

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: ALJ	:	
3. SECTION(S):	:	
5. APPROVED BY:	:	4. PUBLIC MEETING DATE:
DIRECTOR:	:	00/00/00
SUPERVISOR:	:	
6. PERSON IN CHARGE:	:	7. DATE FILED: 10/20/05
8. DOCKET NO: C-20055460	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: YAKOSKI, JOSEPH

RESPONDENT/APPLICANT: W.P. WATER CO.

COMP/APP COUNTY: WYOMING

UTILITY CODE: 213520

ALLEGATION OR SUBJECT

COMPLAINANT STATES THERE IS A RELIABILITY, SAFETY OR QUALITY PROBLEM WITH HIS UTILITY SERVICE.

DOCUMENT  
FOLDER

**DOCKETED**  
OCT 20 2005

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

RECEIVED

Please print or type.

C-20055460

OCT 20 2005

1. CUSTOMER NAME (COMPLAINANT)

PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

Your name, mailing address, county, telephone number, utility account number and service address:

Name JOSEPH YAKOSKI

Street/P.O. Box 7 ROSEMARY DRIVE Apt #

City TUNKHANNOCK State PA Zip 18657-9582

County WYOMING

Area Code/HOME Phone 570 836-2954

Area Code/WORK Phone 570 833-3743

Utility Account Number NO ACCT. NUMBER ON STATEMENT (from your bill)

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name

Street/P.O. Box

City State Zip

2. UTILITY NAME (RESPONDENT)

W.P. Water Co.

Name of utility company your complaint concerns: WASHINGTON PARK WATER & SANITARY CO.

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

(taxi, moving company, limousine)

TELEPHONE

(local, long distance)

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You do not need to contact the company if your complaint is against a proposed utility rate increase or if you are not a residential service account customer. You do not need to contact the company again if you are filing an appeal from a Bureau of Consumer Services (BCS) determination on an informal complaint.

If you tried to, but could not speak to a utility company representative, please explain why.

8. You must sign your complaint.

In Section Eight (8) of the formal complaint, you must print or type your name in the space provided in the verification paragraph and you must sign and date your formal complaint form on the lines in this Section. If you do not sign the formal complaint form the Commission will not accept it.

9. If you are represented by a lawyer in this matter, you must provide your lawyer's name, address and telephone number.

If your complaint is about your residential service, you do not need a lawyer. You may represent yourself at the hearing. If naming a lawyer, please make sure the lawyer is aware of your complaint and is representing you in this matter. If you have a lawyer representing you in this matter, you and your lawyer must be present at your hearing.

The Commission requires corporations, associations, partnerships and political subdivisions to have a lawyer at hearing and to file any motions, answers, briefs or other legal pleadings.

10. Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 <sup>nd</sup> Floor Harrisburg, Pennsylvania 17120
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Keep a copy of your complaint for your records.

Facsimiles and/or electronic filings of the complaint form will not be accepted.

4. COMPLAINT (check one)

A. In general, what is your complaint?

I want to oppose the company's proposed rate increase.

There are incorrect charges on my bill.

There is a reliability, safety or quality problem with my utility service.

I received a notice that my utility service is being terminated.

I would like a payment agreement.

Other.  
(explain)

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

ON OCT 16 2005, WATER PRESSURE WAS EXTREMELY LOW MOST OF DAY, TRIED PHONE CALLING TWICE DURING DAY, GOT NO ANSWER OR ANSWERING MACHINE TO REPORT PROBLEM, THIS HAS BEEN OCCURRING MORE FREQUENTLY THE LAST 3-4 MONTHS, NOT AS SEVERE AS ON OCT 16, WE NEVER GET A REPORT ON WATER QUALITY. BILLING PRACTICE IS POOR. SOMETIMES, WE DONT GET SCHEDULED BILLING OR NAME IS INCORRECT AFTER VERBAL AND WRITTEN REPORT. OVERALL RELIABILITY OF WATER SYSTEM NEEDS ATTENTION,

5. RELIEF

What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space.

