



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

IN REPLY PLEASE
REFER TO OUR FILE

June 25, 2008

VIA FACSIMILE AND FIRST CLASS MAIL

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

Kimberly D. Boreland, Esquire
Borland & Borland LLP
11th Floor
69 Public Square
Wilkes Barre, PA 18701-2597

DOCUMENT
FOLDER

RECEIVED
2008 JUN 25 PM 12:19
PA PUC
SECRETARY'S BUREAU

Re: Investigation of W. P. Water Co., Inc. and W. P. Sanitary Co., Inc. pursuant
to 66 Pa.C.S. § 529; Docket Nos.: I-00070114, P-00072313;
A-230550F2000

Dear Ernest and Kimberly:

Enclosed are two copies of the Law Bureau Prosecutory Staff's Interrogatories and Request for Production of Documents, Set I, relating to your Petition for Expedited Hearing on Unauthorized Liens and Mortgages and our Motion for an Order Declaring Mortgage Liens Null and Void and Mechanics' Liens Invalid and Ineffective, in the above-referenced matters. As you will see, Set I is directed to W. P. Water Co. Inc.

As you requested an expedited hearing and said hearing having been scheduled for July 22, 2008, we request that you provide verified answers to these Interrogatories and Request for Production of Documents within 15 days of service. A copy of the Interrogatories and Request for Production of Documents have been served on all parties per the attached certificate of service. In addition, this cover letter and the certificate of service has been filed with the Secretary of the Pennsylvania Public Utility Commission per 52 Pa. Code §5.341(b).

Please contact us if you have any questions or concerns. Thank you for your continued cooperation in this matter.

Sincerely,

Rhonda L. Daviston

Rhonda L. Daviston
Assistant Counsel

cc: Per attached Certificate of Service
James J. McNulty, Jr., Secretary (cover letter and Certificate of Service only)

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the foregoing documents in accordance with the requirements of 52 Pa. Code § 1.54 *et seq.* (relating to service by a participant).

Notification by first class mail addressed as follows:

Honorable Ember S. Jandebaur
PA Public Utility Commission
Scranton Office Bldg. Room 317
100 Lackawanna Avenue
Scranton, PA 18503

Joseph J. Albert, Esquire
Albert & Kamage Suite 201
458 Wyoming Avenue
Kingston, PA 18704

Boyd Hughes Esquire
Hughes Nicholls O'Hara
1421 East Drinker Street
Dunmore, PA 18512-2614

Carl L. Kresge & Sons
1199 Laurel Run Road
Wilkes Barre, PA 18702

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

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

Fayling Dempsey Esquire
PA Dept. of Environmental Protection
2 Public Square
Wilkes Barre, PA 18711-0790

Michael D. Klein Esquire
Dewey & Leboeff LLP Suite 1100
1101 New York Avenue, N.W.
Washington, D.C. 20005-4213

Anthony P. Litwin Esquire
24 East Tioga Street
Tunkhannock, PA 18657

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2008 JUN 25 PM 12:19
SECRETARY'S BUREAU

Notification by Facsimile and First Class Mail addressed as follows:

Kimberly D. Borland Esquire
Borland & Borland LLP
11th Floor
69 Public Square
Wilkes Barre, PA 18701-2597

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



Rhonda L. Daviston
Assistant Counsel
PA Public Utility Commission

P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 787-5000

Dated: June 25, 2008



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

IN REPLY PLEASE
REFER TO OUR FILE
2005.0319.05

May 12, 2008

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

DOCUMENT
FOLDER

Re: Investigation of W.P. Water Company, Inc and W.P. Sanitary
Company, Inc.; I-00070114; P-00072313; A-230550F2000

Dear Mr. McNulty:

On May 9, 2008, Law Bureau Prosecutory Staff (LBPS) filed a Motion for an Order Declaring Mortgage Liens Null and Void Pursuant to 66 Pa. C.S. §§ 1904, 2102 and 2105 and Mechanics' Liens Invalid and Ineffective Pursuant to 66 PA. C. S. § 2102. Subsequent to the filing, it was discovered that Paragraph Nos. 5 and 6 erroneously stated that the Assests Purchase Agreements involved WP and PA American Water Company; in fact, they involved WP and Aqua PA.

