC reserves the right to update, supplement (or amend) these Responses. The Company's investigation and due diligence into the acquisition and operation of W.P. Water

Christine M. Hoover, Esquire
Darlene R. Wong, Esquire
Erin L. Gannon, Esquire
August 21, 2007
Page 2

Company and/or W.P. Sanitary Company are ongoing. Responses, including (but not limited to) information on expenses, may change during PAWC's continued investigation and due diligence.

If you have any questions or concerns, please contact us. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Michael D. Klein". The signature is written in a cursive style with a large initial "M".

Michael D. Klein

Enclosures

cc: Secretary McNulty (Letter and Certificate of Service Only)
Marilyn J. Kraus (OCA, Senior Regulatory Analyst)
Parties on Certificate of Service

Certificate of Service

I hereby certify that this 21st day of August, 2007, true and correct copies of the foregoing documents were served upon counsel for the parties in the manner and to the address, set forth below:

Via Regular Mail (Postage Pre-Paid):

Larry Lash, P.E.
Bureau of Fixed Utility Services
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

Jonnie E. Simms, Esquire
Office of Trial Staff
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

Rhonda L. Davidson, Esquire
Khris Brown, Esquire
Patty Weidt, Esquire
Law Bureau Prosecutory Staff
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

William Lloyd
Office of Small Business Advocate
Suite 102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Fayling Dempsey, Esquire
Department of Environmental Protection
Office of Chief Counsel
2 Public Square
Wilkes-Barre, PA 18503

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

Kieran Michael Casey, Esquire
Borland and Borland, LLP
69 Public Square, Suite 1100
Wilkes-Barre, PA 18701

*Attorney for W.P. Water Company &
W.P. Sanitary Company*

*Attorney for W.P. Water Company &
W.P. Sanitary Company*

[Continued on Next Page]

Kimberly Joyce, Esquire
Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19101-3489

Attorney for Aqua Pennsylvania, Inc.

John Dillon, Esquire
Boyd Hughes, Esquire
United Water Pennsylvania, Inc.
8189 Adams Drive
Hummelstown, PA 17036

***Attorneys for
United Water Pennsylvania, Inc.***

Susan Simms Marsh, Esquire
Associate Regional Counsel
American Water Southeast Region
800 West Hersheypark Drive
Hershey, Pennsylvania 17033
(717) 531-3208
Fax: (717) 531-3252

Thomas Niesen, Esquire
Thomas, Thomas, Armstrong and Niesen
212 Locust Street
P.O. Box 9500
Harrisburg, PA 17108-9500

Attorney for Aqua Pennsylvania, Inc.

Paul Litwin, Esquire
24 East Tioga Street
Tunkhannock, PA 18657

Attorney for Washington Township



Michael D. Klein
mklein@llgm.com

Carl R. Shultz
crshultz@llgm.com

LeBoeuf, Lamb, Greene & MacRae, L.L.P.
200 North Third Street, Suite 300
P.O. Box 12105
Harrisburg, PA 17108-2105
(717) 232-8199
Fax: (717) 232-8720

***Attorneys for
Pennsylvania-American Water
Company***

LEBOEUF, LAMB, GREENE & MACRAE LLP

NEW YORK
WASHINGTON, D.C.
ALBANY
BOSTON
CHICAGO
HARTFORD
HOUSTON
JACKSONVILLE
LOS ANGELES
PITTSBURGH
SAN FRANCISCO

200 NORTH THIRD STREET, SUITE 300
P.O. Box 12105
HARRISBURG, PA 17108-2105
(717) 232-8199
FACSIMILE: (717) 232-8720

E-MAIL ADDRESS: MKLEIN@LLGM.COM
WRITER'S DIRECT DIAL: (717) 232-8196

LONDON
A MULTINATIONAL
PARTNERSHIP
PARIS
BRUSSELS
JOHANNESBURG
(PTY) LTD.
MOSCOW
RIYADH
AFFILIATED OFFICE
ALMATY
BEIJING

August 23, 2007

VIA REGULAR MAIL

James J. McNulty, Secretary
Secretary's Bureau
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
2nd Floor, Room-N201
400 North Street
Harrisburg, PA 17120

ORIGINAL

SECRETARIAT'S BUREAU
2007 AUG 24 AM 9:22

Re: 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

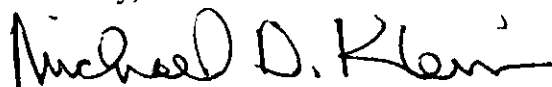
PAWC Written Statement

Dear Secretary McNulty:

Enclosed is the original and three copies of the Written Statement by
Pennsylvania-American Water Company ("PAWC") in the above-mentioned consolidated
proceeding. A Certificate of Service is also enclosed.

If you have any questions or concerns, please contact us. Thank you.

Sincerely,



Michael D. Klein

Enclosures

cc: Parties on Certificate of Service

DOCUMENT
FOLDER



**Before the
Pennsylvania Public Utility Commission**

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

2007 AUG 24 AM 8:22
SECRETARY'S OFFICE

**Written Statement of
Pennsylvania-American Water Company**

Pennsylvania-American Water Company ("Respondent" or "PAWC"), by and through its undersigned Counsel, hereby files this Written Statement ("Statement") pursuant to Section 529(i)(2) of the Public Utility Code, 66 Pa. C.S. § 529(i)(2), in the above-captioned consolidated proceeding.

I. Introduction

Please note that this Statement is intended to outline the issues and witnesses and areas of testimony presented by PAWC under Section 529(i)(2). It is **not** intended to respond to any potential arguments that may be raised by other parties in this proceeding.

II. Background

On July 11, 2007, the Commission initiated an investigation into the possibility of ordering another public utility to acquire the water systems of W.P. Water Company, which serve customers in Wyoming and Luzerne counties, and the wastewater system of W.P. Sanitary Company, which serves customers in Wyoming County.

**DOCUMENT
FOLDER**

DOCKETED
SEP 18 2007

W.P. Water Company and W.P. Sanitary Company have operations located in the “Washington Park” subdivision, Washington Township, Wyoming County. PAWC does **not** have water or wastewater operations in Wyoming County. PAWC’s existing water facilities are approximately 21 miles from the water operations of W.P. Water Company in Washington Park. PAWC’s existing wastewater facilities are approximately 75 to 80 miles from the wastewater operations of W.P. Sanitary Company in Washington Park.

W.P. Water Company also has water operations located in the “Sleepy Hollow” subdivision, Kingston Township, Luzerne County. PAWC has water operations in Kingston Township, Luzerne County. However, PAWC’s closest water facilities are approximately 5 miles from the operations of W.P. Water Company in Sleepy Hollow.

III. Issue: Proximity

It is PAWC’s position that PAWC is **not** “proximate” to the systems of W.P. Water Company and/or W.P. Sanitary Company as required by Section 529 of the Public Utility Code, 66 Pa. C.S. § 529. Under Section 529 of the Public Utility Code, the Commission’s statutory authority is limited to ordering “proximate” public utilities to acquire a small water or sewer utility.¹

¹ See, e.g., 66 Pa. C.S. §§ (c)(2) (“In making a determination pursuant to [Section 529(a)], the commission shall consider ... [t]he financial, managerial and technical ability of all *proximate* public utilities providing the same type of service.”); (h) (“The notice required by [Section 529(a)] ... shall be served upon ... all *proximate* public utilities providing the same type of service as the small water or sewer utility ...”); (i)(2) (“Once the commission determines that a prima facie case has been established: ... a *proximate* public utility providing the same type of service as the small water or sewer utility shall have the opportunity and burden of proving its financial, managerial or technical inability to acquire and operate the small water or sewer utility.”); (m) (“A public utility which would otherwise be a capable public utility except for the fact that it has fewer than 4,000 customer connections may elect to be a capable public utility for the purposes of this section ... regardless of whether or not it is *proximate* to the small sewer utility or small water utility to be acquired.”).

Section 529 does **not** define the term “proximate.” However, the common understanding of “proximate” is “very near.”² The common understanding of “near” is “at, within, or to a short distance or time.”³

It should be noted that this issue is limited to the “proximity” requirement of Section 529 as applied to PAWC and the systems of W.P. Water Company and/or W.P. Sanitary Company.

IV. WITNESSES

The names of the witnesses that PAWC intends to call in this proceeding are listed below:

- A. Michael J Guntrum, P.E., C.E.M.

Pennsylvania-American Water Company
800 West Hershey Park Drive
Hershey, PA 17033

Topics: Proximity of PAWC’s existing water and wastewater systems to systems of W.P. Water Company and/or W.P. Sanitary Company; Potential Problems with Facilities Acquired from W.P. Water Company and/or W.P. Sanitary Company.

- B. Michael Salvo, Network Manager

Pennsylvania American Water Company
Eastern PA, Southeast Region
852 Wesley Drive
Mechanicsburg, PA 17055

Topics: Proximity of PAWC’s existing water and wastewater systems to systems of W.P. Water Company and/or W.P. Sanitary Company; Potential Problems with Facilities Acquired from W.P. Water Company and/or W.P. Sanitary Company.

² Merriam Webster Online Dictionary < <http://www.m-w.com/dictionary/Proximate> >.

³ Merriam Webster Online Dictionary < <http://www.m-w.com/dictionary/Near> >.

C. John Cox, Assistant Manager Rates and Regulation.

Pennsylvania American Water Company
852 Wesley Drive
Mechanicsburg, PA 17055

Topics: Rates and Potential Rate Problems with Facilities
Acquired from W.P. Water Company and/or W.P. Sanitary
Company.

D. David Kaufman, Director of Engineering

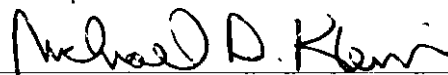
Pennsylvania American Water Company
852 Wesley Drive
Mechanicsburg, PA 17055

Topics: Operation of Existing Facilities; Potential Operational
Problems with Facilities Acquired from W.P. Water Company
and/or W.P. Sanitary Company.

PAWC reserves the right to present additional witnesses as may be necessary to
appropriate in response to any claims or issues raised in this proceeding.