CURRENT OWNERS NEED TO BE REMOVED AS WATER CO. OPERATORS. POOR MANAGEMENT, WATER QUALITY REPORTS NEED TO BE PROVIDED TO CUSTOMERS ON A REGULAR BASIS. A PROBLEM "HOTLINE" AND ANSWERING SERVICE MUST BE PROVIDED TO ALL CUSTOMERS. WATER SERVICE, SUCH AS PRESSURE, MUST BE MAINTAINED 99.99% OF THE TIME, WATER QUALITY MUST BE MAINTAINED 100% OF THE TIME, ONGOING SEWER ISSUES MUST BE RESOLVED IMMEDIATELY FOR W.P. HOME OWNERS AND DOWNSTREAM RESIDENTS.

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company AND your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES

(includes appeals of BCS determinations)

NO

WOULD NOT ANSWER PHONE AND COULD NOT LEAVE MESSAGE

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification:

I JOSEPH YAKOSKI, 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).

Joseph Yakoski  
(Signature)

OCT 18 2005  
(Date)

**9. LEGAL REPRESENTATION (IF ANY)**

If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Area Code/Phone Number \_\_\_\_\_

**10. FILING**

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 <sup>nd</sup> Floor Harrisburg, Pennsylvania 17120
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Facsimiles and/or electronic filings of the complaint form will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

**Keep a copy of your complaint for your records.**

October 19th, 2005

To Whom It May Concern P.U.C.;

I am a Kidney Transplant patient and it is very important that I have good water to drink.

I should not be force to buy bottled water.

I must depend on the water quality to prevent me from getting sick.

Thank You  
Heaven C. Yakoski

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

DATE SERVED: OCTOBER 21, 2005

C-20055460

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

DOCUMENT  
FOLDER

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by JOSEPH YAKOSKI. To defend yourself against the claims stated in the following pages, you must act within twenty (20) days by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS, THE CASE MAY GO FORWARD IN YOUR ABSENCE AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

CUSTOMER OF A UTILITY

A payment schedule may be prescribed or a termination of utility services may be authorized. You may lose money or property or other rights important to you.

COMPANY/UTILITY

An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

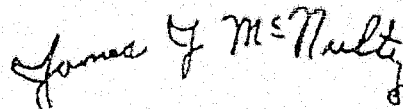
OCTOBER 21, 2005

Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help.

Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375

Very truly yours,

A handwritten signature in cursive script that reads "James J. McNulty". The signature is written in dark ink and is positioned above the typed name and title.

James J. McNulty  
Secretary

JHH

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: OCTOBER 21, 2005

JOSEPH YAKOSKI  
Complainant

VS.

W. P. WATER COMPANY  
Respondent

Complaint Docket  
No: C-20055460

DOCUMENT  
FOLDER  
**DOCKETED**  
OCT 20 2005

---

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

---

TO: W. P. WATER COMPANY

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, an answer (original and three copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

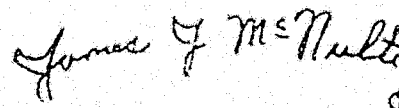
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which

prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied, any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after a hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.



James J. McNulty  
Secretary

(SEAL)

Certified Mail  
Return Receipt Requested

THE LAW OFFICES OF  
BORLAND & BORLAND, L.L.P.  
11TH FLOOR  
69 PUBLIC SQUARE  
WILKES-BARRE, PENNSYLVANIA 18701-2597

ORIGINAL

KIMBERLY D. BORLAND  
RUTH SLAMON BORLAND  
DAVID P. TOMASZEWSKI  
KIERAN M. CASEY

TELEPHONE (570) 822-3311  
FAX (570) 822-9894

borlandk@borlaw.com  
borlandr@borlaw.com  
borlandd@borlaw.com  
caseyk@borlaw.com

November 7, 2005

JAMES J McNULTY  
SECRETARY  
COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P O BOX 3265  
HARRISBURG PA 17105-3265

RECEIVED

NOV 7 2005

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

DOCUMENT  
FOLDER

Re: W.P. Water Company v. Corey  
Pries  
Docket #C-20055452  
W.P. Water Company v. Brian P.  
DeGroot  
Docket #C-20055451  
W.P. Water Company v. James Holly  
& Sandy Phillips  
Docket #C-20055461  
W.P. Water Company v. Leigh Powell  
Docket #C-20055468  
W.P. Water Company v. Joseph  
Yakoski  
Docket #C-20055460  
W.P. Water Company  
Docket #C-20055473  
W.P. Water Company  
Docket #C-20055472  
W.P. Sanitary Company v. Kandi Jo  
Madill  
Docket #C-20055456  
W.P. Sanitary Company v. Kathleen  
Sylvester  
Docket #C-20055455  
W.P. Sanitary Company v. Kathleen  
Sylvester  
Docket #C-20055453  
File #LKJ57292