In order to correct this error, I am enclosing a corrected page 4 to replace the original page 4 that was filed. Copies have been served on the parties of record in accordance with the Certificate of Service. My direct dial number is (717) 7897-6166 if you have any questions.

Sincerely,

Rhonda L. Daviston

Rhonda L. Daviston
Assistant Counsel
Attorney ID No. 49640

Enclosure

cc: As per Certificate of Service
Frank Wilmarth, DCC

PA PUC
SECRETARY'S BUREAU

2008 MAY 12 PM 3:06

RECEIVED

4. Prior to any hearings, the parties to the consolidated matters consented to mediation in an effort to resolve the issues in an expedited manner. Several mediation sessions were held before Mediation Coordinator Herbert R Nurick.

5. On November 1, 2007, the parties notified Your Honor that an agreement in principle had been reached with regard to a purchase price and a utility to take over service to WP customers. Although Aqua tentatively agreed to take over all WP systems, Your Honor was notified that many details regarding the agreement in principle remained to be worked out.

6. One of the conditions of the Assets Purchase Agreements (APAs) between WP and Aqua is that all liens, mortgages and encumbrances affecting WP's ability to deliver clear title be resolved prior to executing the APAs.

7. During the October 29, 2007 mediation session, WP, through its attorneys, first informed the parties that several encumbrances existed against WP. These encumbrances are listed as follows:

(a) An open ended mortgage and security agreement filed against WP Sanitary Company, Inc. by Fox Rothschild, LLP, on December 28, 2004, in Wyoming County, PA in Mortgage Book 515, page 594. This was for legal services performed by Fox Rothschild, LLP. The parties agreed that this mortgage shall be satisfied for \$15,000 at closing with WP Sanitary paying \$10,000 and LWWC paying \$5,000. In exchange, Fox Rothschild will release all claims against WP.

(b) W.P. Water Company, Inc. entered into a mortgage agreement with Carl L. Kresge & Sons, Inc., in the amount of \$1,624,321.92. This mortgage was filed on October 4, 2007 and recorded in Wyoming County at Document No. 2007-4066.

(c) W.P. Sanitary Company, Inc. entered into a mortgage agreement with Carl L. Kresge and Sons, Inc. in the amount of 1,624321.92. This mortgage was filed on October 4, 2007 in Wyoming County at document No. 2007-4065.

8. In addition to the mortgage liens, three mechanics' liens have since been filed against WP by Carl L. Kresge & Sons. Those liens are listed as follows:

(a) Mechanics' lien claim in the amount of \$343,479.18 filed in Wyoming County against WP Sanitary Company on March 12, 2008 at number 287-2008.

(b) Mechanics' lien claim in the amount of \$186,564.48 filed in Wyoming County against WP Water Company on March 12, 2008 at number 286-2008.

(c) Mechanics' lien claim in the amount of \$93,199.77 filed in Luzerne County against WP Water Company (Sleepy Hollow) on March 11, 2008 at number 3179-2008.

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the foregoing documents in accordance with the requirements of 52 Pa. Code § 1.54 *et seq.* (relating to service by a participant).

Notification by first class mail addressed as follows:

Honorable Ember S. Jandebaur
PA Public Utility Commission
Scranton Office Bldg. Room 317
100 Lackawanna Avenue
Scranton, PA 18503

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

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

Fayling Dempsey Esquire
PA Dept. of Environmental Protection
2 Public Square
Wilkes Barre, PA 18711-0790

Kimberly D. Borland Esquire
Borland & Borland LLP
11th Floor
69 Public Square
Wilkes Barre, PA 18701-2597

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

Boyd Hughes Esquire
Hughes Nicholls O'Hara
1421 East Drinker Street
Dunmore, PA 18512-2614

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

Anthony P. Litwin Esquire
24 East Tioga Street
Tunkhannock, PA 18657

Joseph J. Albert, Esquire
Albert & Kamage
Suite 201
458 Wyoming Avenue
Kingston, PA 18704

2008 MAY 12 PM 3:06
PA PUC
SECRETARY'S BUREAU

RECEIVED

Notification by Certified mail addressed as follows:

Carl L. Kresge & Sons
1199 Laurel Run Road
Wilkes Barre, PA 18702

Rhonda L. Daviston

Rhonda L. Daviston
Assistant Counsel
PA Public Utility Commission

P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 787-5000

Dated: May 12, 2008

RECEIVED
2008 MAY 12 PM 3:06
PA PUC
SECRETARY'S BUREAU



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
August 8, 2008

IN REPLY PLEASE
REFER TO OUR FILE

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

(SEE ATTACHED LIST)

DOCUMENT
FOLDER

I-00070114 - Investigation of W. P. Water Company, Inc.
and W. P. Sanitary Company, Inc.

