

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

ORIGINAL

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 :
Abdel El Battah v. Pennsylvania-American : Docket No.
Water Company : C-20055478
 Meter dispute. :
 :
 Initial Telephonic Hearing :
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Pages 1 through 40 Hearing Room No. 2 -- Robing Room
 Commonwealth Keystone Building
 Harrisburg, Pennsylvania

Wednesday, March 1, 2006

Met, pursuant to notice, at 10:03 a.m.

BEFORE:

SUSAN D. COLWELL, Administrative Law Judge

APPEARANCES:

ABDEL EL BATTAH
 670 Tioga Avenue
 Kingston, Pennsylvania 18704
 (Pro Se)

SETH A. MENDELSON, Esquire
 800 West Hersheypark Drive
 Hershey, Pennsylvania 17033
 (For Pennsylvania-American Water Company)

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ADMINISTRATIVE LAW JUDGE SUSAN D. COLWELL: This is the time and the place set for a telephonic hearing in the matter of Abdel El Battah versus Pennsylvania-American Water Company filed at PUC Docket No. C-20055478.

I am Administrative Law Judge Susan Colwell, appointed by the Pennsylvania Public Utility Commission to preside in this matter.

I have on the phone with me both the Complainant, Abdel El Battah, and Seth Mendelsohn, who is the attorney for the Pennsylvania-American Water Company.

I do have a court reporter present here. She will be transcribing what happens today. So, please, when you speak, you must take turns and speak clearly, slowly, and loudly enough to be heard.

I can hear both of you.

Mr. El Battah, could you hear Mr. Mendelsohn?

MR. EL BATTAH: Yes, I can.

JUDGE COLWELL: And Mr. --

MR. MENDELSON: Thanks, sir. How are you?

MR. EL BATTAH: I am fine, Mr. Mendelsohn. How are you?

MR. MENDELSON: Good.

JUDGE COLWELL: And, Mr. Mendelsohn, apparently, you can hear Mr. El Battah as well.

1 MR. MENDELSON: We can hear clearly.

2 Thank you, Your Honor.

3 JUDGE COLWELL: Excellent.

4 During this hearing, both sides will have the
5 opportunity to present the evidence that they wish in the
6 form of sworn testimony or exhibits.

7 And, following the hearing, I will write and issue a
8 decision, which is then appealable to the Commission.

9 It is the Commission's policy to encourage
10 settlements.

11 Mr. Mendelson, have you contacted the Complainant
12 prior to today to attempt to settle this matter?

13 MR. MENDELSON: We have, Your Honor. Mr. El Battah
14 and I have had at least two separate discussions. I think
15 those were both amicable discussions.

16 However, we were unable to resolve the issue that is
17 in this case.

18 JUDGE COLWELL: All right. Do you see any benefit to
19 trying again here today?

20 MR. MENDELSON: I do not, Your Honor. We have
21 probably a fundamental disagreement on a tariff provision
22 and what it means for Mr. El Battah as a landlord.

23 JUDGE COLWELL: All right. Then, why don't we go
24 ahead?

25 Mr. El Battah, you will go first as the Complainant.

1 MR. EL BATTAH: Yes, Your Honor.

2 JUDGE COLWELL: Okay. Since you don't have an
3 attorney with you, I will be asking you some questions, but
4 I want you to understand that I am not acting as your
5 attorney.

6 MR. EL BATTAH: Yes.

7 JUDGE COLWELL: My job is to develop a complete record
8 in the case, and my questions are designed to help me do
9 that.

10 MR. EL BATTAH: Thank you.

11 JUDGE COLWELL: When you finish, Mr. Mendelsohn may
12 ask you questions.

13 Then he will present a witness and will ask some
14 questions of his witness. When he is finished with
15 questions for his witness, you will have an opportunity to
16 ask your questions of the Pennsylvania-American witness.

17 Do you have any questions about what I have just told
18 you?

19 MR. EL BATTAH: No. I am fine, Your Honor. I am not
20 an attorney, and I will do my best to present my case. My
21 case is very simple, Your Honor.

22 JUDGE COLWELL: Okay. Wait a minute. Before you
23 start, I need to have you either swear or affirm that the
24 evidence you give will be the truth, the whole truth, and
25 nothing but the truth.

