

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Judith Sesky
v.
Pennsylvania American
Water Company

Docket No.: C-20029153

DECLINEMENT

Public Utility Commission
Pittsburgh State Office
300 Liberty Avenue, 11th Floor
Pittsburgh, PA 15222

Wednesday, June 2, 2004
Commencing at 10:00 a.m.

BEFORE:

MICHAEL A. NEMEC, Administrative Law Judge

APPEARANCES:

DEBRA M. KRIETE, Esquire
Rhoads & Sinon, I.L.P.
One South Market Square
P.O. Box 1146
Harrisburg, PA 17108-1146
Counsel for PA American Water Company
Via Telephone

JUDITH SESKY, Pro se
718 Brook Street
Scranton, PA 18505
For Herself

RECEIVED

JUN 10 2004

REPORTER: BETH A. DUZZN
PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

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WITNESS

DIRECT

CROSS

REDIRECT

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NONE

P R O C E E D I N G S

JUDGE MICHAEL NEMEC:

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3
4 This morning we have a case that's
5 captioned Judith Sesky versus Pennsylvania American
6 Water Company. Docket Number C-20029153. This matter
7 has been continued numerous time. We had the first
8 initial hearing in this matter on August the 1st,
9 2003. Apparently, it's not been resolved to Ms.
10 Sesky's satisfaction at this point but have been
11 unable to contact her at the last number that I had
12 for her. I've been calling and receiving a message
13 inviting me to leave a message, and I have done so and
14 there's been no call back. And what we're going to do
15 now is take some brief testimony from the witness for
16 PA American and conclude this matter. Ms. Kriete, do
17 you have a witness?

ATTORNEY KRIETE:

18
19 Yes, Your Honor, Ms. McCoy-Jordan who
20 testified, I believe, at the August 1st, 2003 hearing.
21 I'd like to recall her and ask Ms. McCoy-Jordan to
22 describe your effort to communicate with Ms. Sesky
23 briefly following the August 1st, 2003 hearing.

MS. MCCOY-JORDAN:

24
25 My first initial contact to Ms. Sesky was

1 August 20th, and that was the date that we derived on
2 the August 1st hearing date, and basically that time
3 was to be used to discuss her billing issues and to
4 make sure that she understood her billing.

5 We had conversations August 20th, 21st and 25th,
6 and I would say we had approximately an hour of
7 discussion making sure that she understood the
8 billing. We resolved the billing issues. She did
9 have an understanding of her billing. And next we did
10 actually go through each and every bill that she had.

11 During our last call, she basically indicated that
12 she wanted to verify that all of her payments were
13 documented, and as of September 4th, 2003, at that
14 time, her dog passed away with other contacts that we
15 had made with her illnesses and maybe it not being a
16 good day for her to talk.

17 So I have left several messages and basically we
18 left it at her going through her receipts to make sure
19 that all of her payments had been applied
20 appropriately.

21 ATTORNEY KRIETE:

22 Since the August 1st, 2003 hearing, has
23 service been restored to her residence at 718 Brook
24 Street, Scranton, Pennsylvania?

25 MS. MCCOY-JORDAN:

1 Yes, it has.

2 ATTORNEY KRIETE:

3 What date was service restored?

4 MS. MCCOY-JORDAN:

5 December 15th, 2003.

6 ATTORNEY KRIETE:

7 And since that time, has she made any
8 payments on her account?

9 MS. MCCOY-JORDAN:

10 No, she has not.

11 ATTORNEY KRIETE:

12 And can you tell me what you believe to
13 be the current charges that should be --- that are due
14 and owing from Ms. Sesky?

15 MS. MCCOY-JORDAN:

16 At this time, after a credit of \$85.41,
17 is going to be applied, because I notice that we
18 billed her for service that --- while the account was
19 off or delinquent, I found that Ms. Sesky has a
20 balance of \$392.18 after applying an \$85.41 credit for
21 a balance of \$477.59.