P-00072313 - Petition of W. P. Water Company, Inc. and W. P. Sanitary Company, Inc

A-230550F2000 - Application of W. P. Sanitary Company, Inc.
For Approval of Abandonment of Service

Hearing Notice

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

Type: Initial In-Person Hearing to Address Remaining Encumbrances

Date: Wednesday, August 20, 2008

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

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
Ona Lester
File Room
Calendar File

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	I-00070114; P-00072313; A-230550F2000	YES	NO
Case Name:	Investigation of W.P. Water Company, Inc. and W.P. Sanitary Company, Inc.; Petition of W.P. Water Company, Inc. and W.P. Sanitary Company, Inc.; Application of W.P. Sanitary Company, Inc. for approval of abandonment of service	Prehearing Held:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Location:	Scranton	Hearing Held:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Date:	Wednesday, August 20, 2008	Testimony Taken:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
ALJ:	Ember S. Jandebaur	Transcript Due:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reporting Firm:	Sargents Court Reporting	Hearing Concluded:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<p>reg. 3 day turnaround for transcript</p> <p align="center">RECEIVED</p> <p align="center">AUG 27 2008</p>		Further Hearing Needed:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
		Estimated Add'l Days:	
		RECORD CLOSED:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
		DATE:	
		Briefs to be Filed:	<input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> NO
		DATE:	9-10-08
		Bench Decision:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
		REMARKS:	this is only 1 piece of the whole case that is currently in mediation

PA PUBLIC UTILITY COMMISSION

SECRETARY'S BUREAU

PLEASE PRINT CLEARLY ~~incomplete~~ information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?
Kriss Brown Rhonda Daviston	Commonwealth Keystone Building P.O. Box 3265 City: Harrisburg State: PA Zip: 17105	PUC Law Bureau
Telephone: 717 787 4518	E-mail Address: Krbrown@state.pa.us	Fax Number:
Michael D. Klein	Dewey & LSBOPF 1101 New York Ave, NW City: Washington State: DC Zip: 20005	PA American Water
Telephone: 202-342-8154	E-mail Address: MKLEIN@DL.COM	Fax Number: 2029563781
Thomas T. Niesen Thomas, Long, Niesen + Kennard	P.O. Box 9000 City: Hb5 State: PA Zip: 17108	AGENT PA LITTLE WASHINGTON WASTEWATER COMPANY
Telephone: 717, 255, 7641	E-mail Address: tniesen@thomaslonglaw.com	Fax Number: 717, 236, 8278

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


 Reporter's Signature

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.

Name and Telephone Number	Address	Who are you representing?
Erin L. Gannon Candis A. Tunilo	555 Walnut St., 5th FL, Forum PL. City: Harrisburg State: PA Zip: 17101	OCA
Telephone: 717-783-5048	E-mail Address: egannon@paoca.org ctunilo@paoca.org	Fax Number: 717-783-7152
Kimberly D Bortoloni	11th Floor 69 Public Square City: Wilkes-Barre State: PA Zip: 18701	WP Water & SANITARY
Telephone: 570 622 3311	E-mail Address: kbortoloni@kbortoloni.com	Fax Number: 570 622 9894
E. Preate my	City: State: Zip:	WP W WP S my
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:	
Telephone:	E-mail Address:	Fax Number:
	City: State: Zip:	

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.



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

IN REPLY PLEASE
REFER TO OUR FILE

October 8, 2008

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

RECEIVED
2008 OCT -8 AM 11:56
PA PUC
SECRETARY'S BUREAU

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

DOCUMENT
FOLDER

Dear Judge Jandebour:

Law Bureau Prosecutory Staff (LBPS) files this response to WP Water Company, Inc. and WP Sanitary Company, Inc.'s counsel's request that LBPS's motion be dismissed as moot. LBPS does not concur with this request at this time. LBPS requests that Your Honor hold your decision in this matter in abeyance until the parties submit the anticipated settlement agreement.