Respectfully Submitted,

By:



Michael D. Klein, Esquire
PA Attorney ID 23854
mklein@llgm.com

Susan Simms Marsh, Esquire
smarsh@amwater.com

Associate Regional Counsel
American Water Southeast Region
800 West Hersheypark Drive
Hershey, Pennsylvania 17033
(717) 531-3208
Fax: (717) 531-3252

Carl R. Shultz, Esquire
PA Attorney ID 70328
crshultz@llgm.com

LeBoeuf, Lamb, Greene & MacRae, L.L.P.
200 North Third Street, Suite 300
P.O. Box 12105
Harrisburg, PA 17108-2105
(717) 232-8199
Fax: (717) 232-8720

**Attorneys for
Pennsylvania-American Water Company**

Certificate of Service

I hereby certify that this 23rd day of August, 2007, true and correct copies of the foregoing documents were served upon counsel for the parties in the manner and to the address, set forth below:

Via Regular Mail (Postage Pre-Paid):

Larry Lash, P.E.
Bureau of Fixed Utility Services
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

Rhonda L. Davidson, Esquire
Khris Brown, Esquire
Patty Weidt, Esquire
Law Bureau Prosecutory Staff
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

Fayling Dempsey, Esquire
Department of Environmental Protection
Office of Chief Counsel
2 Public Square
Wilkes-Barre, PA 18503

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

*Attorney for W.P. Water Company &
W.P. Sanitary Company*

Jonnie E. Simms, Esquire
Office of Trial Staff
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

William Lloyd
Office of Small Business Advocate
Suite 102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Christine M. Hoover, Esquire
Darlene R. Wong, Esquire
Erin L. Gannon, Esquire
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923

Kieran Michael Casey, Esquire
Borland and Borland, LLP
69 Public Square, Suite 1100
Wilkes-Barre, PA 18701

*Attorney for W.P. Water Company &
W.P. Sanitary Company*

2007 AUG 23 PM 6:02
RECEIVED
PA 17101

Kimberly Joyce, Esquire
Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19101-3489

Attorney for Aqua Pennsylvania, Inc.

John Dillon, Esquire
Boyd Hughes, Esquire
United Water Pennsylvania, Inc.
8189 Adams Drive
Hummelstown, PA 17036

***Attorneys for
United Water Pennsylvania, Inc.***

Susan Simms Marsh, Esquire
Associate Regional Counsel
American Water Southeast Region
800 West Hersheypark Drive
Hershey, Pennsylvania 17033
(717) 531-3208
Fax: (717) 531-3252

Thomas Niesen, Esquire
Thomas, Thomas, Armstrong and Niesen
212 Locust Street
P.O. Box 9500
Harrisburg, PA 17108-9500

Attorney for Aqua Pennsylvania, Inc.

Paul Litwin, Esquire
24 East Tioga Street
Tunkhannock, PA 18657

Attorney for Washington Township



Michael D. Klein
mklein@llgm.com

Carl R. Shultz
crshultz@llgm.com

LeBoeuf, Lamb, Greene & MacRae, L.L.P.
200 North Third Street, Suite 300
P.O. Box 12105
Harrisburg, PA 17108-2105
(717) 232-8199
Fax: (717) 232-8720

***Attorneys for
Pennsylvania-American Water Company***



THOMAS, THOMAS,
ARMSTRONG & NIESEN

Attorneys and Counsellors at Law

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

August 24, 2007

DOCUMENT
FOLDER

08/24/07 10:01 AM
08/24/07 10:01 AM

Darlene R. Wong
Assistant Consumer Advocate
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

In re: Dockets Nos. I-00070114, P-00072313 and A-230550F2000
W.P. Water Co., Inc. and W.P. Sanitary Co., Inc.

Dear Ms. Wong:

Enclosed are the responses of Aqua Pennsylvania, Inc. to the OCA Set VI Interrogatories in the above matter.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By

Thomas T. Niesen

cc: Frances P. Orth, Esq. (w/encl.)
Keith E. Gabage (w/encl.)
James J. McNulty
(certificate of service only)

070824 Wong (OCA Set VI).wpd

**Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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 24th day of August, 2007, served a true and correct copy of the responses of Aqua Pennsylvania, Inc. to the OCA Set VI Interrogatories in the above matter, upon the persons and in the manner indicated below:

FIRST CLASS MAIL, POSTAGE PREPAID

Darlene R. Wong
Assistant Consumer Advocate
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Rhonda L. Daviston, Esquire
Law Bureau Prosecutory Staff
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

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

Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Fayline Dempsey, Esquire
PA Dept. of Environmental Protection
Office of Chief Counsel
2 Public Square
Wilkes-Barre, PA 18503

Susan Simms Marsh, Esquire
PA American Water Company
800 West Hershey Park Drive
Hershey, PA 17033

Paul Litwin, Esquire
24 East Tioga Street
Tunkhannock, PA 18657

Michael D. Klein, Esquire
LeBoeuf, Lamb, Greene & McRae, LLP
200 North Third Street, Suite 300
P.O. Box 12105
Harrisburg, PA 17108-2105

Kieran M. Casey, Esquire
Borland and Borland, LLP
69 Public Square, Suite 1100
Wilkes-Barre, PA 18701

John Dillon, Esquire
United Water
200 Old Hook Road
Harrington Park, NJ 07640

W. Boyd Hughes, Esquire
Hughes, Nicholls & O'Hara
1421 E. Drinker Street
Dunmore, PA 18512-2614

Marilyn J. Kraus
Senior Regulatory Analyst
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

A handwritten signature in black ink, appearing to read 'Thomas T. Niesen', is written over a horizontal line.

Thomas T. Niesen
PA Attorney ID No. 31379



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
August 24, 2007

IN REPLY PLEASE
REFER TO OUR FILE

(SEE ATTACHED LIST)

DOCUMENT
FOLDER

**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**

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

MEDIATION NOTICE

The parties have consented to use the mediation process in the above-captioned matters.

A mediation session will be held as follows:

Date: **Tuesday, September 11, 2007**

Time: **10:00 a.m.**

Location: **An Available Room
Scranton State Office Building
100 Lackawanna Avenue
Scranton, PA**

DOCKETED
SEP 11 2007

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

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

Page 2

Mediator: **Herbert R. Nurick**
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265
 Telephone: (717) 783-5428
 Fax: (717) 787-0481
 Email: hnurick@state.pa.us

Mediation is an informal, non-adjudicatory process. The mediator does not give advice, represent any party, evaluate or make a decision. Instead, the mediator serves as an impartial facilitator who helps the parties resolve their disputes. In other words, mediation is a process which allows the parties to control the outcome of their dispute, as opposed to a hearing where an Administrative Law Judge and the Commission control the outcome.

Moreover, mediation is different from a settlement conference which is based on competitive negotiations. In mediation, the parties agree to work together toward a final resolution of their differences considering how any solution must address the interests of all parties. The focus is not to determine fault, assign blame, or deal with past issues. Rather, the focus is on the future and on a consensual resolution that the parties can live with.

Because mediation is not an on-the-record proceeding, there will be no court reporter. Everything that takes place at the mediation session is, and must remain, confidential, unless otherwise provided for by law, regulation or rule. This applies to everyone who is in the room. An agreement reached between or among the parties becomes public upon submission of the mediator's brief procedural report to a judge (or Commission) when the agreement is attached to the report.

The parties must act in good faith. A page entitled "Good Faith Factors for Mediation Sessions" is enclosed. **If you feel that you cannot comply with all of these factors**, please let the mediator know well in advance of the mediation session, because it may be that the cases will not be suitable for mediation at the scheduled time. Additionally, the parties must follow the Pennsylvania Bar Association Working Rules for Professionalism regarding their conduct. A copy of the Rules is also enclosed.

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

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

Page 3

Mr. Nurick has noted that he and the Pennsylvania Public Utility Commission (“Commission”) Law Bureau Prosecutory Staff are employed by the Commission, an agency of the Commonwealth of Pennsylvania. Also, the staffs of the Office of Consumer Advocate (“OCA”) and Pennsylvania Department of Environmental Protection are employed by the Commonwealth of Pennsylvania. Mr. Nurick has further pointed out that he has been the mediator in other cases in which certain entities have participated which are also participating in the instant proceedings. Additionally, Mr. Nurick is a customer of United Water Pennsylvania. He has stated that these factors will have no effect on his ability to be fair and impartial in these cases. Nevertheless, if you object to having him serve as the mediator, or if you are aware of any other factors which could affect his ability to be impartial, please let him know promptly.

In the meantime, please attempt to resolve the issues involved prior to the mediation session.

Any questions regarding the mediation should be directed to the mediator at the telephone number provided above.

If you are a person with a disability, and you wish to attend the mediation session, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission:

- Scheduling Office: (717) 787-1399
- For persons who are deaf or hearing-impaired, contact the AT&T Relay Service: 1-800-654-5988

Enclosures

pc: Mediator Nurick
ALJ Jandebaur
Scheduling File
Calendar File
Mediation File
Beth Plantz
Docket Section

GOOD FAITH FACTORS FOR MEDIATION SESSIONS

GOOD FAITH INCLUDES, AMONG OTHER THINGS:

1. GIVING THE PARTICIPANTS, PRIOR TO THE FIRST SESSION, ALL THE INFORMATION THEY NEED TO KNOW IN ORDER TO RESOLVE THE CASE. (The Commission believes "that formal discovery procedures are not appropriate in the informal [mediation] process." *Pa. Bul., Vol. 25, No. 20*, May 20, 1995, p. 1996. Therefore, discoverable information should be discovered informally.)

2. BEING FULLY PREPARED WITH FULL KNOWLEDGE OF THE CASE AND WITH POSSIBLE SOLUTIONS FOR RESOLVING THE CASE.

3. BEING WILLING TO CREATE OPTIONS TO RESOLVE A MATTER, CONSIDERING HOW THE SOLUTION MUST ADDRESS THE INTERESTS OF ALL THE PARTIES, AS OPPOSED TO TAKING AN UNYIELDING POSITION.

4. HAVING THE PERSON WITH THE AUTHORITY TO APPROVE THE TERMS FOR RESOLUTION ATTEND THE MEDIATION SESSION, OR, AT LEAST, BE AVAILABLE TO CONFER WITH THE PARTY'S REPRESENTATIVE DURING THE MEDIATION REGARDING APPROVAL OF TERMS.

5. DEMONSTRATING A WILLINGNESS TO LISTEN AND TO UNDERSTAND THE PERSPECTIVES OF THE OTHER PARTIES.

6. BEING WILLING TO SPEND THE ENTIRE DAY, IF NECESSARY, AT THE SESSION.

PBA Working Rules for Professionalism

The practice of law is a profession, a genuine calling inspired with service to the system of justice, not a common business enterprise. The quality of the profession is only as worthy as the character of the people who practice it.

Self-esteem, shared respect for each other, the clients we serve, the judges and the officers with whom we work, are essential to it.