1 Whereupon,

2 **ABDEL EL BATTAH**

3 having been duly sworn, testified as follows:

4 JUDGE COLWELL: All right. Thank you.

5 Let's start off by having you give your name and your
6 address for the record.

7 THE WITNESS: My name is Abdel El Battah. My address
8 is 670 Tioga Avenue, Kingston, Pennsylvania 18704.

9 JUDGE COLWELL: All right. Thank you.

10 Now you can go ahead and tell me what the problem is.

11 **DIRECT TESTIMONY**

12 THE WITNESS: The problem is, Your Honor, that I own
13 this property consisting of four units in two separate
14 buildings. The other three units have water meters in them.

15 JUDGE COLWELL: What other three?

16 THE WITNESS: The 50, 5-1/2 Payne Avenue, and 54 Payne
17 Avenue.

18 JUDGE COLWELL: Okay.

19 THE WITNESS: All of these units are served by one
20 single one inch or a three-quarter inch line coming out of
21 the curb through 50 and 50-1/2 property and is splitting
22 back to the rear building.

23 What I have asked the Water Company is a very simple
24 thing, is to add another meter to the 52 Payne Avenue,
25 which, as I have indicated, is an existing structure that is

1 perhaps a hundred years old.

2 The Water Company technician came and he said, "Oh, I
3 cannot do that, because you have to a run a separate line."

4 I said, "Sir, what about this unit doesn't have it?"
5 The other two units don't have it. They all run on one
6 single line. And this is an existing structure. Everything
7 here is old.

8 He said, "Yes, but the Water Company has changed the
9 rules."

10 So, basically, Your Honor, this is the Complaint I
11 have.

12 JUDGE COLWELL: Okay. So, let me try to get this
13 straight.

14 You have sent to me something that has a picture on
15 it, which you call Exhibit A. Do you want that to become
16 part of this record?

17 THE WITNESS: Please, Your Honor, yes.

18 JUDGE COLWELL: All right. You have it marked as
19 Exhibit A, and we will keep it marked as that.

20 THE WITNESS: Yes.

21 (Whereupon, the document was marked as
22 Complainant's Exhibit A for identification.)

23 JUDGE COLWELL: And on there there is a property
24 description and a drawing of 52 Payne and 54 Payne as
25 separate units but one physical building?

1 THE WITNESS: Yes, Your Honor. It is a double lot.

2 JUDGE COLWELL: Okay. And there is one water meter
3 for both of those units, correct?

4 THE WITNESS: Yes, Your Honor.

5 JUDGE COLWELL: Okay. And then the line you have
6 drawn over to 50-1/2 and 50. which is also one separate
7 building but separated into two units, those two units each
8 have a water meter that are served by one water line?

9 THE WITNESS: Correct, Your Honor. That is true.

10 JUDGE COLWELL: Okay. So, the water main shutoff
11 valve is on Payne Avenue and would serve all three of those
12 units -- actually, all four, if you consider 52 Payne as
13 well, correct?

14 THE WITNESS: That is correct, Your Honor.

15 JUDGE COLWELL: All right. Okay. I understand what
16 you are saying.

17 And you think that another meter should be put in at
18 the expense of the Water Company?

19 THE WITNESS: No, Your Honor. There is no expense
20 involved there. The setup for the second meter is there.
21 The only thing the Water Company is to install is the water
22 meter, not the water line, just add another meter next to
23 the existing meter on the 54 side.

24 JUDGE COLWELL: I see. Okay.

25 What kind of premises are we talking about here?

1 THE WITNESS: Repeat that again, Your Honor.

2 JUDGE COLWELL: What is the -- are these residential
3 buildings or are they businesses?

4 THE WITNESS: Your Honor, as it shows on the deed,
5 this is just basically one-bedroom apartments. As it shows
6 on the deed, the 50, 52, 50-1/2, and 54, this is
7 residential, in a residential neighborhood, and they are all
8 just apartments.