While LBPS agrees that the documents provided by Mr. Preate regarding the mortgages held by Bank of America do indicate that the mortgages are in fact satisfied and that these satisfactions were recorded in the appropriate county, we note that Aqua will likely need to perform another title search to confirm that these mortgages were properly marked satisfied. We anticipate Aqua performing another title search in the near future.

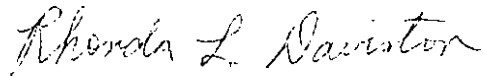
Regarding the liens held by Carl L. Kresge & Sons, LBPS does agree that the judgments relating to the three mechanics' liens appear to have been properly dismissed. However, regarding the two mortgages held by Carl L. Kresge & Sons, Mr. Preate only provided documentation showing that one of the two mortgages were marked satisfied. Again, we note that until Aqua's title search is completed and such search shows that all liens have been satisfied, removed or discontinued, LBPS is without information to form a belief as to the status of the liens.

Furthermore, LBPS's motion alleged that an affiliated interest agreement exists between the WP companies and Carl L. Kresge & Sons. LBPS sought to have these contracts between the WP companies and Carl L. Kresge & Sons declared null and void, as well as the mortgage and mechanics' liens held by Carl L. Kresge & Sons. The filing

of these satisfactions and the praecipes to vacate judgment and discontinue, do not address the affiliated contract issues raised.

However, LBPS agrees that upon closing, the sale of the WP companies' properties to Aqua will render the LBPS motion moot. As mentioned above, LBPS requests that Your Honor hold this matter in abeyance, at least until the parties submit a fully executed settlement agreement. Thank you for your attention to this matter.

Sincerely Yours,



Rhonda L. Daviston
Assistant Counsel

Enclosures

cc: Per Certificate of Service

RECEIVED

2008 OCT -8 AM 11:56

PA PUC
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the foregoing documents in accordance with the requirements of 52 Pa. Code § 1.54 *et seq.* (relating to service by a participant).

Notification by first class mail addressed as follows:

Honorable Ember S. Jandebaur
PA Public Utility Commission
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100 Lackawanna Avenue
Scranton, PA 18503

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Thomas Long Niesan & Kennard
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Harrisburg, PA 17108-9500

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Rhonda L. Daviston

Rhonda L. Daviston
Assistant Counsel
PA Public Utility Commission

P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 787-5000

Dated: October 8, 2008

RECEIVED

2008 OCT -8 AM 11:56

PA PUC
SECRETARY'S BUREAU

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

October 24, 2008

SUBJECT: A-230550F2000; I-00070114; P-00072313
**Application for Abandonment of Service of
Investigation of and Petition of Washington
Park Sanitary Company and Washington Park
Water Company**

TO: James J. McNulty
Secretary

FROM: Cheryl Walker Davis, Director
Office of Special Assistants



Pursuant to the requirements of Act 294, (66 Pa. C.S. § 332(h)), Chairman Cawley and Commissioner Gardner have requested full review of the Administrative Law Judge's Initial Decision in the above-captioned proceeding. The second request for review is dated October 24, 2008.

Please notify the Office of Administrative Law Judge to prepare the case for consideration at a future Public Meeting.

RECEIVED

OCT 24 2008

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DOCUMENT
FOLDER

Act 294

Case Identification: A-230550F2000; I-00070114; P-00072313;
Application for Abandonment of Service of
Investigation of and Petition of
Washington Park Sanitary Company and
Washington Park Water Company

Initial Decision By: Administrative Law Judge Ember S. Jandebour

Deadline for Return to OSA: October 24, 2008

This decision has not been reviewed by OSA.

RECEIVED
2008 OCT 15 AM 11:07
PA P.U.C.
OFFICE OF VICE CHAIRMAN

* * * * *

I want full Commission review of this decision.

Commissioner

Date

I do not want full Commission review of this decision.

Tyrone J. Christy

Commissioner

October 24, 2008

Date

RECEIVED
2008 OCT 24 PM 4:00
OFFICE OF ASSISTANT
CHAIRMAN

Act 294

Case Identification: A-230550F2000; I-00070114; P-00072313;
**Application for Abandonment of Service of
Investigation of and Petition of
Washington Park Sanitary Company and
Washington Park Water Company**

Initial Decision By: Administrative Law Judge Ember S. Jandebour

Deadline for Return to OSA: October 24, 2008

This decision has not been reviewed by OSA.

