

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: 10/24/05
8. DOCKET NO: C-20055478	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: ELBATTAH, ABDEL

RESPONDENT/APPLICANT: PA-AMERICAN WATER CO

COMP/APP COUNTY: LUZERNE

UTILITY CODE: 212285

ALLEGATION OR SUBJECT

COMPLAINANT STATES WANTS THE PUC TO ASK OR FORCE THE WATER COMPANY TO INSTALL THE WATER METER IN THEIR NAME TO THE EXISTING 1/2 DOUBLE BLOCK.

DOCUMENT
 ORDER
DOCKETED
 OCT 26 2005

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

Please print or type.

C-20055478

1. CUSTOMER NAME (COMPLAINANT)

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

Name ABDEL ELBATTAH

Street/P.O. Box 670 TIOGA Ave. Apt#

City KINGSTON State PA Zip 18704

County LUZERN

Area Code/HOME Phone 570-239-5089 Cel

Area Code/WORK Phone 570-288-7766 Ho

Utility Account Number N/A (from your bill)

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

Name ABDEL ELBATTAH

Street/P.O. Box 52 PAYNE Ave.

City KINGSTON State PA Zip 18704

RECEIVED

2005 OCT 24 AM 9: 3

SECRETARY'S BUREAU

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PA AMERICAN WATER

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER (taxi, moving company, limousine)

TELEPHONE (local, long distance)

RECEIVED

05 OCT -8 AM 9: 14

SECRETARY'S BUREAU

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.

TWO MONTHS HAVE GONE, AND PA AMERICAN WATER
REFUSED TO ACTIVATE/INSTALL A WATERMETER TO
52 PAYNE AVE. KINGSTON PA.
52 PAYNE AVE. IS 100 YEARS OLD-EXISTING 1/2
DOUBLE BLOCK WITH EXISTING METER PIPES.

5. RELIEF

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

ASK OF FORCE WATER CO. TO INSTALL
WATER METER IN MY NAME TO THE
ABOVE EXISTING 1/2 DOUBLE BLOCK.
BECAUSE THE RULES & REGULATION GOVERNING THE
DISTRIBUTION OF WATER DOES NOT REQUIRE A
SEPARATE METER PIPE FOR EXISTING PREMISES.

5 GRANDFATHERED
100 YEARS OLD.

Thank you

5. RELIEF

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

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



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

B. 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 ABDEL ELBATTAH, 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).

Abdel Elbattah 10-
(Signature)

10-19-05
(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 nd 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.

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

DATE SERVED: OCTOBER 27, 2005

C-20055478

PENNA AMERICAN WATER COMPANY
ROBERT M ROSS
800 W HERSHEY PARK DR
HERSHEY PA 17033

DOCUMENT
HOLDER

Dear Sir/Madam.

A complaint has been filed against you before the Pennsylvania Public Utility Commission by ABDEL ELBATTAH. 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.

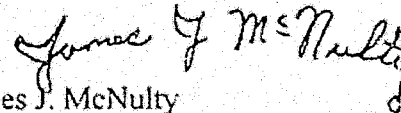
OCTOBER 27, 2005

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,



James J. McNulty
Secretary

JJH

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: OCTOBER 27, 2005

ABDEL ELBATTAH
Complainant

VS.

PENNSYLVANIA AMERICAN WATER
COMPANY
Respondent

Complaint Docket
No. C-20055478

DOCUMENT
FOLDER
DOCKETED
OCT 26 2005

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PENNSYLVANIA AMERICAN 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,

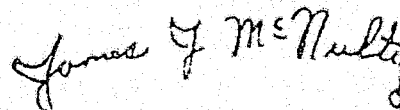
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, an answer (original and three copies), in writing, under oath, which, as 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

ORIGINAL

November 11, 2005

RECEIVED

NOV 11 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

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

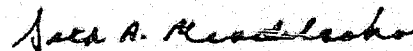
Re: Abdel Elbattah v. Pennsylvania-American Water Company
Docket No. C-20055478

Dear Secretary McNulty:

On behalf of Pennsylvania American Water, I enclose an original and three copies of its Answer and New Matter to the Formal Complaint of Abdel Elbattah, an Entry of Appearance and Certificate of Service regarding this matter.

As evidenced by the enclosed Certificate of Service, all parties to this proceeding have been duly served. Please time stamp the extra copy of this letter and return it to me in the stamped self-addressed envelope.

