

DOCUMENT
FOLDER

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED
FEB 26 PM 10:21

Hubert J. Franklin, Jr.

v.

Conneaut Lake Park Inc. Trustees

:
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:
:
:

Docket No. C-20029158

DOCKETED

FEB 28 2003

PREHEARING ORDER

An initial telephonic hearing in this case is scheduled for Monday, March 24, 2003 at 10:00 a.m. Accordingly, the parties are hereby directed to comply with the following requirements:

1. If you intend to present any documents or exhibits for my consideration, you must send one (1) copy to the other party and three (3) copies to me one week before the hearing. Be sure that you serve me directly with a copy of any document that you file in this proceeding at the time of filing. If you send me any correspondence or document, you must send a copy to all other parties. For your convenience, a copy of the Commission's current service list of the parties to this proceeding is enclosed with this Order.

2. If you or any proposed witness will be at a telephone number that is different than the number on the hearing notice, you must notify me of that telephone number at least one (1) week before the hearing.

3. A request for a change of the scheduled hearing date must be submitted in writing no later than five (5) days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes of initial hearings must be sent to the undersigned Administrative Law Judge, 1103

Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222. Only the undersigned Administrative Law Judge or OALJ Scheduling Staff may grant a request for a change of an initial hearing. Such changes are granted only in rare situations where sufficient cause exists. Requests for changes of subsequent hearings, if any, should also be served directly on me.

4. **YOU MAY LOSE THIS CASE, IF YOU DO NOT TAKE PART IN THIS HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.**

5. **ALTHOUGH THIS HEARING IS BEING CONDUCTED TELEPHONICALLY FOR THE CONVENIENCE OF THE PARTIES, IT IS STILL A FORMAL HEARING AND WILL BE CONDUCTED IN ACCORDANCE WITH THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE.**

6. Pursuant to 52 Pa. Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney represent you. However, if you are a partnership, corporation, trust, association or governmental agency or subdivision, you must have an attorney represent you in this proceeding. Unless you are an attorney, you may not represent someone else.

7. The Complainant bears the burden of proof in this proceeding and must show by a preponderance of the evidence that the Respondent has violated the Public Utility Code or a regulation or an Order of this Commission so that the Complainant is entitled to the relief requested in the complaint.

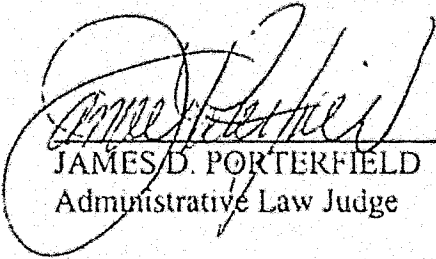
8. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa. Code §5.421. You must submit your written application to me sufficiently in advance of the hearing date so the other parties will have the required ten (10)

days' notice to answer or object, and so you will have enough time to receive the subpoena and serve it.

9. Any party may conduct discovery to learn the factual basis of another party's position in this case. However, 52 Pa. Code §5.331(b) provides, in relevant part, that "[a] participant shall endeavor to initiate discovery as early in the proceedings as reasonably possible." Additionally, 52 Pa. Code §5.322 provides, in relevant part, that "participants are encouraged to exchange information on an informal basis." All parties are urged to cooperate in informal information exchanges and in conducting discovery. Cooperation is preferable to disagreements, which require my participation to resolve. There are limitations on discovery (52 Pa. Code §5.361) and sanctions for abuse of the discovery process (52 Pa. Code §§5.371 & 5.372).

10. Commission policy is to encourage settlements. 52 Pa. Code §5.231(a). Therefore, you are urged to discuss informally between yourselves the possible settlement of this case at least one week before the hearing. If you are unable to settle this case, you may still resolve as many questions or issues as possible during your informal discussion.