Civility is a virtue, not a shortcoming. Willingness to temper zeal with respect for society's interest in preserving responsible judicial process will help to preserve it.

Unwritten rules of professional courtesy have long sustained us. Since they are sometimes forgotten, or sometimes ignored, we should set them down again and conscientiously observe them.

1. Treat with civility the lawyers, clients, opposing parties, the Court, and all the officials with whom we work. Professional courtesy is compatible with vigorous advocacy and zealous representation.
2. Communications are lifelines. Keep the lines open. Telephone calls and correspondence are a two-way channel; respond to them promptly.
3. Respect other lawyers' schedules as your own. Seek agreement on meetings, depositions, hearings and trial dates. A reasonable request for a scheduling accommodation should never be unreasonably refused.
4. Be punctual in appointments, communications and in honoring scheduled appearances. Neglect and tardiness are demeaning to others and to the judicial system.
5. Procedural rules are necessary to judicial order and decorum. Be mindful that pleadings, discovery processes and motions cost time and money. They should not be heedlessly used. If an adversary is entitled to something, provide it without unnecessary formalities.
6. Grant extensions of time when they are reasonable and when they will not have a material, adverse effect on your client's interest.
7. Resolve differences through negotiation, expeditiously and without needless expense.
8. Enjoy what you are doing and the company you keep. You and the world will be better for it.

Beyond all this, the respect of our peers and the society which we serve is the ultimate measure of responsible professional conduct.

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)

DOCUMENT
FOLDER
RECEIVED
FAX (717) 783-7152
consumadv@paoca.org

IRWINA. POPOWSKY
Consumer Advocate

August 30, 2007

AUG 30 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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

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

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

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

Dear Judge Jandebour:

Enclosed please find two copies of the Direct Testimony of Terry L. Fought, OCA Statement No. 1 and Direct Testimony of Marilyn J. Kraus, OCA Statement No. 2, on behalf of the Office of Consumer Advocate, in the above-referenced proceeding.

Pursuant to 52 Pa. Code § 5.407, the OCA also will seek to have the records of the proceedings at Docket Nos. C-20055453, et al. and A-210104F0074 admitted into the record in this proceeding. At the hearings, the OCA will provide specific references to the records in the proceedings listed as well as reasons why the records are relevant and material to the current proceeding. In addition, the OCA will seek to have relevant Orders and Initial Decisions of the Commission admitted into the record as public documents pursuant to 52 Pa. Code § 5.406.

Copies have been served on the parties of record as indicated on the enclosed Certificate of Service.

Sincerely,

Christine Maloni Hoover

Christine Maloni Hoover
Senior Assistant Consumer Advocate
PA Attorney I.D. # 50026

Enclosures

cc: Parties of Record
Secretary James McNulty, (letter and Certificate of Service only)

95436.doc

CERTIFICATE OF SERVICE

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

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

I hereby certify that I have this day served a true copy of the foregoing document, Direct Testimony of Terry L. Fought, OCA Statement No. 1 and Direct Testimony of Marilyn J. Kraus, OCA Statement No. 2, 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 30th day of August, 2007.

SERVICE BY E-MAIL and INTEROFFICE MAIL

Larry Lash, P.E.
Bureau of Fixed Utility Services
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

Rhonda L. Daviston
Kriss Brown
Patty Weidt
Law Bureau Prosecutory Staff
P.O. Box 3265
Harrisburg, PA 17105-3265

SERVICE BY E-MAIL and FIRST CLASS MAIL, POSTAGE PREPAID

Ernest D. Preate, Jr., Esquire
Mellon Bank Building
400 Spruce Street, Suite 300
Scranton, PA 18503
Attorney for W.P. Water Company

Kieran Michael Casey, Esq.
Borland and Borland, L.L.P.
69 Public Square, Suite 1100
Wilkes-Barre, PA 18701
Attorney for W.P. Water Company

Fay Dempsey, Assistant Counsel
Pa. Dept. of Environmental Protection
Office of Chief Counsel
2 Public Square
Wilkes-Barre, PA 18711-0790

Paul Litwin, Esquire
24 East Tioga Street
Tunkhannock, PA 18657
Attorney for Washington Township

Kimberly Joyce, Esquire
Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19101-3489

John Dillon, Esquire
United Water Pennsylvania, Inc.
8189 Adams Drive
Hummelstown, PA 17036

W. Boyd Hughes, Esquire
1421 E. Drinker Street
Dunmore, PA 18512
Attorney for United Water Pennsylvania, Inc.

Thomas Niesen, Esquire
Thomas, Thomas, Armstrong and Niesen
212 Locust Street
P.O. Box 9500
Harrisburg, PA 17108-9500
Attorneys for Aqua Pennsylvania, Inc.

Michael D. Klein, Esquire
LeBoeuf, Lamb, Greene & MacRae, LLP
200 North Third Street, Suite 300
P.O. Box 12105
Harrisburg, PA 17108-2105
Attorneys for Pennsylvania-American Water Co.

Susan Simms Marsh, Esquire
Pennsylvania-American Water Co.
800 West Hershey Park Drive
Hershey, PA 17033



Christine Maloni Hoover
Senior Assistant Consumer Advocate
PA Attorney I.D.#50026
E-Mail: CHoover@paoca.org

Darlene R. Wong
Assistant Consumer Advocate
PA Attorney I.D.#87381
E-Mail: DWong@paoca.org

Erin L. Gannon
Assistant Consumer Advocate
PA Attorney I.D. # 83487
E-Mail: EGannon@paoca.org

Counsel for
Office of Consumer Advocate
555 Walnut Street 5th Floor, Forum Place
Harrisburg, PA 17101-1923
(717) 783-5048
95258.doc

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)
August 31, 2007

IRWINA. POPOWSKY
Consumer Advocate

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

James J. McNulty, Secretary
PA Public Utility Commission
Commonwealth Keystone Bldg.
400 North Street
P.O. Box 3265
Harrisburg, PA 17120

ORIGINAL

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

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

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

DOCUMENT
FOLDER

Dear Secretary McNulty:

Enclosed for filing please find an original and three copies of the Office of Consumer Advocate's Answer to Motion to Exclude United Water Pennsylvania as a Capable Public Utility to Acquire W.P. Sanitary Company in the above-referenced proceeding.

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

Sincerely,

Christine Maloni Hoover

Christine Maloni Hoover
Senior Assistant Consumer Advocate
PA Attorney I.D. # 50026

Enclosures

cc: Honorable Ember Jandebour
Parties of record

995449.doc

RECEIVED
AUG 31 2007
12:44 PM
PAOCA

72

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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
	:	
	:	
	:	
	:	
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

2007 SEP 05 11:51 AM

**DOCUMENT
FOLDER**

OFFICE OF CONSUMER ADVOCATE'S
ANSWER TO MOTION TO EXCLUDE
UNITED WATER PENNSYLVANIA
AS A CAPABLE PUBLIC UTILITY
TO ACQUIRE W.P. SANITARY COMPANY

NOW COMES the Office of Consumer Advocate ("OCA") and files this answer to the Motion to Exclude United Water Pennsylvania as a Capable Public Utility to Acquire W.P. Sanitary Company ("Motion"). The OCA avers as follows:

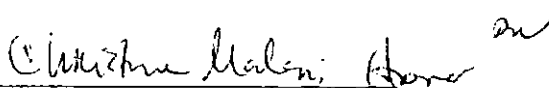
DOCKETED
SEP 05 2007

1. Admitted.
2. Neither admitted nor denied. The OCA agrees with the statement that the dates of incorporation for WP Water Company, Inc. and W.P. Sanitary Company, Inc. were July 17, 1970. The OCA does not necessarily agree that they are "separate and distinct Pennsylvania corporations." United Motion at ¶ 2.

3. Admitted. By way of further answer, in its Petition, the OCA also referred to W.P. Water and W.P. Sanitary individually.
4. Admitted.
5. Denied. The OCA's Motion to Consolidate referenced the Application of W.P. Sanitary Company, Inc. (WP Sanitary) for Approval to Abandon Wastewater Service at Docket No. A-230550F2000 (Application) and the OCA's Petition for a Commission Order Instituting a Proceeding to Order the Acquisition of WP Water Company (WP Water) and WP Sanitary Company (collectively, WP) pursuant to 66 Pa. C.S. § 529 at Docket No. P-00072313 (Section 529 Petition). OCA Motion to Consolidate at 1.
6. Admitted in part. By way of further answer, the OCA clarifies that the Commission's ordering paragraph 6 refers to Pa. American Water Company, not American Water Company as stated in United's Motion.
7. Admitted in part, denied in part. Admitted to the extent that United Water does not have a wastewater utility in Pennsylvania that serves 4,000 or more customer connections. Denied to the extent that United Water could elect to be a proximate capable public utility as set forth in 66 Pa. C.S. § 529(m) and thus meet the definition contained therein. Additionally, the PUC could decide to retain United Water's participation in the wastewater portion of the proceeding as a capable public utility for water and wastewater because of its service to approximately 54,000 water customers in Pennsylvania.
8. Denied. As of year end 2006, WP Sanitary provided sewage treatment services to 156 customers. W.P. Sanitary 2006 Annual Report, p. 37.

WHEREFORE, the Office of Consumer Advocate requests that an order be entered, consistent with the reasons set forth in this Answer.

Respectfully Submitted,



Christine Maloni Hoover
Senior Assistant Consumer Advocate
PA Attorney I.D. # 50026
E-Mail: CHoover@paoca.org

Darlene R. Wong
Assistant Consumer Advocate
PA Attorney I.D. # 87381
E-Mail: DWong@paoca.org

Erin L. Gannon
Assistant Consumer Advocate
PA Attorney I.D. # 83487
E-Mail: EGannon@paoca.org

Counsel for:
Irwin A. Popowsky
Consumer Advocate

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

August 31, 2007

95440

CERTIFICATE OF SERVICE

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

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

2007 AUG 31 PM 4:12
SECTION 529

I hereby certify that I have this day served a true copy of the foregoing document, Office of Consumer Advocate's Answer to Motion to Exclude United Water Pennsylvania as a Capable Public Utility to Acquire W.P. Sanitary Company, 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 31st day of August, 2007.

