

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: 10/19/05
8. DOCKET NO: C-20055454	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: MADILL, KANDI JO

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 THEIR UTILITY SERVICE. THEY ARE ALSO COMPLAINING ABOUT LOW AND NO WATER PRESSURE.

DOCKETED
OCT 19 2005

DOCUMENT
FOLDER

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

RECEIVED

05 OCT 19 AM 8:51

PA P.U.C. SECRETARY'S BUREAU

Please print or type.

C-20055454

1. CUSTOMER NAME (COMPLAINANT)

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

Name Kandi Jo Madill

Street/P.O. Box 27 Mario Drive Apt # _____

City Tunkhannock State PA Zip 18657

County Wyoming

Area Code/HOME Phone (570) 836 4316

Area Code/WORK Phone (570) 836 0433

Utility Account Number They use invoice numbers. (they differ every time.)
(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 and Sanitary Company - Carl Kresge

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

(taxi, moving company, limousine)

TELEPHONE

(local, long distance)

23

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 nd 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.

5. **What do you want the Public Utility Commission to do about your complaint?**

Some examples of relief that you might request are:

"I want the PUC to order the company to give me a payment agreement where I will pay my budget amount plus \$50.00 each month until my balance is paid in full."

"I want the PUC to order the company to fix the water leak at the corner of Main and First Streets."

NOTE: The PUC can decide that a customer was over billed and can order billing refunds. The PUC can also fine a company for not providing the level of service required by law. You may also file a formal complaint to seek a refund for an over billing or to request that the company be ordered to correct a physical problem with your service.

However, if you want money for injuries or damages to your property, you should file a complaint with your local district justice or the local court of common pleas. Under state law, the PUC cannot decide whether or not companies should pay customers' damage claims.

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

Answer this question by checking "yes" or "no". You are required to answer this question **ONLY** if your complaint is against a natural gas distribution utility, an electric distribution utility or a water distribution utility **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. The Commission needs this information to determine how to process your complaint.

7. **Have you spoken to a representative from the utility company about your complaint?**

Answer by checking "yes" or "no".

Check "yes" if you are appealing from a BCS determination.

You are required to speak to a company representative about your problem before you file a complaint **ONLY** 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. If your complaint is about other utility service (telephone service, steam heat or waste water) it is recommended that you call the utility about your problem first, but it is not required.

If you check "no" and your complaint is against a natural gas distribution utility, an electric distribution utility or a water distribution utility 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, the Commission cannot accept your complaint and you will be directed to speak to a company representative about your problem before the Commission can accept a complaint from you regarding the same problem.

**Pennsylvania Public Utility Commission
Formal Complaint Form
Instructions**

These instructions will help you fill out each section of the complaint form. Please print or type your answers. Make sure you sign the form and mail it to the address shown in Section 10. Facsimiles and/or electronic filings of the complaint form will not be accepted.

1. **Your name, mailing address, county, telephone number, utility account number and service address.**

Print or type your name, mailing address (this must be the address where you receive your mail), county, phone number, utility account number and service address. Complete the next section if your mailing address is different from the address where you receive utility service. If more than one person is filing the formal complaint, use the name, address, phone number and utility account number of the person who will speak for the group. Also, print "et al." after the name. Attach a sheet of paper with the name, address and signature of any others who are part of the formal complaint.

If the Commission schedules a telephone hearing and we are unable to reach you at your home telephone number, the Commission will call you at work if you list a work telephone number.

2. **Name of utility company your complaint concerns.**

Print the name of the utility company that is the subject of your complaint. This is usually the company that bills you for service. The name of your company is located on your bill.

3. **Type of utility.**

Check the type of utility service listed in Section Three (3) of the form.

4. **What is your complaint?**

A. What kind of problem are you having with the company? Check the box that most accurately describes your complaint. For example, are you filing a complaint about a proposed rate increase? Does your problem involve incorrect charges on your bill? A physical problem with the utility service itself? Did you receive a termination of service notice? Do you want to make a payment agreement?