Dated: February 21, 2003



JAMES D. PORTERFIELD
Administrative Law Judge



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge

P.O. Box 3265, Harrisburg, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

DOCUMENT
FOLDER

March 6, 2003

In Re: C-20029158

(See letter dated 02/13/2003)

Hubert J. Franklin Jr. v. Conneaut Lake Park Inc. Trustees

Billing dispute.

Telephone Hearing Cancellation Notice

This is to inform you that the Initial Telephone Hearing on the above-captioned case now scheduled to be held on Monday, March 24, 2003 at 10:00 a.m. has been continued to a date to be determined.

Presiding: Administrative Law Judge James D. Porterfield
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Telephone: (412) 565-3550
Fax: (412) 565-5692

Please mark your records accordingly.

pc: Judge Porterfield
Steve Springer, Scheduling Officer
Beth Plantz
Docket Section
Calendar File

DOCKETED

MAR 13 2003

SFB

ORIGINAL

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2003 JAN 21 11 05

Conneaut Lake Park

SECRETARY'S BUREAU

January 28, 2003

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

Subject: Complaint Docket C-20029158

Hubert J Franklin Jr (Complainant) vs Conneaut Lake Park Inc Trustees (Respondent)

Dear Sirs:

The water rates that were charged Mr Franklin on November 13, 2002 were in compliance with rates ordered by the PUC. Enclosed you will find a copy of the invoice that was mailed to him and it will show that he has in fact paid for his water service for the 2003. He does, however, still owe a balance for water service dated back several years.

Rates used by Conneaut Lake Park for billing purposes were \$150 for seasonal customers and \$300 for year-round customers for 2003. A different rate was used for past due services rendered

If you are in need of any further information, please contact me at address below.

Mary E ReBrassier, CFO
Conneaut Lake Park

DOCUMENT

Attachment FOLDER

84

FILE

CONNEAUT LAKE PARK
12382 CENTER STREET
CONNEAUT LAKE, PA 16316

Invoice

Date	Invoice #
11/13/2002	159

Bill To
Herbert Franklin 208 Bainbridge Drive Aliquippa PA 15001

Description	Amount
Seasonal Water Service	450.00
Past Due Balance	1,200.00
For property located at 12626 Center Street, Conneaut Lake PA	
<p>PAID 12-9-02 127.50 CK # 562 Still owes 1200.00</p> <p>DOCKETED APR 16 2003</p>	
15% discount if paid in full prior to 12/15/02...	1327.50
Total	\$1,350.00

DOCUMENT
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1327.50
- 127.50
Bal → 1200.00
due



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge
P.O. Box 3265, Harrisburg, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

October 24, 2003

In Re: C-20029158

(See letter dated 02/13/2003)

Hubert J. Franklin Jr. v. Conneaut Lake Park Inc. Trustees

Billing dispute.

Telephone Hearing Notice

This is to inform you that an Initial Prehearing Conference by telephone on the above-captioned case will be held as follows:

Type: Initial Prehearing Telephone Conference
Date: Wednesday, November 19, 2003
Time: 10:00 a.m.
Presiding: Administrative Law Judge James D. Porterfield
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Telephone: (412) 565-3550
Fax: (412) 565-5692

DOCUMENT
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At the above date and time, the Presiding Officer will contact the parties as follows:

Hubert J. Franklin, Jr. (724) 378-4817
Mary E. ReBrassier, CFO (814) 382-5115

Please mark your records accordingly.

DOCKETED
NOV 06 2003

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:

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

pc: Judge Porterfield
Steve Springer, Scheduling Officer
Beth Plantz
Docket Section
Calendar File



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge
P.O. Box 3265, Harrisburg, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

November 24, 2003

In Re: C-20029158

(See letter dated 10/24/2003)

Hubert J. Franklin Jr. v. Conneaut Lake Park Inc. Trustees

Billing dispute.

Telephone Hearing Notice

This is to inform you that an Initial Telephone Hearing on the above-captioned case will be held as follows:

DOCUMENT
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Type: Initial Telephone Hearing

Date: Wednesday, February 25, 2004

Time: 10:00 a.m.