RECEIVED
2008 OCT 24 PM 3:36
OFFICE OF SUPERVISOR
ASSISTANTS

* * * * *

I want full Commission review of this decision.

Commissioner

Date

I do not want full Commission review of this decision.

Robert F. Pouch
Commissioner

10-24-08
Date

Act 294

Case Identification: A-230550F2000; I-00070114; P-00072313;
**Application for Abandonment of Service of
Investigation of and Petition of
Washington Park Sanitary Company and
Washington Park Water Company**

Initial Decision By: Administrative Law Judge Ember S. Jandebour

Deadline for Return to OSA: October 24, 2008

This decision has not been reviewed by OSA.

RECEIVED
2008 OCT 24 AM 9:59
OFFICE OF SPECIAL
ASSISTANTS

* * * * *

I want full Commission review of this decision.

Commissioner

Date

I do not want full Commission review of this decision.

X *Kim Fitzgerald*

Commissioner

10-24-08

Date

Act 294

Case Identification: A-230550F2000; I-00070114; P-00072313;
Application for Abandonment of Service of
Investigation of and Petition of
Washington Park Sanitary Company and
Washington Park Water Company

Initial Decision By: Administrative Law Judge Ember S. Jandebour

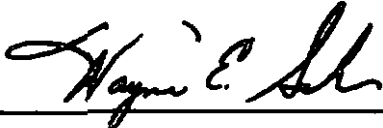
Deadline for Return to OSA: October 24, 2008

This decision has not been reviewed by OSA.

RECEIVED
2008 OCT 24 PM 3:34
OFFICE OF SPECIAL
ASSISTANTS

* * * * *

I want full Commission review of this decision.



Commissioner

10/24/08

Date

I do not want full Commission review of this decision.

Commissioner

Date

Act 294

Case Identification: A-230550F2000; I-00070114; P-00072313;
Application for Abandonment of Service of
Investigation of and Petition of
Washington Park Sanitary Company and
Washington Park Water Company

Initial Decision By: Administrative Law Judge Ember S. Jandebaur

Deadline for Return to OSA: October 24, 2008

This decision has not been reviewed by OSA.

RECEIVED
2008 OCT 24 PM 3:36
OFFICE OF LEGAL
ASSISTANTS

* * * * *

I want full Commission review of this decision.

James H. Cawley

Commissioner

10/24/08

Date

I do not want full Commission review of this decision.

Commissioner

Date

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 10, 2008

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

ORIGINAL
DOCUMENT
FOLDER

RECEIVED
2008 NOV 10 PM 3:45
PA PUC
SECRETARY'S BUREAU

RE: Application of W.P. Sanitary Co., Inc. for Approval of
Abandonment of Service,
Docket No. A-230550F2000
Investigation of W.P. Water Co., Inc. & W.P. Sanitary
Co., Inc., Pursuant to 66 Pa. C.S. § 529,
Docket No. I-00070114
Petition of W.P. Water Co., Inc. & W.P. Sanitary Co., Inc.
Docket No. P-00072313

Dear Secretary McNulty:

Please be advised that the Office of Consumer Advocate will not be filing Reply
Exceptions in the above-referenced proceeding.

A copy of this notification has been served on the parties of record as indicated on
the enclosed Certificate of Service.

Sincerely,

Erin L. Gannon
Assistant Consumer Advocate

Enclosures

cc: Honorable Ember S. Jandebaur
Certificate of service

106213

CERTIFICATE OF SERVICE

Application of W.P. Sanitary Co., Inc. for Approval of Abandonment of Service	:	Docket No. A-230550F2000
	:	
Investigation of W.P. Water Co., Inc. and W.P. Sanitary Co., Inc., Pursuant to 66 Pa. C.S. § 529	:	Docket No. I-00070114
	:	
Petition of W.P. Water Co., Inc. and W.P. Sanitary Co., Inc.	:	Docket No. P-00072313
	:	

I hereby certify that I have this day served a true copy of the foregoing letter 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 10th day of November 2008.