SERVICE BY E-MAIL and INTEROFFICE MAIL

Larry Lash, P.E.
Bureau of Fixed Utility Services
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

Rhonda L. Daviston
Kriss Brown
Patty Weidt
Law Bureau Prosecutory Staff
P.O. Box 3265
Harrisburg, PA 17105-3265

SERVICE BY E-MAIL and FIRST CLASS MAIL, POSTAGE PREPAID

Ernest D. Preate, Jr., Esquire
Mellon Bank Building
400 Spruce Street, Suite 300
Scranton, PA 18503
Attorney for W.P. Water Company

Kieran Michael Casey, Esq.
Borland and Borland, L.L.P.
69 Public Square, Suite 1100
Wilkes-Barre, PA 18701
Attorney for W.P. Water Company

Fay Dempsey, Assistant Counsel
Pa. Dept. of Environmental Protection
Office of Chief Counsel
2 Public Square
Wilkes-Barre, PA 18711-0790

Paul Litwin, Esquire
24 East Tioga Street
Tunkhannock, PA 18657
Attorney for Washington Township

Kimberly Joyce, Esquire
Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19101-3489

John Dillon, Esquire
United Water Pennsylvania, Inc.
8189 Adams Drive
Hummelstown, PA 17036

W. Boyd Hughes, Esquire
1421 E. Drinker Street
Dunmore, PA 18512
Attorney for United Water Pennsylvania, Inc.

Thomas Niesen, Esquire
Thomas, Thomas, Armstrong and Niesen
212 Locust Street
P.O. Box 9500
Harrisburg, PA 17108-9500
Attorneys for Aqua Pennsylvania, Inc.

Michael D. Klein, Esquire
LeBoeuf, Lamb, Greene & MacRae, LLP
200 North Third Street, Suite 300
P.O. Box 12105
Harrisburg, PA 17108-2105
Attorneys for Pennsylvania-American Water Co.

Susan Simms Marsh, Esquire
Pennsylvania-American Water Co.
800 West Hershey Park Drive
Hershey, PA 17033



Christine Maloni Hoover
Senior Assistant Consumer Advocate
PA Attorney I.D.#50026
E-Mail: CHoover@paoca.org

Darlene R. Wong
Assistant Consumer Advocate
PA Attorney I.D.#87381
E-Mail: DWong@paoca.org

Erin L. Gannon
Assistant Consumer Advocate
PA Attorney I.D. # 83487
E-Mail: EGannon@paoca.org

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

95447.doc



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
September 5, 2007

IN REPLY PLEASE
REFER TO OUR FILE

(SEE NOTICE DATED 8/24/07)

DOCUMENT
FOLDER

**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**

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

MEDIATION NOTICE

An additional mediation session will be held as follows:

Date: Wednesday, September 12, 2007

Time: 10:00 a.m.

**Location: Room #318 for both sessions
Scranton State Office Building
100 Lackawanna Avenue
Scranton, PA**

DOCKETED
SEP 11 2007

If you are a person with a disability, and you wish to attend the mediation session, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission:

- Scheduling Office: (717) 787-1399
- For persons who are deaf or hearing-impaired, contact the AT&T Relay Service: 1-800-654-5988

Enclosures

pc: Mediator Nurick
ALJ Jandebeur
Scheduling File
Calendar File
Docket Section
Beth Plantz



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
September 11, 2007

IN REPLY PLEASE
REFER TO OUR FILE

In Re: I-00070114
A-230550F2000

(SEE ATTACHED LIST)

I-00070114
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
A-230550F2000
APPLICATION OF W.P. SANITARY COMPANY, INC. D/B/A WASHINGTON PARK SANITARY
COMPANY

Public Input Hearing Notice

This is to inform you that Public Input Hearing(s) on the above-captioned case
will be held as follows:

Type: Public Input Hearing

Date: Wednesday, October 10, 2007

Time: 7:00 p.m.

Location: Wyoming County Courthouse
Hearing Room 1
1 Courthouse Square
Tunkhannock, PA 18657

Presiding: Administrative Law Judge Ember S. Jandebour
Room 317 Scranton State Office Building
100 Lackawanna Avenue
Scranton, PA 18503
Telephone: 570-963-4818
Fax: 570-963-3310

DOCUMENT
FOLDER

DOCKETED
SEP 21 2007

If you are a person with a disability, and you wish to attend the hearing(s), we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: 717-787-1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988

pc: Chairman Holland
Vice Chairman Cawley
Commissioner Pizzigrilli
Commissioner Fitzpatrick
Commissioner Christy
Judge Jandebaur
June Perry - LA, Keystone 3NW
Jennifer Kocher, CMU, Keystone 3N
Stacy Nolan, Scheduling Officer
Beth Plantz
Docket Section
Calendar File

MEDIATION ATTENDANCE SHEET

Mediation Session Report

Docket No. I-00070114 & A-230550F2000

Case Name W.P. Water Co., Inc. & W.P. Sanitary Co., Inc.

Location SCR

Date September 11, 2007

Mediator Herbert Nurick

CHECK THOSE WHICH APPLY:

Mediation Session Held YES NO

Mediation Concluded YES NO

Further Session Needed YES NO

Estimated Add'l Days _____

REMARKS: Another session is set for October 1st 2007

RECEIVED

SEP 21 2007

PA PUBLIC UTILITY COMMISSION
 SECRETARY'S BUREAU
 Names, Addresses and Telephone Numbers of Parties or Counsel of Record
 PLEASE PRINT CLEARLY

Incomplete Information May Result In Delay Of Process

Name and Telephone Number	Address	Appearing for
Michael Klein Telephone: 717-237-8196	LeBoeuf, Lamb, Greene & MacRae 200 North Third Street Suite 300 City: HARRISBURG PA Zip: 17108	PA American Water Co.
Fay Dempsey Telephone: 570-826-2519	DEP Office of Chief Counsel 2 Public Square City: Wilkes-Barre PA Zip: 18711-0700	DEP
W Boyd Hughes Telephone: 570 344 7171	Hughes Nicholls & O'Hara 1421 E Drinker St City: Donmore PA State: PA Zip: 18512	United Water PA Law.com
Paul Litwin Telephone: 570 836-7625	24 EAST Tioga St. City: Tunkhannock PA Zip: 18657	Washington - Ind.
RICH STEFANSKI Telephone: _____	2 PUBLIC SQUARES City: _____ State: _____ Zip: _____	_____

Check this box if additional parties or counsel of record appear on back of form.

**DOCUMENT
FOLDER**

Name and Telephone Number	Address	Appearing for
Christine Hoover Danlene Wong	555 Walnut St. 5th Fl City: Hbg State: PA Zip: 17105-1983	OCA
Telephone: 717-783-5048	E-mail Address: choover@paenergy.com	Fax Number: 717-783-7152
Thomas T. Niesen Thomas, Thomas, Armstrong & Niesen	P.O. Box 9500 Suite 500 212 Locust St City: Hbg State: PA Zip: 17108	Aquac PA
Telephone: 717.255.7241	E-mail Address: fniesen@hu-law.com	Fax Number: 717.256.8278
Kris Brown	P.O. Box 3265 City: Harrisburg State: PA Zip: 17005	PUC L.B.
Telephone: 717 787 4518	E-mail Address: kbrown@state.pa.us	Fax Number: 717 783-3458
Rhonda Daviston	P.O. Box 3265 City: Hbg State: PA Zip: 17105-3265	PUC L.B.
Telephone: (717) 787-6166	E-mail Address: rdaviston@state.pa.	Fax Number: 717-787-3458
Patti Wiedt	P O Box 3265 City: Hbg State: PA Zip: 17105	PUC L.B.
Telephone: 717-787-5755	E-mail Address:	Fax Number: 717-787-3458
Ernie Preaty	400 Scranton Spruce St City: Scranton State: PA Zip: 18503	W.P. Water Co. Inc + W.P. Sanitary & etc.
Telephone:	E-mail Address:	Fax Number:
Kieran Casey	69 Public Square Suite 1100 City: Wilkes-Barre State: PA Zip: 18701	W.P. Water & Sanitary
Telephone:	E-mail Address: casey.k@barclaw.com	Fax Number: (570) 822-9894
	City State Zip	
Telephone:	E-mail Address:	Fax Number:

OTHER PERSONS IN ATTENDANCE

Case Name:

Docket No.: I-00070114 & A-230550F2000

September 11, 2007

Name and Telephone Number	Address	Reason for attending						
Michael Guntram	800 W. Hershey Park Rd <table border="1"> <tr> <td>City</td> <td>State</td> <td>Zip</td> </tr> <tr> <td>Hershey</td> <td>PA</td> <td>17033</td> </tr> </table>	City	State	Zip	Hershey	PA	17033	Representing PA American Water
City	State	Zip						
Hershey	PA	17033						
Telephone: 717 531-3328	E-mail Address: michael.guntram@americanwater.com	Fax Number: 717-531-3235						
Kate Crowley	2 Public Square <table border="1"> <tr> <td>City</td> <td>State</td> <td>Zip</td> </tr> <tr> <td>Wilkes Barre</td> <td>PA</td> <td>18711</td> </tr> </table>	City	State	Zip	Wilkes Barre	PA	18711	PA DEP Water Mgmt. Program
City	State	Zip						
Wilkes Barre	PA	18711						
Telephone: 570-820-2511	E-mail Address: kacrowley@state.pa.us	Fax Number: 570-830-3016						
LORA Seidel Wayne Allen } Supervisor Dan Huff }	184 Keiserville Rd Tunkhannock <table border="1"> <tr> <td>City</td> <td>State</td> <td>Zip</td> </tr> <tr> <td></td> <td>PA</td> <td>18657</td> </tr> </table>	City	State	Zip		PA	18657	Washington Twp.
City	State	Zip						
	PA	18657						
Telephone: 836-1199	E-mail Address: wshntwp@opix.net	Fax Number: 570 836 0966						
MARILYN KRAUS	555 WALNUT ST <table border="1"> <tr> <td>City</td> <td>State</td> <td>Zip</td> </tr> <tr> <td>H B G</td> <td>PA</td> <td>17101</td> </tr> </table>	City	State	Zip	H B G	PA	17101	OCA
City	State	Zip						
H B G	PA	17101						
Telephone: 717-783-5048	E-mail Address: mkraus@paoca.org	Fax Number: 717-783-7152						
RICH STEFANSKI	2 PUBLIC SQUARE <table border="1"> <tr> <td>City</td> <td>State</td> <td>Zip</td> </tr> <tr> <td>WILKES-BARRE</td> <td>PA</td> <td>18701</td> </tr> </table>	City	State	Zip	WILKES-BARRE	PA	18701	DEP REP
City	State	Zip						
WILKES-BARRE	PA	18701						
Telephone: 826-2226	E-mail Address: RSTEFANSKI@STATE.PA.US	Fax Number: 830-3017						
Frank A. Luongo	2 Public Square <table border="1"> <tr> <td>City</td> <td>State</td> <td>Zip</td> </tr> <tr> <td>Wilkes Barre</td> <td>PA</td> <td>18711</td> </tr> </table>	City	State	Zip	Wilkes Barre	PA	18711	PA DEP Water Mgmt Prog.
City	State	Zip						
Wilkes Barre	PA	18711						
Telephone: 826-2323	E-mail Address: FALUONGO@STATE.PA.US	Fax Number: 570-830-3016						
Kris Bedwa	 <table border="1"> <tr> <td>City</td> <td>State</td> <td>Zip</td> </tr> </table>	City	State	Zip	PUC Lees Bureau			
City	State	Zip						
Telephone: 717 787 4576	E-mail Address: kbedwa@state.pa.us	Fax Number:						