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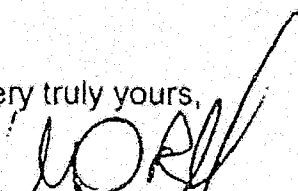
Dear Mr. McNulty:

By copy of this letter please enter my appearance on behalf of W.P. Water Company with regard to the above-referenced matters

I am also requesting a 15 day extension in which to respond to these complaints as I just received them today, November 7, 2005.

Thank you for your consideration.

Very truly yours,

  
Kimberly D. Borland

KDB/jp

VIA OVERNIGHT MAIL  
TRACKING #1Z F13 96R 22 1000 067 0

pc: Carl Kresge

DOCUMENT  
FOLDER

**DOCKETED**  
DEC 08 2005

RECEIVED

NOV 07 2005

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
November 9, 2005

PLEASE DOCKET

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: C-20055460

KIMBERLY D. BORLAND, ESQUIRE  
BORLAND & BORLAND, L.L.P.  
69 PUBLIC SQUARE, 11<sup>TH</sup> FLOOR  
WILKES-BARRE, PA 18701-2597

Joseph Yakoski v. W. P. Water Company

NOTICE

DOCUMENT  
FOLDER

Please be advised that your request for extension of time to file an answer on the above-captioned complaint has been granted.

An answer must be filed on or before November 29, 2005. Failure to submit an answer by that date may result in the scheduling of a hearing.

If you have any questions regarding this response, please contact the scheduling office at (717) 787-1399.

pc: Mr. Joseph Yakoski  
Mr. Bruce Bigelow, Mediator  
Beth Plantz  
Docket Section

**DOCKETED**  
NOV 16 2005

THE LAW OFFICES OF  
BORLAND & BORLAND, L.L.P.  
11TH FLOOR  
69 PUBLIC SQUARE  
WILKES-BARRE, PENNSYLVANIA 18701-2597

KIMBERLY D. BORLAND  
RUTH SLAMON BORLAND  
DAVID P. TOMASZEWSKI  
KIERAN M. CASEY

TELEPHONE (570) 822-9311

FAX (570) 822-9894

borlandk@borlaw.com  
borlandr@borlaw.com  
tzewski@borlaw.com  
caseyk@borlaw.com

November 21, 2005

JAMES J McNULTY  
SECRETARY  
COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P O BOX 3265  
HARRISBURG PA 17105-3265

ORIGINAL

DOCUMENT  
FOLDER

Re: W.P. Water Company v. Corey  
Pries  
Docket #C-20055452  
W.P. Water Company v. Brian P.  
DeGroot  
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& Sandy Phillips  
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Yakoski  
Docket #C-20055460  
W.P. Water Company  
Docket #C-20055473  
W.P. Water Company  
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Sylvester  
Docket #C-20055455  
W.P. Sanitary Company v. Kathleen  
Sylvester  
Docket #C-20055453  
File #LK/57292

RECEIVED

2005 NOV 22 AM 9:14

PA P.U.C.  
SECRETARY'S BUREAU

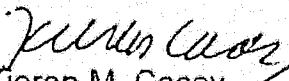
16

Dear Mr. McNulty:

Enclosed please find Respondents Answers to the above noted  
Complaints.

Thank you for your consideration.

Sincerely,

  
Kieran M. Casey

KMC/jp  
Enclosures

pc: Carl Kresge (w/encl.)  
Cory Pries (w/enc.)  
Brian DeGroot (w/encl.)  
Kandi Jo Madill (w/encl.)  
Kathleen Sylvester (w/encl.)  
James Holly & Sandy Phillips (w/encl.)  
William J. Finkler (w/encl.)  
Lisa Higgins (w/encl.)  
Leigh Powell (w/encl.)  
Joseph Yakoski (w/encl.)