SERVICE BY ELECTRONIC MAIL and HAND DELIVERY

Rhonda L. Daviston, Esquire
Kriss Brown, Esquire
Pa. PUC Law Bureau
400 North Street
Harrisburg, PA 17105

SERVICE BY ELECTRONIC and FIRST CLASS MAIL, POSTAGE PREPAID

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212 Locust Street
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Michael D. Klein, Esquire
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1101 New York Avenue, N.W.
Suite 1100
Washington, DC 20005-4213

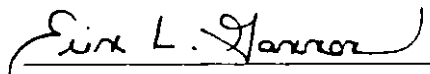
Ernest D. Preate, Jr., Esquire
Mellon Bank Bldg.
400 Spruce Street, Suite 300
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Anthony P. Litwin, Esquire
24 East Tioga Street
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Boyd Hughes, Esquire
Hughes, Nicholls Ohara
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Erin L. Gannon

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Darlene R. Wong
Assistant Consumer Advocate
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Christine Maloni Hoover
Senior Assistant Consumer Advocate
PA Attorney I.D. #50026
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Counsel for
Office of Consumer Advocate
555 Walnut Street 5th Floor, Forum Place
Harrisburg, PA 17101-1923
Phone: (717) 783-5048 Fax: (717) 783-7152
105701.doc



**THOMAS, LONG,
NIESEN & KENNARD**

Attorneys and Counsellors at Law

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

November 10, 2008

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

**DOCUMENT
FOLDER ORIGINAL**

In re: Docket No. 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

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

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

Dear Secretary McNulty:

We represent Aqua Pennsylvania, Inc. ("Aqua") and Little Washington Wastewater Company, dba Suburban Wastewater ("LWWC"), in the above matters and have received both Judge Jandebour's Initial Decision on Emergency Petition and Amended Emergency Petition On Unauthorized Liens and Mortgages, dated October 8, 2008 and the Exceptions of the Law Bureau Prosecutory Staff to the Initial Decision. Please be advised that Aqua/LWWC will not be filing a reply to the Exceptions of the LBPS.

Very truly yours,

THOMAS, LONG, NIESEN & KENNARD

By

Thomas T. Niesen

Encl.
cc: Certificate of Service
Frances P. Orth, Esquire
081110-McNulty (Reply Exceptions).wpd

2008 NOV 12 AM 8:47
SECRETARY'S BUREAU

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. P-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 10th day of November 2008, served a true and correct copy of the foregoing letter, upon the persons and in the manner set forth below:

FIRST CLASS MAIL, POSTAGE PREPAID

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

Rhonda L. Daviston, Assistant Counsel
Law Bureau
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
P. O. Box 3265
Harrisburg, PA 17105-3265

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

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Scranton, PA 18503

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Lance H. Zeyher
Regional Counsel
PA Dept. of Environmental Protection
Office of Chief Counsel
2 Public Square
Wilkes-Barre, PA 18711-0790

Boyd Hughes, Esquire
Hughes Nicholls O'Hara
1421 East Drinker Street
Dunmore, PA 18512-2614

Michael D. Klein, Esquire
Dewey & Leboeuf, LLP
1101 New York Avenue, NW
Washington, DC 20005-4213

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Joseph J. Albert, Esquire
Albert & Kamage
Suite 201
458 Wyoming Avenue
Kingston, PA 18704

Carl L. Kresge & Sons
1199 Laurel Run Road
Wilkes-Barre, PA 18702

Anthony P. Litwin, Esquire
24 East Tioga Street
Tunkhannock, PA 18657



Thomas T. Niesen
PA Attorney ID No. 31379

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

November 11, 2008

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

DOCUMENT
FOLDER

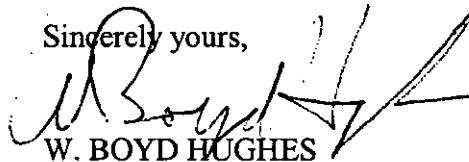
RE: Application of W.P. Sanitary Company, Inc. for Approval of Abandonment
of Service (A-23550F2000)
Investigation of W.P. Water Company, Inc. and W.P. Sanitary Company,
Inc. (I-00070114)
Petition of W.P. Water Company, Inc., and W.P. Sanitary company, Inc.
(P-00072313)

Dear Secretary McNulty:

This letter serves as notification that United Water Pennsylvania, Inc., will not file
Exceptions to the Initial Decision on the Emergency Petition and Amended Emergency Petition
on Unauthorized Liens and Mortgages of Administrative Law Judge Ember S. Jandebour.