B. State the facts of your complaint. Try to be "to the point" when describing your complaint. Include any specific dates, times or places that are important to understanding your complaint. If the complaint is about a bill, tell us about any charges you believe are not correct.

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. - Low and No Water pressure.
(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.

I have very low water pressure every weekend. On October 16, 2005 I had no water for most of the day. This happens alot. I called a Consumer protection office about one month ago to file a complaint I still have heard nothing. I am afraid of drinking our water because it is cloudy (not clear.)

5. RELIEF

I don't feel our water is clean, nor safe.

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

Please find someone who will take care of our water and sewer company properly. I have called Carl Kresge (570) 470-3808 on several occasions and he has told me to "go to Hell." He is not professionally capable of running this company. I am tired of not having any water. I pay my water bill on time, all the time. I feel I should have water on time - all the time. I don't!

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.

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: Kamel Jo Madell, 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).

Kamel Jo Madell
(Signature)

10-17-05
(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 question
Bureau at 717-772-7777.

... form, please contact the Secretary's

Keep a copy

records.

FMART

1

PER MART MESHOPPEN
1403 RT 6
MESHOPPEN, PA. 18657

10/16/05	17:47
6 X	\$1.19
GRCC. NOT.	\$7.52
TOTAL	\$8.71
CASH	\$20.00

TL/NOTAX	\$9.52
TAX PD	\$0.00
CHANGE	\$10.48
RECEIPT NO.	1-9015

THANK YOU
PLEASE COME AGAIN

for Water
10-16-05

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

DATE SERVED: OCTOBER 20, 2005

C-20055454

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

DOCUMENT
FILE

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by KANDI JO MADILL. 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.

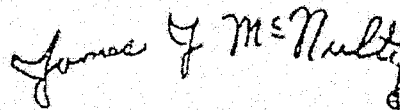
OCTOBER 20, 2005

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 printed name and title.

James J. McNulty
Secretary

JIII

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: OCTOBER 20, 2005

KANDI JO MADILL

Complainant

VS.

W. P. WATER COMPANY

Respondent

Complaint Docket

No: C-20055454

DOCUMENT
FILED

DOCKETED
OCT 19 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).

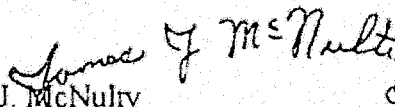
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. 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

ORIGINAL

Washington Park Water Company
1199 Laurel Run Road
Wilkes-Barre, Pa. 18702
Phone (570) 472-3871 Fax 472-9501
November 04, 2005

RECEIVED

NOV 04 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

To: Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pa. 17105-3265

Re: Formal complaint case # C-20055454 & # C20055456/ Mrs. Kandi Jo Madill 27
Morio Drive
Tunkhannock, Pa. 18657
Registered certified mail # 7005 1160 0002 6957 3637

DOCUMENT
FOLDER

Dear Sir or Madam;

Let me start out by saying that I have never told her to go to hell! I also feel our company does a fine job at taking care of the water and sewage company she is a part of! My Carl Kresge Well and Pump company has been in operation for 68 years and I don't care how a customer can wear down on me, or my people, but you will not find me telling her that! No one from any local well and pump company could have acted as quickly and as fast as we did on October 15th.

She claims she called the consumers protection office about a month ago. If she did you have not sent me a copy of that complaint to answer. In my log I have found that she has called this company twice this past summer.

She brings doubt of the water quality. I have sent all customers a copy of the Consumer Confidence Report with their billing May of 2005. The monthly tests are performed and if any problem would occur there would be a boil water advisory. All DEP regulated tests have been performed to date. The water is safe to drink! When they draw heavy on the system air from the expansion tank can come out and it will have air bubbles in the water and look cloudy. Todd and Sue from the DEP were up at the fifth of October to see if there was air in the water when they came upon us changing the well #2 pump. At that time there was none. This was referred to extensively in the Slyvester complaint. # C-20055455 and C-20055453

I do not want to make light of her complaint but she had called here to this office two times and if she has called other people to complain I can do nothing about it. When Sue and Todd came I asked how many complaints they had received and I was told just a few. Even they commented that there were so few for the hot dry

ETL

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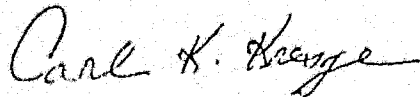
summer we had! I had thought I had done a great job at getting through the summer!