Presiding: Administrative Law Judge James D. Porterfield
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Telephone: (412) 565-3550
Fax: (412) 565-5692

At the above date and time, the Presiding Officer will contact the parties as follows:

Hubert J. Franklin, Jr.	(724) 378-4817
Mary E. ReBrassier, CFO	(814) 382-5115

Please mark your records accordingly.

DOCKETED

DEC 03 2003

BT

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:

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

pc: Judge Porterfield
Steve Springer, Scheduling Officer
Beth Plantz
Docket Section
Calendar File

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	C-20029158 & C-20039214		YES	NO
Case Name:	Hubert J. Franklin v. Conneaut Lake Park Inc., Trustees & Carol McClenahan v. Conneaut Lake Park Inc., Trustees	Prehearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location:	Pittsburgh	Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date:	November 19, 2003	Testimony Taken:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ALJ:	James D. Porterfield	Transcript Due:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Commonwealth Reporting	Hearing Concluded:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Further Hearing Needed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Estimated Add'l Days:	one	
		RECORD CLOSED:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		REMARKS:	<p style="font-size: small; margin: 0;"><i>formally submitted 2 telephone</i></p> <p style="font-size: small; margin: 0;"><i>Please schedule for hearing</i></p> <p style="font-size: small; margin: 0;"><i>as soon as possible</i></p> <p style="font-size: small; margin: 0;"><i>schedule hearing for 11:00am</i></p> <p style="font-size: small; margin: 0;"><i>notice should show both of parties' attorneys</i></p>	

DOCUMENT
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PLEASE PRINT CLEARLY - Incomplete information may result in delay of processing. tel numbers

Name and Telephone Number	Address	Who are you representing?
<i>Carol McClenahan</i> 724-674-0942 724.667.9265 Telephone:	582 Mohawk Rd Edinburg PA 16116 City State Zip	Self
<i>Mary E. ReBrassier</i> CFO 814.382.5115 Telephone:	Conneaut Lake Park 12382 Center St Conneaut Lake PA 16316 City State Zip	Need a Lawyer Did not appear
<i>Hubert J. Franklin, Jr.</i> 724.378.4817 Telephone:	208 Bainbridge Dr. Alliquippa PA 15001 City State Zip	Self

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

Reporter's Signature

WILLIAM J. GREGG, ESQ.
RECEIVED
Attorney at Law

ORIGINAL

10744 STATE HIGHWAY 18
CONNEAUT LAKE, PA 16316

2003 DEC 18 AM 10:15

Tel. No.: (814) 382-3949
Fax No.: (814) 382-1458

PA P.U.C.
SECRETARY'S BUREAU
December 16, 2003

Secretary of the Pennsylvania
Public Utility Commission
P O Box 3265
Harrisburg, PA 17120

DOCUMENT

RE: CAROL McCLENAHAN v. CONNEAUT LAKE PARK, INC. TRUSTEES
NO. C-20039214
HUBERT J. FRANKLIN, JR. v. CONNEAUT LAKE PARK, INC. TRUSTEES
NO. C-20029158

Dear Sir or Madame:

Enclosed please find the originals and one copy of the *Appearance* to be filed in the above-captioned causes

In addition, I have enclosed a self-addressed stamped enveloped for the return of a "filed-stamped" copies.

Thank you for your cooperation in this matter.

Sincerely,

William J. Gregg, Esq.
William J. Gregg, Esq.

WJG/td

Enclosures

RJP

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ORIGINAL

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

HUBERT J. FRANKLIN, JR.

vs.

CONNEAUT LAKE PARK, INC. TRUSTEES

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:
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C-20039158

APPEARANCE

TO THE COMMISSION'S SECRETARY BUREAU:

Please enter my appearance on behalf of the above-named, Conneaut Lake Park, Inc. Trustees.