9 JUDGE COLWELL: So, each of those units is one
10 apartment?

11 THE WITNESS: That is correct, Your Honor, with
12 separate gas lines and separate electric lines.

13 JUDGE COLWELL: Okay. All right. I think I have the
14 picture now.

15 THE WITNESS: Very good.

16 JUDGE COLWELL: Is there anything else you want to say
17 before we ask Mr. Mendelsohn if he has questions?

18 THE WITNESS: Basically, if I can make a comment, Your
19 Honor.

20 JUDGE COLWELL: Sure.

21 THE WITNESS: The Water Company refuses to serve me as
22 an applicant. I don't think this complies with your
23 regulations. Okay? That is one thing. Okay?

24 And the other thing I want to add is: Does the Water
25 Company think, if they install another meter for me, would

1 it be dangerous to the neighbors? Do they have sufficient
2 water? Does installing that meter in my property cause any
3 harm to anyone?

4 JUDGE COLWELL: Okay. I'll tell you what. When we
5 have Ms. Jordan on, the witness for the Water Company, you
6 can ask her that. Okay?

7 THE WITNESS: Very good.

8 JUDGE COLWELL: All right. Mr. Mendelsohn, do you
9 have any questions for Mr. El Battah?

10 MR. MENDELSON: I do. Thank you, Your Honor.

11 Mr. El Battah, good morning again, sir.

12 THE WITNESS: Good morning to you, sir.

13 **CROSS-EXAMINATION**

14 BY MR. MENDELSON:

15 Q Sir, who lives right now in 52 Payne Avenue?

16 A No one at this time.

17 Q When is the last time someone lived at 52 Payne
18 Avenue?

19 A I rented it, and I had to change everything. I
20 couldn't, because I wanted the meter line in.

21 Q When was the last time a tenant resided at 52
22 Payne Avenue?

23 A It was when I bought the entire structure. All of
24 the four units were vacant when I bought them. So, I have
25 no history of telling you who was residing there, okay, as

1 you see my paperwork when I bought them in June.

2 Q Okay. Do you have plans right now to rent out 52
3 Payne Avenue?

4 A Yes.

5 Q Can you tell us what are those plans?

6 A Just simple. I would be looking for a tenant to
7 rent the 52 side. That is all.

8 Q Are you advertising that site today?

9 A No.

10 Q Who lives at 54 Payne Avenue?

11 A I have a tenant.

12 Q And who is the ratepayer for the water bill at 54
13 Payne Avenue?

14 A My tenant.

15 Q Who is the ratepayer at 50-1/2 Payne Avenue?

16 A My tenant; another tenant, of course.

17 Q Another tenant.

18 A Yes.

19 Q And then who is the ratepayer -- I am sorry. I
20 think I asked 50-1/2. Who is the ratepayer at 50 Payne
21 Avenue?

22 A Another tenant.

23 Q And so, there is a separate water bill for the
24 tenant at 50 Payne Avenue --

25 A Yes.

1 Q -- and 50-1/2 Payne Avenue?

2 A Yes.

3 Q Okay. Sir, are you aware in the past that the
4 Company has had problems collecting water bills from 52
5 Payne Avenue?

6 A Explain what you mean.

7 Q Well, we have had outstanding balances of over
8 \$600 for unpaid water bills at 52 Payne Avenue.

9 A What is the date on that, sir?

10 Q This most likely predates your ownership.

11 A Okay. So, you know, I have no record of that. I
12 really don't know.

13 Q Let me ask you a question.

14 A Sure.

15 Q You could put the 52 and 54 Payne Avenue -- you
16 could put that water service in your name, correct?

17 A Not really, no. No, I can't.

18 Q But you are the landlord. You have the ability --
19 I take it, sir, that your central argument is that you will
20 incur -- according to your interrogatory responses, that if
21 we make you put in a separate service line, you will incur
22 \$3,000 to \$4,000 in costs, right?

23 A That is correct.

24 Q And the reason that you are here today is you
25 don't believe it is necessary to put in a separate service

1 line, right?

2 A Not totally. Not totally. I have no need for it,
3 Mr. Mendelschn. Okay?

4 I have no need for it, because there is a line that is
5 running to the property.

6 Q But we are telling you, sir, of course, to put in
7 the separate meter, you would have to put in a separate
8 service line, right?

9 A Yes, yes.

10 Q And that is what our service technician told you
11 also, correct?

12 A Yes.

13 Q And that is what you and I, in our conversations,
14 what I had told you as well?

15 A Yes, sir.

16 Q And you would have to incur about \$3,000 at least
17 in costs, according to you, putting in this separate service
18 line?