The company Tariff on file with the Commission states that we cannot be liable for Drought and Equipment failure. This is what we have had to endure. I will strive to see what might go wrong in the future and try to have things up graded as not to cause problems. The biggest thing as reported to Mr. Larry Lash was the re incarnation of the Pennvest project that was taken away. This is sorely needed to make this facility more viable! Meters would let the customer's water with a sprinkler and they would be conserving as that way the more you use the more you pay! The 50,000 gallons of storage would make a fine head against the next big demand on the water needs. The new pump station will see that at least Two 15 hp pumps to transfer the water from the storage tank to the lines would see to it that there would be ample water for the demand and meet that demand!

I wanted to say in regard to her complaint to not having an account number on her bill that the computer software we use this side of having software designed for the company we are using Quick Books. That program uses the name of the customer and that has been working. If there is any reason that I have an account number instead of the name I am sure we can find a way to incorporate that on each bill, and the bill would have an invoice number also.

If you have any question please don't hesitate to contact this office.

Sincerely Yours,



Carl K. Kresge, President

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

TELEPHONE (570) 822-3311

FAX (570) 822-9894

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

borlandk@borlaw.com
borlandr@borlaw.com
lzwski@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

C-20055454

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 #LK/57292

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PA P.U.C.
SECRETARY'S BUREAU

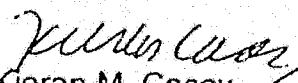
14

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

FA P.O.L.C.
SECRETARY'S BUREAU

PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

RECEIVED

2005 NOV 22 AM 9:15

PA P.U.C.
SECRETARY'S BUREAU

KANDI JO MADILL
Complainant

VS.

W.P. SANITARY COMPANY
Respondent

Complaint Docket
No. C-20055454

Answer to FORMAL COMPLAINT FORM

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 and waste 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. Complainant's concerns regarding water pressure are addressed below.

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 recently 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 15th 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 Complainant 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.

It is denied that water pressure is regularly low. It is denied Complainant had no water on October 16, 2005.

Complainant has no knowledge of any complaints Ms. Madill has addressed to any consumer protection office. As such, this allegation is denied.

It is denied that the water provided by Respondent is unclean. It is denied that the water provided by Respondent is unsafe.

5 RELIEF

It is denied Respondent needs to be removed as the operator. It is denied Mr. Kresge has spoken disrespectfully to Complainant.

6 PROTECTION FROM ABUSE
N/A

7 PRIOR UTILITY CONTACT

Respondent admits that Complainant has contacted Respondent regarding the issues raised in Complainant's 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

KANDI JO MADILL,
Complainant

VS.

W.P. SANITARY COMPANY
Respondent

Complaint Docket
No. C-20055454

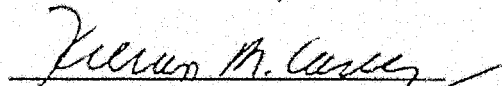
CERTIFICATE OF SERVICE

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:

KANDI JO MADILL
27 MORIO DRIVE
TUNKHANNOCK PA 18657

By First Class Mail this 21st day of November, 2005

Borland & Borland, 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

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

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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

DOCKETED
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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

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 1st 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
10 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

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PA PUC

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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

DOCUMENT
FOLDER

Re: Kandi Jo Madill
v
WP Water Company
Docket No. C-20055454

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

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

87931 d.j.c./ELG/smn

SECRETARY'S BUREAU

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

KANDI JO MADILL

v

WASHINGTON PARK WATER CO.

:
:
:
:
:

Docket No. C-20055454

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NOTICE OF INTERVENTION

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

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

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SECRETARY'S BUREAU

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 Kandi Jo Madill 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 Ms. Madill'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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