Respectfully submitted,



Seth A. Mendelsohn

Enclosures

c: Abdel Elbattah
Judy Jordan

Pennsylvania American Water

Seth A. Mendelsohn
Corporate Counsel
803 West Hersheypark Drive
Hershey, PA 17033 USA
T 717-533-5000
F 717-531-3252
E seth.mendelsohn@am-water.com
I www.pawc.com

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In the matter of:

Re: Abdel Elbattah v. Pennsylvania-American Water Company
Docket No. C-20055478

NOTICE OF APPEARANCE

Please enter my appearance in the above-designated matter on behalf of Respondent, Pennsylvania American Water. I am authorized to accept service on behalf of said participant in this matter. I am already receiving or have access to a copy of each document issued by the Pennsylvania Public Utility Commission in this matter and do not on the basis of this notice require an additional copy.

DOCUMENT
FOLDER

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

Dated: November 11, 2005

DOCKETED
NOV 16 2005

RECEIVED

NOV 11 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

NOV 11 2005

ABDEL ELBATTAH,
Complainant

PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA

v.

DOCKET NO. C-20055478

PENNSYLVANIA-AMERICAN WATER
COMPANY,
Respondent

ANSWER TO FORMAL COMPLAINT OF ABDEL ELBATTAH

NOW COMES the Respondent, Pennsylvania-American Water Company (the "Company"), by its attorney, and answers the Formal Complaint of Abdel Elbattah as follows:

1. Admitted.

2. Admitted.

3. Admitted.

4. A. No response is required.

4. B. It is Admitted that the Company will not install another meter

where there exists only one service line. By way of further answer, the Company's tariff, at section 18.1, provides, in pertinent part, that each meter shall be serviced by an independent service pipe by a separate control box. It is Denied that the Company has acted unlawfully towards Complainant.

5. Paragraph No. 5 of the Complaint is a prayer for relief to which no response is required. To the extent that any of the remaining averments in Paragraph No. 5 are construed as allegations for which a response is required, the Company denies any and all such allegations.

6. This is a statement to which no response is required.

7. Admitted.

8. This is a statement to which no response is required.

DOCUMENT
FOLDER

DOCKETED
NOV 16 2005

NEW MATTER

9. The averments contained in Paragraphs 1 through 8 are hereby incorporated by reference.

10. The Complaint fails to state a cause of action for which relief may be granted.

DOCUMENT
FOLDER

WHEREFORE, Pennsylvania American Water requests your Honorable Commission to dismiss, without hearing, the Formal Complaint of Abdel Elbattah at Docket No. C-20055478.

Respectfully submitted,

Seth A. Mendelsohn

Seth A. Mendelsohn
Corporate Counsel
Pennsylvania American Water
800 West Hershey Park Drive
Hershey, Pennsylvania 17033

DOCKETED
NOV 1 6 2005

Dated: November 11, 2005

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ABDEL ELBATTAH,
Complainant

v.

PENNSYLVANIA-AMERICAN WATER
COMPANY,
Respondent

DOCKET NO. C-20055478

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document, Pennsylvania American Water's Answer and New Matter to the Formal Complaint, upon the participants listed below, in accordance with the requirements of §1.54:

VIA OVERNIGHT MAIL

Abdel Elbattah
670 Tioga Ave.
Kingston, PA 18704

NOV 11 2005

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Dated this 11th day of November, 2005.

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



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
December 13, 2005

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20055478

(SEE ATTACHED LIST)

Abdel El Battah v. Pennsylvania-American Water Company

Meter Dispute

Telephone Hearing Notice

DOCUMENT
FOLDER

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

Type: Initial Telephonic Hearing
Date: Wednesday, February 1, 2006
Time: 10:00 a.m.
Presiding: Administrative Law Judge Susan D. Colwell
PO Box 3265
Harrisburg, PA 17105-3265
Phone: 717.783.5452
Fax: 717.787.0481

DOCKETED
DEC 28 2005

If you have not provided a current telephone number where you can be reached for participation in the hearing OR YOUR AREA CODE HAS CHANGED, then you must contact the presiding officer at least 7 days before the actual hearing and provide the necessary information.

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

Abdel El Battah 570-239-5089
Seth A. Mendelsohn, Esquire 717-533-5000

If you have any hearing exhibits to which you will refer during the hearing, 3 copies must be sent to the Administrative Law Judge and 1 copy each must be sent to every other party. All copies must be received at least 3 days before the hearing.

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

Except for those individuals representing themselves, the Commission's rules require that all parties have an attorney; therefore, you should have an attorney of your choice file an entry of appearance before the scheduled hearing.

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 Colwell
Cherie Pyle, Scheduling Officer
Beth Plantz
Docket Section
Calendar File