RECEIVED

2005 NOV 22 AM 9:14

PA P.U.C.  
SECRETARY'S BUREAU

PENNSYLVANIA PUBLIC UTILITY COMMISSION

JOSEPH YAKOSKI  
Complainant

ORIGINAL

RECEIVED

2005 NOV 22 AM 9:15

SECRETARY'S BUREAU

VS.

W.P. WATER COMPANY  
Respondent

Complaint Docket  
No. C-20055460

ANSWER TO FORMAL COMPLAINT

1. CUSTOMER NAME (COMPLAINANT)

Admitted

2. UTILITY NAME (RESPONDENT)

Respondent's proper address is W.P. Water Company, 1199 Laurel Run, Rd., Wilkes-Barre, PA 18702

3. TYPE OF UTILITY

It is admitted that Respondent provides water service to Complainant.

4. COMPLAINT

It is denied there is a reliability, safety or quality problem with the utility service Respondent provides to Complainant.

4(b) FACTS OF THE COMPLAINT

Washington Park's water supply comes from three wells that are operating at the park. As such, during particularly dry periods of time, the water supply can be reduced, which can lead to reduced water pressure for service recipients. The summer of 2005 was particularly dry. As such, there have been occasional periods of low water pressure. It was this period of reduced precipitation and a well malfunction, described below, which led to low water pressure on October 16, 2005.

As noted above, the water supply in Washington Park comes from three wells which are situated in the park. On October 5, 2005, the monitoring systems for well #2 indicated that it was functioning below acceptable capacity. As such, Respondent took pump two off line so that the motor and pump could be replaced. Respondent acted promptly to make the necessary repairs to well #2. By

October 12, 2005, he had obtained a new motor and pump for this well. However, he had not received a new electric starter by that day. Respondent had hoped to wait to place well #2 back on line until he had obtained a new starter so that this well could function efficiently when made operational again. Accordingly, from October 5 through October 15, 2005, two wells were sufficiently supplying residents with water.

On Saturday October 15<sup>th</sup> had employees in the area doing general maintenance. Those employees soon discovered that well # 3 had shut down due to a mechanical failure. To remediate this problem, Respondent promptly directed that well #2 be brought back on line, despite the absence of a new electric starter.

As well #2 was only placed back on line the day before the incident Plaintiff describes, the water pressure from that line had been built back up, a process which takes approximately one day. Monday, October 17, well # 3 was repaired and a new starter was placed on well #2. Accordingly, by the end of that day, all three wells were functioning efficiently.

Any problem Plaintiff experienced in contacting Defendant was due to an isolated answering machine malfunction.

It is denied billing is irregular. It is denied customers are denied water quality reports to which they are entitled. It is denied Defendant does not sufficiently address the reliability of the water delivery system.

5

RELIEF

It is denied Defendant needs to be removed as the operator. It is denied water quality reports need to be provided to customers more frequently. It is denied that any additional measures need to be implemented to ensure that Defendant receives customer complaints. It is denied that the water quality needs to be improved.

6

PROTECTION FROM ABUSE

N/A

7

PRIOR UTILITY CONTACT

Respondent denies that it would not answer Complainant's telephone call and avers that it has not spoken to Complainant regarding the matters set forth in his complaint.

8

VERIFICATION AND SIGNATURE

I Carl Kresge, 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. Sec. 4904 (relating to unsworn falsification to authorities).

Carl H. Kresge  
Signature

11-15-05  
(Date)

9 LEGAL REPRESENTATION

Respondent is represented by Kimberly D. Borland, Esq. and Kieran Casey, Esq. of Borland & Borland, L.L.P.  
69 Public Square, Suite 1100  
Wilkes-Barre, PA 18701

PENNSYLVANIA PUBLIC UTILITY COMMISSION

JOSEPH YAKOSKI,  
Complainant

VS.

W.P. WATER COMPANY  
Respondent

Complaint Docket  
No. C-20055460

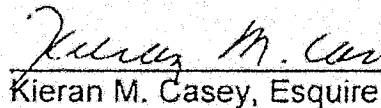
CERTIFICATE OF SERVICE

I, Kieran Casey, Esquire, hereby certify that I mailed a true and correct copy of Respondent's Formal Complaint to the following person at the following address:

JOSEPH YAKOSKI  
7 ROSEMARY DRIVE  
TUNKHANNOCK PA 18657

By First Class Mail this 21<sup>st</sup> day of November, 2005.