DOCUMENT



William J. Gregg, Esquire
Attorney ID: #32711
10744 State Highway 18
Conneaut Lake, PA 16316
Telephone No : (814) 382-3949

Dated

12/16/03

RECEIVED
2003 DEC 18 AM 10:16
PA P.U.C.
SECRETARY'S BUREAU

RECEIVED
JAN 28 2004



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge
P.O. Box 3265, Harrisburg, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

January 22, 2004

In Re: C-20029158,
C-20039214

(See letter dated 11/24/2003)

DOCUMENT

C-20029158 Hubert J. Franklin Jr.; and C-20029214 Carol
McClenahan v. Conneaut Lake Park Inc. Trustees

Billing dispute.

Consolidated Telephone Hearing Notice

This is to inform you that the Initial Telephone Hearings on
the above-captioned cases have been changed and will be held as
follows:

Type: Initial Telephone Hearing
Date: Wednesday, February 25, 2004
Time: 10:00 a.m.
Presiding: Administrative Law Judge James D. Porterfield
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Telephone: (412) 565-3550
Fax: (412) 565-5692

DOCKETED
FEB 04 2004

At the above date and time, the Presiding Officer will
contact the parties as follows:

Hubert J. Franklin, Jr.	(724) 378-4817
Carol McClenahan	(724) 667-9265
Mary E. ReBrassier, CFO	(814) 382-5115
William J. Gregg, Esquire	(814) 382-3949

Please change your records accordingly.

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:

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

pc: Judge Porterfield
Steve Springer, Scheduling Officer
Beth Plantz
Docket Section
Calendar File

OALJ Hearing Report

Please Those Blocks Which Apply

Docket No:	C-20029158 and C-20029214		YES	NO
Case Name:	Hubert J. Franklin Jr. v. Conneaut Lake Park Carol McClenahan v. Conneaut Lake Park, Inc. Trustees	Prehearing Held: 11/19/03	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location:	Pittsburgh	Hearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date:	February 25, 2004	Testimony Taken:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ALJ:	James D. Porterfield	Transcript Due:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Commonwealth Reporting	Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DOCUMENT FOLDER		Estimated Add'l Days:		
		RECORD CLOSED:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		DATE:	03/24/04	
		Briefs to be Filed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		REMARKS:		

PLEASE PRINT CLEARLY - Incomplete information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?
Carol McClenahan 724.667.9265 724.674.0542	582 Mohawk Rd City: Edinburg State: PA Zip: 16116	Self
Telephone:	E-mail Address:	Fax Number:
Hubert J. Franklin, Jr. 724 378. 4817	208 Cambridge Dr City: Aliquippa State: PA Zip: 15001	Self
Telephone:	E-mail Address:	Fax Number:
Mary E McBrassier, CFO CFO w/ Counsel 814.382.5115 724.674.0542	Conneaut Lake Park 12382 Center St City: Conneaut Lake State: PA Zip: 16316	Conneaut Lake John CFO
Telephone:	E-mail Address:	Fax Number:

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

Sam Lakow

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?

William J. Greig, Esq.

10744 State Hwy 18

Respondent

814.382.3949

Conowingo, MD PA 16316

Telephone:

E-mail Address:

Fax Number:

City

State

Zip

Telephone:

E-mail Address:

Fax Number:

City

State

Zip

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State

Zip

Telephone:

E-mail Address:

Fax Number:

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FEDERAL BUREAU OF INVESTIGATION
MAY 2 2 11:12:48

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office of Administrative Law Judge

1103 Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222

Tel: 412-565-3550
Fax: 412-565-5692
IN REPLY PLEASE
REFER TO OUR FILE



DOCUMENT

April 13, 2004

SECRETARIAT'S BUREAU

2004 APR 15 AM 9:41

RECEIVED

William J. Gregg, Esquire
10744 State Highway 18
Conneaut Lake, PA 16316

DOCKETED

JUN 09 2004

Re: *Application of Trustees of Conneaut Lake Park, Inc.*
Docket No. A-210096;
Franklin and McClenahan v. Conneaut Lake Park;
Docket Nos. C-20029158 and C-20029214

Dear Mr. Gregg:

First, please let me know how the Trustees of Conneaut Lake Park, Inc., have responded regarding my March 17 letter to you regarding the tariff filing.