OTHER PERSONS IN ATTENDANCE

Case Name:

Docket No.:

Name and Telephone Number	Address	Reason for attending
KEITH E. GABAGE 610-645-1185	262 W. LANCASTER AVE City: Bryn Mawr State: PA Zip: 19010	w/ AQUA
Telephone:	E-mail Address: kgabage@aquamerica.com	Fax Number:
Anthony J. Donatoni 610-645-1027	762 W. Lancaster Ave City: Bryn Mawr State: PA Zip: 19010	AQUA
Telephone:	E-mail Address:	Fax Number:
MARK KROPIAK 610 645 1080	762 W. Lancaster Ave City: Bryn Mawr State: PA Zip: 19010	AQUA
Telephone:	E-mail Address:	Fax Number:
CARL & SANDRA KRESGE 570 472-3871	977 LAREHUN RD. City: W. CARRE State: PA Zip: 18702	W. P. WATER W. P. Sanitary
Telephone:	E-mail Address:	Fax Number:
Telephone:	E-mail Address:	Fax Number:
Telephone:	E-mail Address:	Fax Number:
Telephone:	E-mail Address:	Fax Number:



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
September 12, 2007

IN REPLY PLEASE
REFER TO OUR FILE

In Re: I-00070114
P-00072313
A-230550F2000

(SEE LETTER DATED 8/3/07)

I-00070114
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
P-00072313
IN RE: W.P. WATER CO., INC. AND W.P. SANITARY CO., INC.
A-230550F2000
APPLICATION OF W.P. SANITARY COMPANY, INC. D/B/A WASHINGTON PARK SANITARY
COMPANY

Cancellation Notice

This is to inform you of the following cancellation:

Type: Initial & Further Hearings
Date: Wednesday, October 10, 2007
Thursday, October 11, 2007
Time: 10:00 a.m.
Presiding: Administrative Law Judge Ember S. Jandebaur

DOCUMENT
FOLDER

Please mark your records accordingly.

pc: Judge Jandebaur
Stacy Nolan, Scheduling Officer
Beth Plantz
Docket Section
Calendar File

DOCKETED
SEP 21 2007



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
September 12, 2007

IN REPLY PLEASE
REFER TO OUR FILE

(SEE ATTACHED LIST)

DOCUMENT
FOLDER

**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**

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**

MEDIATION NOTICE

An further mediation session will be held as follows:

Date: Wednesday, October 10, 2007

Time: 10:00 a.m.

**Location: Room #318
Scranton State Office Building
100 Lackawanna Avenue
Scranton, PA**

**Mediator: Herbert R. Nurick
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
Telephone: (717) 783-5428
Fax: (717) 787-0481
Email: hnurick@state.pa.us**

DOCKETED
SEP 21 2007

In the meantime, please make every effort to resolve the issues involved prior to the mediation session.

Any questions regarding the mediation should be directed to the mediator at the telephone number provided above.

If you are a person with a disability, and you wish to attend the mediation session, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission:

- Scheduling Office: (717) 787-1399
- For persons who are deaf or hearing-impaired, contact the AT&T Relay Service: 1-800-654-5988

Enclosures

pc: Mediator Nurick
ALJ Jandebour
Scheduling File
Calendar File
Docket Section
Beth Plantz



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
September 12, 2007

IN REPLY PLEASE
REFER TO OUR FILE

In Re: I-00070114
A-230550F2000

SHERIFF RICHARD MONTROSS
WYOMING COUNTY SHERIFF'S OFFICE
1 COURTHOUSE SQUARE
TUNKHANNOCK PA 18657

I-00070114
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
A-230550F2000
APPLICATION OF W.P. SANITARY COMPANY, INC. D/B/A WASHINGTON PARK SANITARY
COMPANY

Dear Sheriff Montross:

Thank you for your generosity in arranging the security for our public input hearing, which is scheduled to be held on Wednesday, October 11, 2007, at 7:00 p.m. in Hearing Room 1 of the Wyoming County Courthouse.

If you will have the individual(s) assigned to provide the security for this date complete a W-9 form and fax it to me at 717-787-0481, along with an invoice of the total charges, I will submit them to our Fiscal Office for payment.

The W-9 form is necessary so that we can process the check for each individual. I look forward to hearing from you.

Sincerely,

DOCUMENT
FOLDER

Stacy Nolan
Office of Administrative Law Judge
Scheduling Officer
717-787-5630
717-787-0481 (facsimile)



THOMAS, THOMAS,
ARMSTRONG & NIESEN

Attorneys and Counsellors at Law

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

September 26, 2007

DOCUMENT
FOLDER

Darlene R. Wong
Assistant Consumer Advocate
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

In re: Dockets Nos. I-00070114, P-00072313 and A-230550F2000
W.P. Water Co., Inc. and W.P. Sanitary Co., Inc.

Dear Ms. Wong:

Enclosed is a supplemental response of Aqua Pennsylvania, Inc. to OCA Interrogatories Set III and Set VI concerning estimated capital improvement costs and operation and maintenance expenses.

Very truly yours,

THOMAS, THOMAS ARMSTRONG & NIESEN

By

Thomas T. Niesen

cc: Frances P. Orth, Esq. (w/encl.)
Keith E. Gabage (w/encl.)
James J. McNulty

(certificate of service only)

070926 Wong (Supp Info).wpd

RECEIVED
2007 SEP 27 AM 9:34
SECRETARY'S OFFICE

**Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**In re: W.P. Water Co., Inc. And W.P. : Docket No. P-00072313
Sanitary Co., Inc. :**

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

CERTIFICATE OF SERVICE

I hereby certify that I have this 26th day of September, 2007, served a true and correct copy of a supplemental response of Aqua Pennsylvania, Inc. to OCA Set III and Set VI Interrogatories in the above matter, upon the persons and in the manner indicated below:

FIRST CLASS MAIL, POSTAGE PREPAID

Darlene R. Wong
Assistant Consumer Advocate
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Rhonda L. Daviston, Esquire
Law Bureau Prosecutory Staff
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

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

Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Fayline Dempsey, Esquire
PA Dept. of Environmental Protection
Office of Chief Counsel
2 Public Square
Wilkes-Barre, PA 18503

Susan Simms Marsh, Esquire
PA American Water Company
800 West Hershey Park Drive
Hershey, PA 17033

Paul Litwin, Esquire
24 East Tioga Street
Tunkhannock, PA 18657

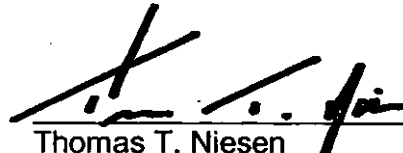
Michael D. Klein, Esquire
LeBoeuf, Lamb, Greene & McRae, LLP
200 North Third Street, Suite 300
P.O. Box 12105
Harrisburg, PA 17108-2105

Kieran M. Casey, Esquire
Borland and Borland, LLP
69 Public Square, Suite 1100
Wilkes-Barre, PA 18701

John Dillon, Esquire
United Water
200 Old Hook Road
Harrington Park, NJ 07640

W. Boyd Hughes, Esquire
Hughes, Nicholls & O'Hara
1421 E. Drinker Street
Dunmore, PA 18512-2614

Marilyn J. Kraus
Senior Regulatory Analyst
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923



Thomas T. Niesen
PA Attorney ID No. 31379

MEDIATION ATTENDANCE SHEET

Mediation Session Report

Docket No. 80072313
I-00070114, P-00003343 & A-230550F2000

CHECK THOSE WHICH APPLY:

Mediation Session Held YES NO

Mediation Concluded YES NO

Further Session Needed YES NO

Estimated Add'l Days not sure

Case Name W.P. Water Co., Inc. & W.P. Sanitary Co., Inc.

DOCUMENT FOLDER

Location SCR

REMARKS: Next session not for

Date October 10, 2007

10/29/07

Mediator Herbert Nurick

1.07 - 2007

Names, Addresses and Telephone Numbers of Parties or Counsel of Record

PLEASE PRINT CLEARLY

Incomplete Information May Result In Delay Of Process

Name and Telephone Number	Address	Appearing for
FRANCES Orth 610 645 1126	762 W. Lancaster Av 762 W. Lancaster Av City: Bryn Mawr State: PA Zip: 19010	Aqua PA, Inc Little Washington Wastewater Co.
Telephone: 610 645-1126	E-mail Address: fpoorth@aquanamerica.com	Fax Number: 610-520-9127
Thomas T. Niesen Thomas, Thomas, Armstrong & Niesen	P.O. Box 8800 Suite 500 212 Locust St. City: Hbg State: PA Zip: 17108	Aqua PA Little Washington Wastewater Co.
Telephone: 717, 255, 7600	E-mail Address: tniesen@ttanlaw.com	Fax Number: 717, 236, 8278
Patti Wiedt PUC Commonwealth Keystone Bldg	City: Harrisburg State: PA Zip:	
Telephone: 717-787-5755	E-mail Address: pwiedt@state.pa.us	Fax Number: 717-783-3458
Rhonda Daviston	P.O. Box 3265 City: Hbg State: PA Zip: 17105-3265	PA PUC
Telephone: 717-787-6166	E-mail Address: rdaviston@state.pa.us	Fax Number: 717-787-3458
Fay Dempsey	2 Public Sq van City: Wilkes-Barre State: PA Zip: 18711-0790	DEP
Telephone: 570-826-2519	E-mail Address: fdempsey@state.pa.us	Fax Number: 570-820-4838

Check this box if additional parties or counsel of record appear on back of form.