Borland & Boriand, L.L.P.

  
Kieran M. Casey, Esquire



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

IN REPLY PLEASE  
REFER TO OUR FILE

November 30, 2005

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

RECEIVED  
2005 DEC - 1 AM 9:55  
SECRETARY'S BUREAU

Re: Brian P. DeGroot v. WP Water Co. C-20055451  
Corey Pries v. WP Water Co. C-20055452  
Kathleen Sylvester v. WP Water Co. C-20055453  
Kandi Jo Madill v. WP Water Co. C-20055454  
Joseph Yakoski v. WP Water Co. C-20055460  
James Holly & Sandy Phillips v. WP Water Co. C-20055461  
Leigh Powell v. WP Water Co. C-20055468  
Lisa Higgins v. WP Water Co. C-20055472  
William J. Finkler v. WP Water Co. C-20055473  
Fred T. Riebeling v. WP Water Co. C-20055556  
Kathleen Sylvester v. WP Sanitary Co. C-20055455  
Kandi Jo Madill v. WP Sanitary Co. C-20055456  
Fred T. Riebeling v. WP Sanitary Co. C-20055557

DOCUMENT  
FOLDER

Dear Secretary McNulty:

Please find enclosed for filing an original and three copies of Law Bureau Prosecutory Staff's Notice of Intervention in the above-captioned proceeding. Copies have been served on the parties of record in accordance with the Certificate of Public Convenience.

Please contact me at (717) 787-6166, or at the address listed above, if you have any questions. Thank you for your attention to this matter.

Very truly yours,

Rhonda L. Daviston  
Law Bureau Prosecutory Staff

cc: Per Certificate of Service

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Brian P. DeGroot v. WP Water Co.	:	C-20055451
Corey Pries v. WP Water Co.	:	C-20055452
Kathleen Sylvester v. WP Water Co.	:	C-20055453
Kandi Jo Madill v. WP Water Co.	:	C-20055454
Joseph Yakoski v. WP Water Co.	:	C-20055460
James Holly & Sandy Phillips v. WP Water Co.	:	C-20055461
Leigh Powell v. WP Water Co.	:	C-20055468
Lisa Higgins v. WP Water Co.	:	C-20055472
William J. Finkler v. WP Water Co.	:	C-20055473
Fred T. Riebeling v. WP Water Co.	:	C-20055556
Kathleen Sylvester v. WP Sanitary Co.	:	C-20055455
Kandi Jo Madill v. WP Sanitary Co.	:	C-20055456
Fred T. Riebeling v. WP Sanitary Co.	:	C-20055557

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NOTICE OF INTERVENTION

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**DOCKETED**  
DEC 20 2005

Pursuant to 52 Pa. Code § 5.71-76 and 66 Pa.C.S. § 332(h), Law Bureau Prosecutory Staff (LBPS) hereby gives Notice of Intervention in each of the above-captioned proceedings. A copy of all correspondence and notices, documents, orders or other communications with respect to the above-captioned proceeding should be addressed to the following:

Rhonda L. Daviston  
Assistant Counsel  
P.O. box 3265  
Harrisburg, PA 17105-3265  
[rdaviston@state.pa.us](mailto:rdaviston@state.pa.us)

On October 19, 20, 2005, and November 11, 2005, the above-captioned Complaints were filed by customers of WP Water Co. and WP Sanitary Co. The Complaints were filed as a result of a water outage as well as water pressure problems and sanitary problems.

By intervening in this proceeding, LBPS seeks to monitor this proceeding to ensure that the standards imposed upon WP Water Co. and WP Sanitary Co. are in compliance with the Respondents' duty to provide safe, adequate, and reasonably continuous service pursuant to 66 Pa. C.S. §1501 of the Public Utility Code, the Commission's regulations, and previous Commission orders.

Respectfully submitted,

  
Rhonda L. Daviston

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

Dated: December 1, 2005

CERTIFICATE OF SERVICE

I hereby certify that I have this 1<sup>st</sup> day of December, 2005, served a true copy of the foregoing document upon the participants listed below, in accordance with the requirements of §1.54 (relating to service by a participant).