19 A Yes, sir.

20 Q And, sir, we talked about there is a way for you
21 not to have to put this separate service line in, isn't
22 there?

23 A Repeat that again.

24 Q Sir, if the water service for 52 and 54 Payne
25 Avenue was in your name, the Water Company would not require

1 you to put in a separate service line, would it?

2 A No. It did. If you -- or if you mean as one
3 meter, yes. But if you mean two meters, no.

4 Q Okay. So, if you kept the situation without
5 putting in a separate line, if you put the water service in
6 your name, what the Water Company has told you is that would
7 not be a problem, correct?

8 A No. The Water Company refused to put it in my
9 name by refusing to give me another meter.

10 Q Giving you another meter without making you put in
11 a separate service line?

12 A Let's clarify, please. Okay?

13 Q Sir, what we are saying, just so I am clear and
14 Her Honor is clear on this as well, the Water Company, when
15 you met with our service technician -- the Water Company is
16 willing to put in a separate service -- I am sorry; a new
17 meter into 52 Payne Avenue if you put in a separate service
18 line.

19 A Yes.

20 Q And we have cited to you, and in my Answer we
21 cited to you, our tariff provision at 18.1, correct?

22 A Yes.

23 Q And we have attached that here today as Exhibit 2.
24 Did you receive our exhibits, sir?

25 A Yes, sir.

1 Q And Exhibit 2, the tariff provision at 18.1, you
2 are aware that that provision stated that "Each meter
3 serving a premise or multiple premise shall be supplied
4 through an independent service pipe"?

5 A Yes. We do have that. That statement is the gist
6 of it.

7 MR. MENDELSON: Okay. Your Honor, if I may have just
8 a moment.

9 JUDGE COLWELL: Sure.

10 (Pause.)

11 BY MR. MENDELSON:

12 Q Mr. El Battah, does 52 Payne Avenue currently have
13 water service?

14 A No. It has lines coming back to 54 that should be
15 hooked up to a water line. There is existing lines running
16 from the 52 side, going back to the 54 side, by the meter
17 corner, so that we can add another meter. There is a setup
18 that is sitting there.

19 MR. MENDELSON: Thank you.

20 Your Honor, I have no further questions.

21 JUDGE COLWELL: All right. Mr. El Battah, do you have
22 anything else you want to say based on what Mr. Mendelson
23 asked you?

24 THE WITNESS: Yes, Your Honor.

25 JUDGE COLWELL: Go ahead.

REDIRECT TESTIMONY

1
2 THE WITNESS: Everything Mr. Mendelsohn said is fine
3 with me, and he is referring to the 18.1 of your
4 regulations.

5 We do have that, Your Honor. That exists. We have a
6 premises and it is served by a separate box or a separate
7 valve.

8 I agree with that, and I want to comply with the
9 rules.

10 The issue here is -- will Your Honor please consider,
11 okay -- that this structure is almost a hundred years old.
12 It was zoned in the municipality. It is all over.

13 There are four units in two separate buildings, and it
14 is being fed by one water line. The electric is separate on
15 the four units, and the gas lines are separate on the four
16 units. So, the only thing I wish to have is also a separate
17 water line.

18 As far as the history, Your Honor, I truly don't know
19 before June, when I negotiated to buy this place, what was
20 on the other side. Had they had any residents who did not
21 pay their bills, I have no idea.

22 I bought this from a foreclosure from a bank, and I
23 have no other information.

24 Simply to say, Your Honor, you know, I am just asking
25 a simple thing, just I need the water line put in my name.

1 And, if the Water Company is worrying about entering the
2 premises, I guarantee them access at any time they want.

3 If the Water Company, in fact, wants to shut one of
4 the tenants, the way it is set up right now, they have to go
5 back to the main valve and shut everybody. They have to
6 shut the three or four units, because it is running from one
7 single valve.

8 So, I just don't see why they are not giving me this
9 line. They want to apply the rules.

10 Please, Your Honor, that is all that I have to say.

11 JUDGE COLWELL: Okay. Thank you, sir.

12 (Witness temporarily excused.)