Second, it appears that you have nearly concluded the *Franklin* matter. Please let me know when Franklin has discharged his obligation under the settlement offer. If he does, please file a certificate of satisfaction with me.

Third, Carol McClenahan called me today to indicate that the Trustees of Conneaut Lake Park, Inc., have not been able to produce an agreement regarding the private nature of the water line serving her. Whether the agreement exists or can be produced does not finally resolve the complaint. But if the agreement can be produced, it may satisfy Ms. McClenahan to the extent that she will withdraw her complaint.

Sincerely yours,

James D. Porterfield
Administrative Law Judge

cc: Franklin, McClenahan, and ReBrassier

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: October 12, 2004

SUBJECT: C-20029158
Hubert J. Franklin, Jr. v. Conneaut Lake Park Inc. Trustee

TO: Wanda Zeiders
Docket Management

FROM: Ona Lester, ALJ Support Staff
Office of Administrative Law Judge

On September 28, , a Certificate of Satisfaction was filed in the above-captioned proceeding. If no objection is filed to this certificate within 10 days of service, this proceeding will be closed

All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

Attachment

pc: ALJ James D. Porterfield
Beth Plantz
Case File

DOCUMENT
FOLDER

DOCKETED
OCT 25 2004

lioter

Filed:
Ona Lester
OALS
09/23/04

Law Office Of
WILLIAM J. GREGG, ESQ.

10744 State Highway 18
Conneaut Lake, PA 16316

(814) 382-3949
Fax (814) 382-1458

September 20, 2004

DOCKETED
OCT 25 2004

Honorable James D. Porterfield
Administrative Law Judge
Pennsylvania Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

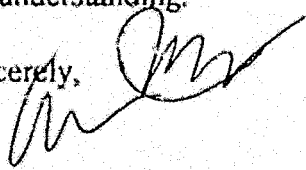
RE: Trustees of Conneaut Lake Park, Inc.; Case No. C-20029158-Hubert J. Franklin, Jr.

Dear Judge Porterfield:

This is in reference to our recent telephone discussion regarding the above case.

Mr. Franklin submitted a check for Five Hundred Dollars stating that it was a complete and final settlement of all past Conneaut Lake Park charges.

This is to confirm the payment and this is to confirm the settlement of this matter. I believe that Mr. Franklin agrees that this Complaint has been resolved and there is no need for any further proceedings. I am copying Mr. Franklin on this correspondence so that there is no chance for any misunderstanding.

Sincerely,


William J. Gregg, Esq.
WJG/jrt

**DOCUMENT
FOLDER**

RECEIVED
OCT 23 2004
PITTSBURGH, PA

cc: Hubert J. Franklin, Jr.
208 Bainbridge Drive
Aliquippa, PA 15001-1521

Mr. Don Kaltenbaugh, General Manager
Conneaut Lake Park
12382 Center Street
Conneaut Lake, PA 16316

SEP 23 2004

Pennsylvania Utility Commission



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

IN REPLY PLEASE
REFER TO OUR FILE

March 30, 2005

C-20029158

HUBERT J. FRANKLIN JR.
208 BAINBRIDGE DRIVE
ALIQUIPPA PA 15001

DOCKETED
APR 07 2005

HUBERT J. FRANKLIN JR.
v.
CONNEAUT LAKE PARK INC TRUSTEES

**DOCUMENT
FOLDER**

TO WHOM IT MAY CONCERN:

Please be advised that the Commission has marked closed the above-entitled proceeding.

Very truly yours,

James J. McNulty
Secretary

nvl
cc: All parties of Record
Office of ALJ