Name and Telephone Number	Address	Appearing for
FRANK A. LUONGO	2 Public Square City: Wilkes Barre PA. Zip: 18711	PA DEP
Telephone: 570-826-2323	E-mail Address: FALVONG0@state.pa.gov	Fax Number: 570-830-3016
Kriss Brown	Keystone Bld. City: Harrisburg PA Zip:	PUC
Telephone: 717 787-4078	E-mail Address: kbrown@state.pa.us	Fax Number:
MICHAEL KLEIN	Dewey & LeBoeuf 200 North 3rd St. Suite 300 Box 12105 City: HARRISBURG PA Zip: 17108	PAWC
Telephone: 717-232-8196	E-mail Address: MK@DL.COM	Fax Number: 717-232-8196
Kieran Casey	69 Public Square Suite 1100 City: Wilkes-Barre PA Zip: 18701	
Telephone: 570 822-3311	E-mail Address: casey.k@borlaw.com	Fax Number: 570 822-9894
Paul Litwin	24 East Tropic St. City: Turckhannock PA Zip: 18657	Washington - Pa.
Telephone: 570-836 7625	E-mail Address: plitwin@2p.r.net	Fax Number: 570-836-7625
Erin Gannon Darlene Wong Marilyn Kraus	555 Walnut St. 5th fl. Forum Place City: Harrisburg PA Zip: 17101	Office of Consumer Advocate
Telephone: 717 783 5048	E-mail Address: egannon@paoca.org	Fax Number: 717 783 7152
Edward P. Preater	400 Spruce St, Suite 300 City: Scranton PA Zip: 18503	The Merge w/ P. Work w/ P. Sewer
Telephone: 570-558-5970	E-mail Address: ed.preater@comcast.net	Fax Number: 570-558-5973
W. Boyd Hughes Hughes Nicholls - O'Hara	1421 E Drinker St City: Danmore PA Zip: 18512	United Water
Telephone: (570) 344-7171	E-mail Address: jpizzimenti@hno law.com	Fax Number: 570 342 8459

OTHER PERSONS IN ATTENDANCE

Case Name: W.P. Water Co, Inc. & W.P. Sanitary Co., Inc.

Docket No.:

I-00070114

P-00083313 1231 3

A-230550F2000

Name and Telephone Number	Address	Reason for attending
KEITH E. GABAGE Telephone: 610-645-1185	762 W. LANCASTER AVE. Bryn Mawr PA 19010	Compelled?
Mike Guntrum Telephone: 717-531-3328	800 W. Hershey Park Drive Hershey PA 17033	PAWC
Larry Lash, PE. PUC Telephone:	Keystone Bldg, H'burg PA	
PICH STEFANSKI Telephone: 570-826-2226	2 PUBLIC SQUARES WILKES-BARRRE PA 18711	Dep. WSM REP
Kate Crowley PA DEP Telephone: 570-826-2511	2 Public Square Wilkes Barre PA 18711	
CARL E SANDRA KROGLE Telephone: 570-472-3871	1199 LAUREL BUN RD. W-BARRE PA 18702	
LORRA Seidel Wayne Allen Bill Muir Telephone: 570-833-1199	Wishard THINK PA 1681	

OTHER PERSONS IN ATTENDANCE

Case Name: W.P. Water Co, Inc. & W.P. Sanitary Co., Inc.

Docket No.:

I-00070114

~~P-00083313~~ 72313

October 10, 2007

A-230550F2000

Name and Telephone Number	Address			Reason for attending
MARILYN KRAUS	555 WALNUT ST City: HBG State: PA Zip: 17101			OCA
Telephone: 717-783-5048	E-mail Address: mkraus@paoca.org			Fax Number: 717-783-7152
	City: State: Zip:			
Telephone:	E-mail Address:			Fax Number:
	City: State: Zip:			
Telephone:	E-mail Address:			Fax Number:
	City: State: Zip:			
Telephone:	E-mail Address:			Fax Number:
	City: State: Zip:			
Telephone:	E-mail Address:			Fax Number:
	City: State: Zip:			
Telephone:	E-mail Address:			Fax Number:
	City: State: Zip:			
Telephone:	E-mail Address:			Fax Number:
	City: State: Zip:			



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
October 11, 2007

IN REPLY PLEASE
REFER TO OUR FILE

(SEE NOTICE DATED 9/12/07)

DOCUMENT
FOLDER

**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**

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**

MEDIATION NOTICE

A further mediation session will be held as follows:

Date: **Monday, October 29, 2007**

Time: **9:30 a.m.**

Location: **Basement
Samters Building
101 Penn Avenue
Scranton, PA**

Mediator: **Herbert R. Nurick
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
Telephone: (717) 783-5428
Fax: (717) 787-0481
Email: hnurick@state.pa.us**

DOCKETED
OCT 22 2007

In the meantime, please keep the lines of communication open for resolving the issues involved prior to the mediation session.

Any questions regarding the mediation should be directed to the mediator at the telephone number provided above.

If you are a person with a disability, and you wish to attend the mediation session, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission:

- Scheduling Office: (717) 787-1399
- For persons who are deaf or hearing-impaired, contact the AT&T Relay Service: 1-800-654-5988

Enclosures

pc: Mediator Nurick
ALJ Jandebour
Linda Salome
Calendar File
Docket Section
Beth Plantz

RECEIVED
OCT 22 AM 9:08
SECRETARY'S BUREAU
DEWEY & LeBOEUF

Dewey & LeBoeuf LLP
200 North Third Street
Suite 300
P.O. Box 12105
Harrisburg, PA 17108-2105

tel +1 717 232 8196
fax +1 717 232 8720
mklein@dl.com

October 18, 2007

VIA REGULAR MAIL

Christine M. Hoover, Esquire
Darlene R. Wong, Esquire
Erin L. Gannon, Esquire
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923

**DOCUMENT
FOLDER**

Re: 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

PAWC Amended Discovery Responses to OCA

Dear Counsel:

Enclosed is a copy of the Amended Responses by Pennsylvania-American Water Company ("PAWC") to OCA-IV-5 (Third Amended) and OCA-IV-6 (Second Amended) of Set IV of the Interrogatories and Request for Production of Documents from the Office of Consumer Advocate ("OCA"). A Certificate of Service is also enclosed.

Please note that these Amended Responses are intended to replace, amend, clarify and supplement the prior responses to said Discovery Requests. These Amended Responses provide updated cost information on the water systems of W.P. Water Company in Washington Park and Sleepy Hollow (OCA-IV-5) **and** the wastewater system of W.P. Sanitary Company in Washington Park (OCA-IV-6).

PAWC reserves the right to update, supplement (or amend) these Responses and the other Responses. The Company's investigation and due diligence into the acquisition and operation of W.P. Water Company and/or W.P. Sanitary Company are ongoing. Responses,

Christine M. Hoover, Esquire
Darlene R. Wong, Esquire
Erin L. Gannon, Esquire
October 18, 2007
Page 2

including (but not limited to) information on expenses, may change during PAWC's continued investigation and due diligence.

If you have any questions or concerns, please contact us. Thank you.

Sincerely,


Michael D. Klein

Enclosures

cc: Secretary McNulty (Letter and Certificate of Service Only)
Marilyn J. Kraus (OCA, Senior Regulatory Analyst)
Parties on Certificate of Service

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. 1 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

**Response by Pennsylvania-American Water Company
to Interrogatories and Requests for Production of Documents
from the Office of Consumer Advocate
(Set IV)**

OCA-IV-5 Please indicate what, if any, new expenses of the Company would the Company expect to incur upon acquisition and operation of W.P. Water Company (e.g., would additional personnel be hired, etc.).

Third Amended Response:

The Company reserves the right to supplement (or amend) the Company's response to this Discovery Request. The Company's investigation and due diligence into the acquisition and operation of W.P. Water Company is ongoing. Responses, including (but not limited to) information on expenses, may change during the Company's continued investigation and due diligence.

Subject to and without waiver of the foregoing, the Company responds to this Discovery Request as follows:

Washington Park:

The Company anticipates incurring new or additional annual expenses of \$1,337,505.00 (estimated) if the Company acquires and operates the W.P. Water Company in Washington Park: These new or additional expenses include (but are not limited to) the following:
(a) annual water production costs (\$6,205.00); (b) annual operating expenses (\$27,300.00); and, (c) initial capital expenses (\$1,304,000.00).

Capital expenses for W.P. Water Company in Washington Park include (but are not limited to) the following: (1) Land; (2) Completion of the development and permitting of Well 4; (3) Install new water treatment facilities; (4) Installation piping from existing wells to the new treatment facility; (5) Construction new water storage facility; (6) Installation of monitoring and notification systems for treatment and storage facilities; (7) Security for source, treatment and storage facilities; (8) New meters and meter pits; (9) Installation of blow-offs in distribution system; (10) Overhead and contingency amount (20%); (11) Engineering (10%); (12) AFUDC; and (13) Removal of Existing Water Facilities.

The Company may be able to use an existing Plant Operator for the operations of W.P. Water Company in Washington Park. However, it may be more economic to use a contractor or dual operator if the Company also acquires W.P. Sanitary Company. The Company's response to OCA-IV-6 is incorporated herein by reference.

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

**Response by Pennsylvania-American Water Company
to Interrogatories and Requests for Production of Documents
from the Office of Consumer Advocate
(Set IV)**

**Continuation of Third Amended Response to
OCA-IV-5:**

Sleepy Hollow:

The Company anticipates incurring new or additional annual expenses of \$255,001.76 (estimated) if the Company acquires and operates the W.P. Water Company in Sleepy Hollow: These new or additional expenses include (but are not limited to) the following:
(a) annual water production costs (\$751.76); (b) annual operating expenses (\$3,250.00); and, (c) initial capital expenses (\$251,000.00).

Capital expenses for W.P. Water Company in Sleepy Hollow include (but are not limited to) the following: (1) Land; (2) New Well Pump and Motor; (3) Repair Leaking Clearwell; (4) Remote WQ Monitoring and Shutdown; (5) Replacement of Emergency Generator; (6) Installation of Chemical Containment; (7) Emergency Shower and Eyewash; (8) New customer Meters; (9) Install Security Fencing; (10) Overhead and contingency amount (20%); (11) Engineering (10%); (12) AFUDC; and (13) Removal of Existing Water Facilities.

The Company may be able to use an existing Plant Operator for the operations of W.P. Water Company in Sleepy Hollow. However, it may be more economic to use a contractor or dual operator if the Company also acquires W.P. Sanitary Company. The Company's response to OCA-IV-6 is incorporated herein by reference.