13 JUDGE COLWELL: Let's hear what the Water Company has
14 to say.

15 Mr. Mendelsohn?

16 MR. MENDELSON: Your Honor, Pennsylvania-American
17 Water would call Judy McCoy Jordan to testify.

18 JUDGE COLWELL: Okay. Ms. Jordan, would you raise
19 your right hand, please?

20 Whereupon,

21 **JUDY McCOY JORDAN**

22 having been duly sworn, testified as follows:

23 JUDGE COLWELL: Thank you. I am going to ask you to
24 speak a little closer to whatever phone you are near,
25 because your voice sounds a little far away.

1 MR. MENDELSON: Your Honor, we are just going to
2 rearrange here.

3 DIRECT EXAMINATION

4 BY MR. MENDELSON:

5 Q Ms. Jordan, would you please state your name for
6 the record?

7 A Judy McCoy Jordan.

8 Q And who is your current employer, Ms. Jordan?

9 A Pennsylvania-American Water.

10 Q And how long have you been employed by
11 Pennsylvania-American Water?

12 A Twenty-one years.

13 Q What is your current job title?

14 A Collection and Compliance Supervisor.

15 Q And can you tell us what that means?

16 A I actually supervise employees and educate
17 employees regarding our tariff, regarding Chapter 56, and
18 regarding any laws with regards to the Water Company.

19 Q Okay. Have you had an opportunity to review
20 Mr. El Battah's Complaint?

21 A Yes, I have.

22 Q And have you had the opportunity to sit here today
23 to listen to his testimony?

24 A Yes, I have.

25 Q Let me ask you: Why will Pennsylvania-American

1 Water not allow Mr. El Battah to simply install a separate
2 meter inside 52 Payne Avenue?

3 A In accordance to Pennsylvania-American Water's
4 Tariff Rule 18.1, it requires independent service,
5 indicating that each meter served at the property should
6 actually have a separate service pipe with a separate
7 control valve.

8 (Whereupon, the document was marked as PAWC
9 Exhibit No. 2 for identification.)

10 BY MR. MENDELSON:

11 Q I want to turn your attention to what has been
12 marked as Pennsylvania-American Water's Exhibit No. 2. Can
13 you tell us what this document is?

14 A Exhibit No. 2 is Tariff Rule 18.1, where it
15 indicates a separate meter and a separate service line, and
16 I will read exactly what it states.

17 "Independent Service. Each meter serving a premise or
18 multiple premise shall be supplied through an independent
19 service pipe from a separate control valve or valve box
20 unless specifically approved and authorized by the Company."

21 Q And is this a true and correct copy of Tariff
22 Provision 18.1?

23 A Yes, it is.

24 MR. MENDELSON: Your Honor, I would move for the
25 admission of Pennsylvania-American Water's Exhibit No. 2.

1 JUDGE COLWELL: Will you be admitting any of the
2 others? Because we could just do them all at once.

3 MR. MENDELSON: That is fine, Your Honor. I will
4 hold off and wait until such time as we can move all of
5 them.

6 JUDGE COLWELL: Okay.

7 MR. MENDELSON: Thank you.

8 BY MR. MENDELSON:

9 Q Ms. Jordan, you have heard Mr. El Battah testify
10 to say he already has an independent service line.

11 A That is correct.

12 Q Is he correct?

13 A In accordance to the Company's tariff, no. There
14 is actually one service line that is currently serving three
15 individual premises with three separate meters and there are
16 actually four existing properties.

17 Q If Mr. El Battah wanted to install a separate
18 meter inside 52 Payne Avenue, what would he have to do?

19 A He needs to install a separate service pipe or
20 service line in order to install the separate meter.

21 Q I want to ask you why -- I understand there is the
22 tariff provision in Exhibit 2, but let's talk a little bit
23 about why is this important.

24 Why is it important that he has to install a separate
25 service line in order to put in a separate meter? Why is

1 that important?

2 A Well, basically, if the Company were to -- if a
3 tenant were to request a final reading at a particular
4 premise, the Company would not be able to turn off the
5 control valve outside, because it would actually affect the
6 other remaining ratepayers or tenants.

