

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Charles J. Eder, Jr.

v.

Aqua Pennsylvania, Inc.

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:  
:  
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C-20044150

PREHEARING ORDER

RJP

DOCUMENT  
FOLDER

On March 25, 2005, I was assigned as the presiding officer in this case. The purpose of this order is to bring to the attention of the parties certain procedural rules that apply to the participants in this proceeding. This case is scheduled for a telephonic hearing on Thursday, June 2, 2005 at 10:00 a.m.

The Complainant alleged the following: that the bills at his home are higher than his commercial bills; that the bills tripled after the municipality sold the company to the Respondent; and that the minimum usage used to be 13,000 gallons for three months. The Complainant wants the billing investigated.

In its Answer, the Respondent stated that the complaint arises from water service to two properties in Bensalem: 601 Cedar Avenue and 1929 Lincoln Street. The Respondent indicated that it contacted the Complainant to make an appointment to remove the meters from the properties to perform tests to determine whether the meters were operating properly. However, the Complainant stated that he was not disputing the usage or the operation of the meter. He said that he was disputing the rates charged by the Respondent. In the event that the Complainant disputes the operation of the meters, the Respondent requested that it be allowed to test the meters at the properties. The Respondent averred that it charges the rates approved by the Commission on August 5, 2004. It was noted that the Respondent provided notice of the proposed rate change to the customers in the Bristol Division in November 2003.

The Complainant has the burden of proving that the allegations in the complaint are true. Section 332(a) of the Public Utility Code, 66 Pa. C.S. §332(a). Since the rates charged by the Respondent have been approved by the Commission, the Complainant has the burden of proving that the rates are not reasonable.

If you wish to offer documents into evidence during the hearing (i.e. letters, bills, canceled checks, receipts, account statements, etc.), you should send three copies to me (a copy for the presiding officer and 2 copies for the Court Reporter) and send a copy to every other party in the case at least seven days in advance. Please keep a copy for yourself. 52 Pa. Code §5.409. Please send my copies to 1302 Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, Pennsylvania 19130.

Pursuant to 52 Pa. Code §1.15(b), requests for postponements or continuance of hearings must be submitted in writing no later than five (5) days prior to the hearing. Requests for postponement or continuance of hearings are to be sent to the presiding officer with copies to the Scheduling Office and the other party of record. The address for the Scheduling Office is P.O. Box 3265, Harrisburg, Pennsylvania 17105-3265.

All witnesses should be prepared to testify during the June 2, 2005 hearing. If the witness will be at a different telephone number, please notify my office at least five days in advance so that the necessary arrangements can be made.

If you will be at a different telephone number than the one listed on the hearing notice, please contact my office immediately. My telephone number is (215) 560-2105.

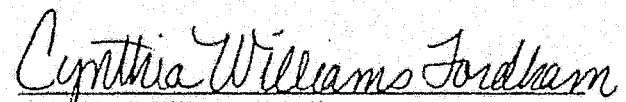
ORDER

THEREFORE,

IT IS ORDERED:

That the parties shall comply with the procedural rules and regulations discussed herein.

Date: May 16, 2005

  
Cynthia Williams Fordham  
Cynthia Williams Fordham  
Administrative Law Judge

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No :	C-20044150	YES	NO
Case Name	Charles J. Eder, Jr. v Aqua Pennsylvania, Inc.	Prehearing Held:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Location:	Philadelphia, PA	Hearing Held:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Date:	June 2, 2005	Testimony Taken:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
ALJ:	Cynthia W. Fordham	Transcript Due:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reporting Firm:	Precision Reporting, Inc.	Hearing Concluded:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
		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:	6/24/05
		Briefs to be Filed:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
		DATE:	
		Bench Decision:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
		REMARKS	R to tax exhibits to C ; Rec'd to close by 6/24/05

**DOCUMENT FOLDER**  
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 JUN - 8 2005  
 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?
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<del>Francis P. ...</del> Via telephone	Aqua Pennsylvania, Inc. 762 Lancaster Ave Bryn Mawr City: Bryn Mawr State: PA Zip: 19010	Aqua Pennsylvania, Inc.
Telephone: (610) 645-1126	E-mail Address:	Fax Number:
Telephone:	E-mail Address:	Fax Number:
City:	State:	Zip:
Telephone:	E-mail Address:	Fax Number:

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

6/7/05, self!

*Gray Allen*  
 Reporter's Signature