Sponsoring Witness: Michael J. Guntrum

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

**Response by Pennsylvania-American Water Company
to Interrogatories and Requests for Production of Documents
from the Office of Consumer Advocate
(Set IV)**

OCA-IV-6 Please indicate what, if any, new expenses of the Company would the Company expect to incur upon acquisition and operation of W.P. Sanitary Company (e.g., would additional personnel be hired, etc.).

Second Amended Response:

The Company reserves the right to supplement (or amend) the Company's response to this Discovery Request. The Company's investigation and due diligence into the acquisition and operation of W.P. Sanitary Company is ongoing. Responses, including (but not limited to) information on expenses, may change during the Company's continued investigation and due diligence.

Subject to and without waiver of the foregoing, the Company responds to this Discovery Request as follows:

The Company anticipates incurring new or additional expenses of \$1,703,215.00 (estimated) if the Company acquires and operates the W.P. Sanitary Company. These new or additional expenses include (but are not limited to) the following: (a) annual wastewater treatment costs (\$18,615.00); (b) annual operating expenses (\$54,600.00); and (c) initial capital expenses (\$1,630,000.00).

However, it should be noted that these new or additional expenses do not include the cost of the following: (a) any activities related to stream, stream bed or stream bank restoration or remediation; and, (b) any aquatic surveys of said stream.

Capital expenses for W.P. Water Company include (but are not limited to) the following: (1) Land; (2) I&I Study; (3) I&I Program; (4) Construction of New Wastewater Treatment Plant; (5) Overhead and contingency amount (20%); (6) Engineering (10%); (7) AFUDC; and (8) Removal of Existing Wastewater Facilities.

The Company's Susquehanna District does not currently conduct wastewater operations. In the short term, the Company would hire a contract operator for the operations of W.P. Sanitary Company. Separate full-time operators for water and wastewater operations are not economically justified at Washington Park because of the small customer base in Washington Park (150 residential customers and 6 apartment building customers). So, the Company may hire, by contract, a dual operator if the Company also acquires W.P. Water Company. At this time, the Company is unable to determine if additional personnel would be hired or the cost of contract operations for the facilities in Washington Park.

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

**Response by Pennsylvania-American Water Company
to Interrogatories and Requests for Production of Documents
from the Office of Consumer Advocate
(Set IV)**

**Continuation of Second Amended Response to
OCA-IV-6:**

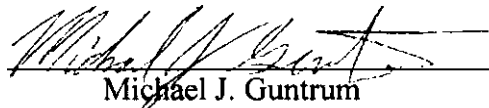
During contract operations, the Company may recruit, hire and train a dual-certified operator who would be able to operate both the water and wastewater operations at Washington Park. At this time, the Company is unable to determine the cost to recruit, hire and train a dual operator for the facilities at Washington Park.

The Company's response to OCA-IV-5 and OCA-VII-6 are incorporated herein by reference.

Sponsoring Witness: Michael J. Guntrum

VERIFICATION

I, MICHAEL J. GUNTRUM., hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).



Michael J. Guntrum
Business Development Manager
Pennsylvania-American Water Company

Certificate of Service

I hereby certify that this 18th day of October, 2007, true and correct copies of the foregoing documents were served upon counsel for the parties in the manner and to the address, set forth below:

Via Regular Mail (Postage Pre-Paid):

Larry Lash, P.E.
Bureau of Fixed Utility Services
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

Jonnie E. Simms, Esquire
Office of Trial Staff
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

Rhonda L. Davidson, Esquire
Khris Brown, Esquire
Patty Weidt, Esquire
Law Bureau Prosecutory Staff
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

William Lloyd
Office of Small Business Advocate
Suite 102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Fayling Dempsey, Esquire
Department of Environmental Protection
Office of Chief Counsel
2 Public Square
Wilkes-Barre, PA 18503

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

Kieran Michael Casey, Esquire
Borland and Borland, LLP
69 Public Square, Suite 1100
Wilkes-Barre, PA 18701

***Attorney for W.P. Water Company &
W.P. Sanitary Company***

***Attorney for W.P. Water Company &
W.P. Sanitary Company***

Kimberly Joyce, Esquire
Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19101-3489

Attorney for Aqua Pennsylvania, Inc.

John Dillon, Esquire
Boyd Hughes, Esquire
United Water Pennsylvania, Inc.
8189 Adams Drive
Hummelstown, PA 17036

***Attorneys for
United Water Pennsylvania, Inc.***

Susan Simms Marsh, Esquire
Associate Regional Counsel
American Water Southeast Region
800 West Hersheypark Drive
Hershey, Pennsylvania 17033
(717) 531-3208
Fax: (717) 531-3252

Thomas Niesen, Esquire
Thomas, Thomas, Armstrong and Niesen
212 Locust Street
P.O. Box 9500
Harrisburg, PA 17108-9500

Attorney for Aqua Pennsylvania, Inc.

Paul Litwin, Esquire
24 East Tioga Street
Tunkhannock, PA 18657

Attorney for Washington Township



Michael D. Klein
mklein@dl.com

Carl R. Shultz
cshultz@dl.com

Dewey & LeBoeuf LLP
200 North Third Street, Suite 300
P.O. Box 12105
Harrisburg, PA 17108-2105
(717) 232-8199
Fax: (717) 232-8720

***Attorneys for
Pennsylvania-American Water Company***

MEDIATION ATTENDANCE SHEET

Mediation Session Report

Docket No. I-00070114, P-00072313 & A-230550F2000

Case Name W.P. Water Co., Inc. & W.P. Sanitary Co., Inc.

CHECK THOSE WHICH APPLY:

Mediation Session Held YES NO

Mediation Concluded YES NO

Further Session Needed YES NO *not sure*

Estimated Add'l Days _____

DOCUMENT FOLDER

Location SCR

Date October 29, 2007

Mediator Herbert Nurick

REMARKS:

Names, Addresses and Telephone Numbers of Parties or Counsel of Record

PLEASE PRINT CLEARLY
Incomplete Information May Result In Delay Of Process

Name and Telephone Number	Address	Appearing for
Kriss Brown Rhonda Davister Patt: W Wicht	Keystone Building P.O. Box 3265 City: Harrisburg State: PA Zip: 17105	PJC Law Bureau
Telephone: _____	E-mail Address: _____	Fax Number: _____
FRANCES ORTH	762 W. Lancaster Ave City: Bryn Mawr State: PA Zip: 19016	Aqua PA
Telephone: 610 645-1126	E-mail Address: FOrth@aquanet.com	Fax Number: 610 520-9127
Michael D. Klein	Dewey & Liebowitz 200 North Third Street, Suite 300 City: Harrisburg State: PA Zip: 17108	PAWK
Telephone: 717-439-2564	E-mail Address: MKe.DL.COM	Fax Number: 717-232-8720
Fay Dempsey	2 Public Square City: Wilkes-Barre State: PA Zip: 18711-0790	DEP
Telephone: 570-826-2519	E-mail Address: fdempsey@state.pa.us	Fax Number: 570-820-4838
Tom Niesen Thomas, Thomas, Armstrong & Niesen	Suite 500 212 Locust St P.O. Box 9570 City: HZ State: PA Zip: 17105	Aqua PA
Telephone: 717.255.7600	E-mail Address: T.niesen@tlanlaw.com	Fax Number: 717.236.8278

Check this box if additional parties or counsel of record appear on back of form.

Name and Telephone Number	Address	Appearing for
Christine Hoover Darlene Wraga Erin Gannon	565 Walnut Street 5 th Fl., Forum Place City: Harrisburg State: PA Zip: 17101	Office of Consumer Advocate
Telephone: 717 783 5048	E-mail Address: egannon@paoca.org	Fax Number: 717 783 7152
W. Boyd Huahos Huahos Michells c Oldora	1421 E Drinker St City: Dunmore State: PA Zip: 15212	United Water
Telephone: (570) 3497171	E-mail Address:	Fax Number: (570) 3428459
Paul Litwin	34 East Tuya St. City: Tunkhannock State: PA Zip: 18657	
Telephone: 570 836 7625	E-mail Address: plitwin@epix.net	Fax Number: 570 836 7620
Em Baul	11th Floor 69 Public Sq Wilkes-Barre City: Wilkes-Barre State: PA Zip: 18707	UP
Telephone: 570 822 3311	E-mail Address:	Fax Number: 822-9524
John Carley	11th Floor 69 Public Sq. City: Wilkes-Barre State: PA Zip: 18701	
Telephone: 570 822-3311	E-mail Address:	Fax Number:
Ernie Preate	400 Spruce ST City: Scranton State: PA Zip: 18503	
Telephone:	E-mail Address:	Fax Number:
Mark S. Karpiluk	City: State: Zip:	Aqua Mexico, Inc.
Telephone:	E-mail Address:	Fax Number:
	City: State: Zip:	
Telephone:	E-mail Address:	Fax Number:

OTHER PERSONS IN ATTENDANCE

Case Name: W.P. Water Co., Inc. & W.P. Sanitary Co., Inc.

Docket No.: I-00070114,
P-00072313 &
A-230550F2000

October 29, 2007

Name and Telephone Number	Address	Reason for attending
Keith E. Gabage 610-645-1185	762 W. Lancaster Ave Bryn Mawr PA 19038	529 Proceeding re: W.P.
Telephone:	E-mail Address: <i>kgabage@aquamorphic.com</i>	Fax Number:
Kate Crowley, DEP RICH STEPANSKI	2 Public Sq. Wilkes Barre PA 18702	529 Proceeding re. WP Water + Sanitary
Telephone: 570-826-2511	E-mail Address:	Fax Number: 570-830-3016
Wayne allen Bill menir Yona Seidel LORA	184 Keisemiller rd Tunkhannock PA 18657 Wash Twp	Washington Township
Telephone: 836-1199	E-mail Address: <i>washwp@epix</i>	Fax Number: 570 83-0966
Mike Guntrum 717-531-3328	800 W. Hershey Park Dr Hershey PA 17036	PA American Water
Telephone:	E-mail Address: <i>michael.guntrum@americanwater.com</i>	Fax Number:
Marilyn Kraus	555 Walnut St. 5th fl., Forum Place Harrisburg PA 17101	Office of Consumer Advocate
Telephone: 717 783 5048	E-mail Address: <i>mkraus@pocca.org</i>	Fax Number: 717 783 7152
JOHN HOLLENBACH	4211 East Park Cir Hbs PA 17111	United Water PA
Telephone: 717-561-1103	E-mail Address: <i>John.Hollenbach@unitedwater.com</i>	Fax Number:
Telephone:	E-mail Address:	Fax Number:

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

November 13, 2007

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

ORIGINAL

RECEIVED
2007 NOV 13 PM 3:13
PA PUC
SECRETARY'S BUREAU

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

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

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

Dear Secretary McNulty:

Enclosed please find for filing an original and 3 copies of the Office of Consumer Advocate's Proposed Transcript Corrections in the above-captioned proceeding.