7 Also, if one of the tenants were to experience a leak,
8 the only way that -- or if there were a leak on the line, it
9 would affect all of the tenants, and all of the tenants
10 would be affected and the services would be shut off for
11 repairs to be made.

12 Q Ms. Jordan, let me just interrupt you for a
13 moment. If Mr. El Battah is permitted to install a new
14 water meter inside 52 Payne Avenue on his existing service
15 line, if the Company has to turn off water for non-payment
16 to 52 Payne Avenue, how would it do it?

17 A We would not be able to shut the control valve off
18 at the street, because it would affect all of the ratepayers
19 that are actually on the same independent service line.

20 Q And, if there was a separate service line to 52
21 Payne Avenue, with a separate meter, and that tenant would
22 not --

23 JUDGE COLWELL: Mr. Mendelsohn, your voice is dying
24 away here.

25 MR. MENDELSON: Sorry, Your Honor.

1 JUDGE COLWELL: Thank you. That is better.

2 BY MR. MENDELSON:

3 Q If Mr. El Battah installed a new meter in 52 Payne
4 Avenue, with a new service line, and that tenant failed to
5 pay his or her bill, then how would the Water Company be
6 able to turn the tenant's water off?

7 A The Company would be able to shut the water off at
8 the independent valve box out in the street which would only
9 affect that particular tenant.

10 Q Mr. El Battah has testified that he will provide
11 the Company with access if it allows him to simply install
12 another meter inside 52 Payne Avenue. Is that sufficient?

13 A No, because can he actually guarantee access when
14 the tenant is actually living at the property? What
15 alternatives would be made for us to actually terminate that
16 particular tenant's service? And, if the meter, for
17 example, was removed, how would the tenant then obtain
18 service?

19 Q Has the Company had problems in the past
20 collecting water bills at 52 Payne Avenue?

21 A Yes, we have.

22 Q Can you tell us about that?

23 A In the past, we have had balances that have
24 accrued to at least \$600-and-some, because the Company was
25 unable to terminate service at that property because it

1 would have affected the other tenants.

2 (Whereupon, the document was marked as PAWC
3 Exhibit No. 3 for identification.)

4 BY MR. MENDELSON:

5 Q Ms. Jordan, I would like to turn your attention to
6 what has been marked as Pennsylvania-American Water's
7 Exhibit No. 3. Can you tell us what this document is?

8 A This actually is the service order to set a meter
9 and turn on service for 52 Payne Avenue.

10 Q And is this a document that is kept in the regular
11 course of business by the Water Company?

12 A Yes, it is.

13 Q Directing your attention to the comments, what was
14 the comment by our service technician?

15 A "Man has to run new service first for another
16 meter."

17 Q And what was the date of this service order?

18 A August 24 of 2005.

19 MR. MENDELSON: Your Honor, I have no further
20 questions at this time for Ms. Jordan.

21 JUDGE COLWELL: Okay. Before I turn you over to
22 Mr. El Battah, I have a question about where did you get the
23 date on that? My copy says, "11/1/05."

24 THE WITNESS: That is the date that we actually
25 reprinted the service order as the exhibit.

1 If you look underneath that, you will see, "Schedule
2 Date," and it says, "8/24/2005."

3 JUDGE COLWELL: Oh, got it. Thank you.

4 THE WITNESS: You're welcome.

5 JUDGE COLWELL: Mr. El Battah, do you have any
6 questions for Ms. Jordan?

7 MR. EL BATTAH: Yes, Your Honor, perhaps a question or
8 comments.

9 JUDGE COLWELL: Okay.

10 **CROSS-EXAMINATION**

11 BY MR. EL BATTAH:

12 Q Ms. Jordan, would you please tell us what means do
13 you have to shut the water at 50-1/2 Payne Avenue? If the
14 tenant at 50-1/2 Payne Avenue did not pay their bill, what
15 do you do?

16 A In the past, in some cases, we do try and remove
17 the meter and plug it, but that is not always effective. We
18 could try and shut the valve off at the meter; that has not
19 always been effective.

20 Q Okay. Ms. Jordan, you are saying, in order for
21 you to shut the water of non-paying rate tenant at 50-1/2 or
22 50 or 54, you have to remove the meter?