FIRST CLASS MAIL

Kimberly D. Borland, Esquire  
Kieran Casey, Esquire  
Borland & Borland, LLP  
69 Public Square, Suite 1100  
Wilkes-Barre, PA 18701

Brian P. DeGroot  
13 Rosemary Drive  
Tunkhannock, PA 18657

Corey Pries  
19 Rosemary Dr.  
Tunkhannock, PA

James Holly and Sandy Phillips  
3 Rosemary Drive  
Tunkhannock, PA 18657

Kathleen Sylvester  
17 Jeanne Drive  
Tunkhannock, PA 18657

Leigh Powell  
31 Morio Drive  
Tunkhannock, PA 18657

Kandi Jo Madill  
27 Morio Drive  
Tunkhannock, PA 18657

Lisa Higgins  
17 Karin Drive  
Tunkhannock, PA 18657

Joseph Yakoski  
7 Rosemary Drive  
Tunkhannock, PA 18657

Fred T. Riebeling  
13 Jeanne Drive  
Tunkhannock, PA 18657

*Rhonda L. Daviston*  
Rhonda L. Daviston  
Assistant Counsel

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

December 1, 2005

PA PUC  
SECRETARY'S BUREAU

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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

January 4, 2006

ORIGINAL

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

Re: Joseph Yakoski  
v.  
WP Water Company  
Docket No. C-20055460

Dear Secretary McNulty:

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

Sincerely yours,

Erin L. Gannon  
Assistant Consumer Advocate

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FOLDER

Enclosure

cc. Hon. Ember Jandebaur, ALJ  
Kimberly D. Borland, Esq.  
Rhonda Daviston, PUC Law Bureau  
Office of Trial Staff  
Office of Small Business Advocate  
Office of Special Assistants  
Bureau of Fixed Utility Services

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SECRETARY'S BUREAU

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RECORDED

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

JOSEPH YAKOSKI

v.

WASHINGTON PARK WATER CO.

:  
:  
:  
:  
:  
:

Docket No. C-20055460

NOTICE OF INTERVENTION

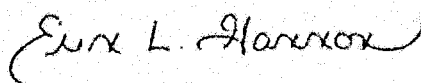
DOCUMENT  
FOLDER

Pursuant to 52 Pa. Code Sections 5 71-74, the Office of Consumer Advocate hereby gives Notice of Intervention in the above-captioned proceeding. A copy of all correspondence and notices, documents, orders or other communications with respect to the above-captioned proceeding should be addressed to the following

Erin L. Gannon  
Assistant Consumer Advocate  
Office of Consumer Advocate  
555 Walnut Street 5th Floor, Forum Place  
Harrisburg, PA 17101-1923

**DOCKETED**  
JAN 27 2006

Respectfully submitted,



Erin L. Gannon  
Assistant Consumer Advocate  
Christine M. Hoover  
Senior Assistant Consumer Advocate

SECRETARY'S BUREAU

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DATED: January 4, 2006

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

Act 161 of the Pennsylvania General Assembly, 71 P.S. § 309-2, as enacted July 9, 1976, authorizes the Consumer Advocate to represent the interests of consumers before the Pennsylvania Public Utility Commission (PUC or Commission). In accordance with Act 161, and for the following reasons, the Consumer Advocate determined to file a Notice of Intervention and participate in proceedings before the Commission involving Washington Park Water Company (W.P. or Company).

The Consumer Advocate has intervened in this proceeding in order to investigate the Formal Complaint filed by Joseph Yakoski concerning W.P.'s water service, specifically relating to water quality, water pressure, outages, maintenance and condition of the system and customer service. As of the filing date of this Notice of Intervention, seven (7) other W.P. customers have filed Formal Complaints expressing similar concerns about their water service. The Consumer Advocate seeks to ensure that W.P. fulfills its obligation to provide safe, adequate, and reliable service to its customers pursuant to the Public Utility Code, 66 Pa.C.S. §1501. By its participation, the Consumer Advocate also seeks to ensure that adequate consideration is given to the concerns raised by Mr. Yakoski's complaint and that the interests of W.P.'s customers are fully protected.

Washington Park Water Company provides service in portions of Kingston Township, Luzerne County and Washington Township, Wyoming County

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JAN 27 2006