22 ATTORNEY KRIETE:

23 And of that amount, the \$392.18, do you
24 have a preference or recommendation as to what amount
25 Ms. Sesky should be required to pay in order to

1 maintain continuous uninterrupted service with the
2 water company?

3 MS. MCCOY-JORDAN:

4 What I actually did was I looked at her
5 last four billings, which actually totaled \$71.43, and
6 I looked at the \$15 that she should be paying toward
7 arrears, which leaves a total of \$131.43. My
8 recommendation is that she pay \$131.43 upfront and
9 then monthly beginning in July, a budget of \$32 per
10 month. That would be \$15 towards arrears and \$17
11 towards an average monthly billing.

71.43
160
131.43
1524

12 ATTORNEY KRIETE:

13 And where did you derive the \$15 payment
14 toward monthly arrear? Was that from a different
15 division or proceeding at the Public Utility
16 Commission?

17 MS. MCCOY-JORDAN:

18 That was based on the last Public Utility
19 Commission recommendation or agreement that was set
20 up. And basically what I'm looking at is the January
21 23rd billing, the March 26th billing, April 27th
22 billing and May 27th billing of 2004, which are
23 charges that accrued after water service was turned
24 back on after the sewer relief.

25 ATTORNEY KRIETE:

1 Right. And just to be absolutely clear,
2 the \$15 monthly arrear is when you're talking about
3 the prior agreement. Was that the BCS informal
4 decision, decision on the informal complaint?

5 MS. MCCOY-JORDAN:

6 Yes, that was the BCS decision ---. That
7 is correct.

8 ATTORNEY KRIETE:

9 So to summarize it's \$131.43 would be the
10 catch-up payment plus \$32 per month going forward.

11 MS. MCCOY-JORDAN:

12 Beginning in July.

13 ATTORNEY KRIETE:

14 Your Honor, that would be the extent of
15 our testimony for this morning's proceeding.

16 JUDGE NEMEC:

17 Okay.

18 ATTORNEY KRIETE:

19 Hello?

20 JUDGE NEMEC:

21 Yes, I'm here. Just one second. Let me
22 see if I have any additional questions for your
23 witness. I don't believe --- yes, I do. The account
24 is in --- is it in Ms. Sesky's name or is it in a
25 different name?

1 MS. MCCOY-JORDAN:

2 The account is in the name of Eugene
3 Sesky.

4 JUDGE NEMEC:

5 Okay. And the account has been in that
6 name, has it not, since this matter began?

7 MS. MCCOY-JORDAN:

8 Yes, it has.

9 JUDGE NEMEC:

10 And you don't know who Eugene Sesky is,
11 do you?

12 MS. MCCOY-JORDAN:

13 At this time, I'm not sure exactly who
14 Eugene Sesky is in relationship to Judith Sesky, and
15 I'm sure that we may have had a conversation about
16 that before, but at this time I honestly don't
17 remember.

18 JUDGE NEMEC:

19 Okay. All right. Thank you very much.
20 I don't have any further questions so we will adjourn
21 at this time and I'll prepare an initial decision
22 basically dismissing it. Should I receive some
23 information that causes me to believe that Ms. Sesky
24 has a good reason for not participating this morning,
25 her complaint's going to be dismissed with direction

1 to pay her bill. Anything else?

2 ATTORNEY KRIETE:

3 No, Your Honor. Thank you very much.

4 JUDGE NEMEC:

5 Okay. Thank you. Bye-bye.

6

7 * * * * *

8 HEARING CONCLUDED AT 10:30 A.M.

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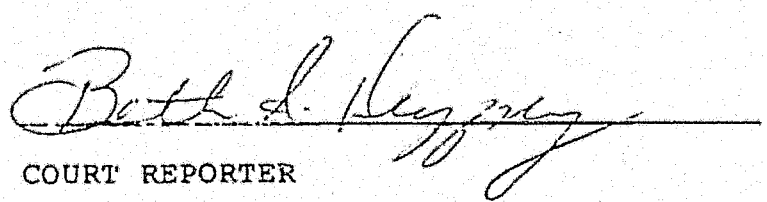
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C E R T I F I C A T E

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