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

Sincerely,

Erin L. Gannon
Assistant Consumer Advocate
PA Attorney I.D. #83487

Enclosures

cc: Honorable Ember S. Jandebour
All parties of record

96329

DOCUMENT
FOLDER

100

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED
2007 NOV 13 PM 3:13
PA PUC
SECRETARY'S BUREAU

Investigation of W.P. Water Co, Inc. and :
W.P. Sanitary Co., Inc. Pursuant to Section : Docket No. I-00070114
529 of the Pennsylvania Public Utility Code :
: :
W.P. Water Co., Inc. and W.P. Sanitary Co., Inc. : Docket No. P-00072313
: :
Application of W.P. Sanitary Co., Inc., d/b/a : Docket No. A-230550F2000
Washington Park Sanitary Co. : :

OFFICE OF CONSUMER ADVOCATE'S
PROPOSED TRANSCRIPT CORRECTIONS

 ORIGINAL

Pursuant to 52 Pa. Code §5.253(b)(3), the Office of Consumer Advocate respectfully requests permission of the Presiding Officer, Administrative Law Judge Ember S. Jandebeur, to propose the following corrections to the transcript of the evidentiary hearings held on Wednesday, October 10, 2007 in the above-captioned proceeding.

Transcript Page	Line Number	Reads:	Should Read:
8	3	step	statutory
13	19	it's not	it is on
13	21	is not	is on
14	8	is there	it's there
14	11	from	about
14	15	mix whatever	mixed messages
25	11	then	then it
34	10	statutory	statute
35	7	the at	the apartment building at
37	16	fought	fault

DOCUMENT
FOLDER

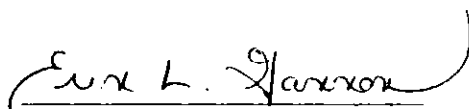
DOCKETED
NOV 17 2007

Transcript Page	Line Number	Reads:	Should Read:
37	23	56	156
42	14	you been	you`ve
49	19	and	and they
50	21	Jay Metzger`s	Jay Niskey`s
51	12	worst it	worse it`s
56	1	more	warm
59	21	and unable	and are unable
61	10	lastly	lasted
63	18	Weekends	Weekend
67	2-3	are both	are a customer of both
68	13	and just	and he just
69	24	I mean, also	I am also
71	14	Lori Seible	Seidel
72	23	I mean, still	I am still
80	13	allow ed	allowed
81	6	bathe	bathing
82	12	Peleak	Jandebeur
84	23	customers	companies
91	3	complying	inclined
91	22	so And	so. And
97	2	and filled	and it was filled
97	8	90 or	line
104	17	the of	the number of
105	2	replenish shall	replenish it all
110	11	locked	lost
115	19	get in	get in in
117	15	less	less,
118	10	Thorn	Thorne

Transcript Page	Line Number	Reads:	Should Read:
118	11	Thoren	Thorne
118	14	T-h-o-r-e-n	T-h-o-r-n-e
119	5	And the	At the
119	8	my in	my townhouse in
125	15	Paulish	Pawlush
126	3	Paulish	Pawlush

WHEREFORE, the Office of Consumer Advocate respectfully requests permission pursuant to 52 Pa. Code §5.253(b)(3) to propose the above corrections to the transcript in this proceeding.

Respectfully submitted,



Christine Maloni Hoover
Senior Assistant Consumer Advocate
PA Attorney I.D. #50026
email:CHoover@paoca.org
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

Counsel for:
Irwin A. Popowsky
Consumer Advocate

Office of Consumer Advocate
555 Walnut Street 5th Floor, Forum Place
Harrisburg, PA 17101-1923
(717) 783-5048
Dated: November 13, 2007

96289

CERTIFICATE OF SERVICE

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

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

RECEIVED
2007 NOV 13 PM 4:08
PA PUC
SECRETARY'S BUREAU

I hereby certify that I have this day served a true copy of the foregoing document, Office of Consumer Advocate's Transcript Corrections 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 13th day of November, 2007.

SERVICE BY E-MAIL and INTEROFFICE MAIL

Larry Lash, P.E.
Bureau of Fixed Utility Services
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

Rhonda L. Daviston
Kris Brown
Patty Weidt
Law Bureau Prosecutory Staff
P.O. Box 3265
Harrisburg, PA 17105-3265

SERVICE BY E-MAIL and FIRST CLASS MAIL, POSTAGE PREPAID

Ernest D. Preate, Jr., Esquire
Mellon Bank Building
400 Spruce Street, Suite 300
Scranton, PA 18503
Attorney for W.P. Water Company

Kieran Michael Casey, Esq.
Borland and Borland, L.L.P.
69 Public Square, Suite 1100
Wilkes-Barre, PA 18701
Attorney for W.P. Water Company

Fay Dempsey, Assistant Counsel
Pa. Dept. of Environmental Protection
Office of Chief Counsel
2 Public Square
Wilkes-Barre, PA 18711-0790

Paul Litwin, Esquire
24 East Tioga Street
Tunkhannock, PA 18657
Attorney for Washington Township

Kimberly Joyce, Esquire
Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19010

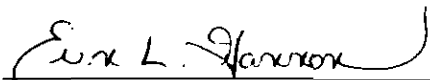
John Dillon, Esquire
United Water Pennsylvania, Inc.
8189 Adams Drive
Hummelstown, PA 17036

W. Boyd Hughes, Esquire
1421 E. Drinker Street
Dunmore, PA 18512
Attorney for United Water Pennsylvania, Inc.

Thomas Niesen, Esquire
Thomas, Thomas, Armstrong and Niesen
212 Locust Street
P.O. Box 9500
Harrisburg, PA 17108-9500
Attorneys for Aqua Pennsylvania, Inc.

Michael D. Klein, Esquire
LeBoeuf, Lamb, Greene & MacRae, LLP
200 North Third Street, Suite 300
P.O. Box 12105
Harrisburg, PA 17108-2105
Attorneys for Pennsylvania-American Water Co.

Susan Simms Marsh, Esquire
Pennsylvania-American Water Co.
800 West Hershey Park Drive
Hershey, PA 17033



Christine Maloni Hoover
Senior Assistant Consumer Advocate
PA Attorney I.D.#50026
E-Mail: CHoover@paoca.org

Darlene R. Wong
Assistant Consumer Advocate
PA Attorney I.D.#87381
E-Mail: DWong@paoca.org

Erin L. Gannon
Assistant Consumer Advocate
PA Attorney I.D. # 83487
E-Mail: EGannon@paoca.org

Counsel for
Office of Consumer Advocate
555 Walnut Street 5th Floor, Forum Place
Harrisburg, PA 17101-1923
(717) 783-5048
95258.doc

DEWEY & LeBOEUF

Dewey & LeBoeuf LLP
1101 New York Avenue N.W.
Suite 1100
Washington, D.C. 20005-4213

tel 1 202 986 8154
fax 1 202 986 8102
cell 1 717 439 2564

November 21, 2007

James J. McNulty, Secretary
Secretary's Bureau
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
2nd Floor, Room-N201
400 North Street
Harrisburg, PA 17120

 ORIGINAL

Re: 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

Updated Contact Information

Dear Secretary McNulty:

This correspondence is to notify you of a change in address for the counsel for Pennsylvania-American Water Company in the above-mentioned matter. Our updated contact information is now:

Michael D. Klein, Esq.
PA Supreme Court No. 23854

Dewey & LeBoeuf LLP
1101 New York Avenue N.W.
Suite 1100
Washington, DC 20005-4213
(202) 986-8154
Fax (202) 986 8102
mklein@dl.com

Carl R. Shultz, Esq.
PA Supreme Court No. 70328

Dewey & LeBoeuf LLP
1101 New York Avenue N.W.
Suite 1100
Washington, DC 20005-4213
(646) 359-3471
Fax (202) 986 8102
cshultz@dl.com

DOCUMENT
FOLDER

L77
B110

James J. McNulty, Secretary
November 1, 2007
Page 2

Thank you for your attention to this matter.

Respectfully submitted,

A handwritten signature in black ink that reads "Michael D. Klein". The signature is written in a cursive style with a large initial "M".

Michael D. Klein

cc: All parties on service list

Certificate of Service

I hereby certify that this 27th day of November, 2007, a true and correct copy of the foregoing documents were served upon counsel for the parties in the manner and to the address, set forth below:

Via Regular Mail (Postage Pre-Paid):

Larry Lash, P.E.
Bureau of Fixed Utility Services
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

Johnnie E. Simms, Esquire
Office of Trial Staff
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

Rhonda L. Davidson, Esquire
Khris Brown, Esquire
Patty Weidt, Esquire
Law Bureau Prosecutory Staff
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

William Lloyd
Office of Small Business Advocate
Suite 102, Commerce Building
300 North Second Street
Harrisburg, PA 17101

Fayling Dempsey, Esquire
Department of Environmental Protection
Office of Chief Counsel
2 Public Square
Wilkes-Barre, PA 18503

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

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

Kieran Michael Casey, Esquire
Borland and Borland, LLP
69 Public Square, Suite 1100
Wilkes-Barre, PA 18701

*Attorney for W.P. Water Company &
W.P. Sanitary Company*

*Attorney for W.P. Water Company &
W.P. Sanitary Company*

[Continued on Next Page]

Kimberly Joyce, Esquire
Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19101-3489

Attorney for Aqua Pennsylvania, Inc.

John Dillon, Esquire
Boyd Hughes, Esquire
United Water Pennsylvania, Inc.
8189 Adams Drive
Hummelstown, PA 17036

*Attorneys for
United Water Pennsylvania, Inc.*

Thomas Niesen, Esquire
Thomas, Thomas, Armstrong and Niesen
212 Locust Street
P.O. Box 9500
Harrisburg, PA 17108-9500

Attorney for Aqua Pennsylvania, Inc.

Paul Litwin, Esquire
24 East Tioga Street
Tunkhannock, PA 18657

Attorney for Washington Township

Respectfully submitted,



Michael D. Klein
Carl R. Shultz
Dewey & LeBoeuf LLP
1101 New York Avenue N.W.
Suite 1100
Washington, DC 20005-4213

**Attorneys for
Pennsylvania-American Water Company**