A copy of this notification has been served as indicated on the accompanying Certificate
of Service.

Sincerely yours,


W. BOYD HUGHES

WBH/jgp

Enclosures
cc: Honorable Ember S. Jandebour

ORIGINAL

RECEIVED
2008 NOV -7 AM 9:23
PA P.U.C.
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

I hereby certify that I have on t his 4th day of November, 2008, served a true and correct copy of the foregoing letter upon the persons and in the manner indicated below:

Rhonda L. Daviston, Esquire
Kriss Brown, Esquire
Pa. PUC Law Bureau
400 North Street
Harrisburg, PA 17105

Lance Zeyher, Esquire
Pa. Dept. Of Environmental Protection
2 Public Square
Wilkes-Barre, PA 18711-0790

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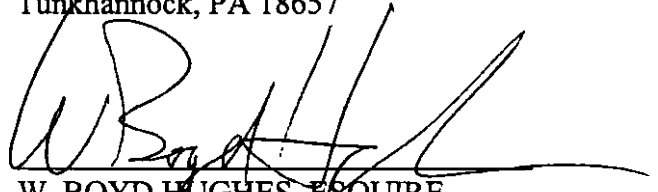
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Assistant General Counsel
Aqua Pennsylvania, Inc.
762 Lancaster Avenue
Bryn Mawr, PA 19010

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

Anthony P. Litwin, Esquire
24 East Tioga Street
Tunkhannock, PA 18657



W. BOYD HUGHES, ESQUIRE
Hughes, Nicholls & O'Hara
1421 E. Drinker Street
Dunmore, PA 18512
Tel: (570) 344-7171
Fax: (570) 342-8459
Attorney for United Water PA

RECEIVED

NOV 07 2008

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**



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

April 1, 2009

DOCUMENT
FOLDER

W.P. Water Co., Inc.
1199 Laurel Run Road
Wilkes-Barre, PA 18702

In Re: I-00070114 & A-213520
Pennsylvania Public Utility Commission
Law Bureau Prosecutory Staff
v.
W.P. Water Co., Inc.

Dear Respondent:

After a review of the Commission's accounts receivable, it was found that your payment has not been submitted for a Commission ordered fine.

An Order, adopted by the commission and entered into the record on March 31, 2009, orders W.P. Water Co., Inc. to pay (**by certified check or money order**) the Pennsylvania Public Utility Commission a penalty of \$5,500.00 for violation of the Pennsylvania Public Utility Code.

The records of the Commission indicate that this fine has not been paid as of the date of this correspondence. It will be necessary for the Commission to take further action if such fine is not paid promptly. Questions concerning this matter may be directed to the Commission's Fiscal Office at (717) 783-9860.

Very truly yours,

James J. McNulty
Secretary

pc: Bureau of Fixed Utility Services
Law Bureau
File Room

Pennsylvania Public Utility Commission

Receipt - for Fine

The Addressee named here has paid the PA P.U.C. for the following bill

Date: 04/08/2009

Receipt Number: 2008-RCT-000503

W.P. SANITARY CO.
1199 LAUREL RUN ROAD
WILKES-BARRE, PA 18702

**DOCUMENT
FOLDER**

In Re: Commission Order

Docket Number I-00070114..... \$5,500.00

FINE NUMBER : 2008-FINE-000316

CHECK NUMBER: 008003

CHECK AMOUNT: \$5,500.00

Michael Sobolesky
(for Department of Revenue)

RECEIVED

2009 APR - 9 PM 12: 24

PA P.U.C.
SECRETARY'S BUREAU

Pennsylvania Public Utility Commission

Receipt - for Fine

The Addressee named here has paid the PA P.U.C. for the following bill

Date: 04/08/2009

Receipt Number: 2008-RCT-000502

W.P. WATER CO.
1199 LAUREL RUN ROAD
WILKES-BARRE, PA 18702

DOCUMENT
FOLDER

In Re: Commission Order

Docket Number I-00070114..... \$5,500.00

FINE NUMBER : 2008-FINE-000315

CHECK NUMBER: 008004

CHECK AMOUNT: \$5,500.00

Michael Sobolesky
(for Department of Revenue)

RECEIVED
2009 APR - 9 PM 12: 24
PA P.U.C.
SECRETARY'S BUREAU