23 A That is an alternative, to try and plug the meter.
24 Or, actually, what they sometimes do is put a piece in where
25 the meter comes in, but that is not always effective.

1 Q Okay. This is not clear to me, Ms. Jordan, at
2 all. The point I am trying to make here, the same situation
3 here exists in any of these four units, in order for you to
4 shut the meter for a non-paying rate.

5 So, what I am saying is it is all the same here,
6 because you only have one valve to shut off no matter what.

7 So, the only solution I see is to have access to the
8 unit and remove your meter, and I am saying I guarantee that
9 as a landlord. I am guaranteeing you any time your company
10 or other utility company wants to enter the property, they
11 will be guaranteed to enter within 12 hours.

12 So, you know, the assumption that we are talking about
13 here that you cannot shut the water off does not exist.

14 A Well, the reason why 18.1 was actually created was
15 because of the various issues that evolved around the
16 situation where the Company could not go to its actual curb
17 box to terminate service or final bill service; or if there
18 is an emergency that exists, they can't turn the service
19 off.

20 In addition, you still have issues where your tenant
21 may be there now, but what happens five months from now when
22 he moves out?

23 And what happens when you sell the property, if you
24 should sell the property? How does the Company handle it in
25 the future?

1 I mean, you as a landlord may say that you guarantee
2 that your tenant will possibly pay his bills, but what means
3 do we have if the tenant doesn't pay his bills?

4 MR. EL BATTAH: Okay. Your Honor, let's go back to
5 the 18.1, the separate meter here. Your see, Your Honor --
6 and all of you please understand this -- the condition does
7 not exist.

8 BY MR. EL BATTAH:

9 Q You are applying the 18.1 for a different
10 situation at all. You are applying that rule for a
11 different situation than what I have here, because,
12 Ms. Jordan, you could not answer my question when I said:
13 How would you shut off the water for 50-1/2 or 50 or 54
14 Payne Avenue?

15 So, it is the same thing. No matter what you do, in
16 order for you to shut off any of these tenants, you have to
17 have an access to the basement when you will remove the
18 meter. You could not shut the valve at all, because you
19 would be shutting off the rest of them, and that is the
20 argument I am trying to make. The 18.1 does not apply to
21 this property.

22 A And what we are trying to indicate is that if we
23 allow it to exist for yet another property, then that means
24 that you are going to have the same situation for four
25 properties that you currently have for three.

1 Q I agree with you, because --

2 A And we are eliminating that situation from
3 occurring again.

4 Q I agree with you. I am not saying no. I am
5 agreeing with you. But you still have the situation no
6 matter where you look in this property. In order to shut
7 water or do service to any of the tenants, you have to shut
8 the main valve. So, I don't see the point.

9 A Well, the point is that we are not having a fourth
10 property where we have that situation exist.

11 Q Yes, but again, Ms. Jordan, this is an existing
12 property. You are not dealing with something new. This is
13 a hundred years, a property.

14 Under the law, if I know a little bit about the law,
15 this is grandfathered. There is nothing I can change there,
16 Ms. Jordan.

17 A Well, you could actually have that one meter
18 service both properties, correct?

19 Q Well, what about the 50 and 51 -- the 50 and
20 50-1/2 Payne Avenue?

21 A You could actually meter all four properties on
22 one meter, correct?

23 Q Do you see an advantage for me as a landlord to do
24 that?

25 A But there --

1 MR. EL BATTAH: You see, I have to protect my
2 interests, too, you know. It is more convenient for me and
3 more business decision for me that I have a separate meter
4 for each separate unit.

5 And, if I may add, Your Honor, I don't know if this --
6 because I discussed this with Attorney Mendelsohn. Okay? I
7 did speak a little about that with him, that the Water
8 Company applies the rules at one location and does not apply
9 the rules at another location. And I was advised not to
10 mention that, but since we are talking about it, I might as
11 well mention it.

12 In September of 2005 --

13 MR. MENDELSON: Your Honor --

14 MR. EL BATTAH: -- another four units --

15 MR. MENDELSON: Your Honor, if I may object. I think
16 we are now getting into argument and they are not questions
17 for Ms. Jordan.

18 JUDGE COLWELL: Have you finished with your questions,
19 Mr. El Battah?

20 MR. EL BATTAH: Yes. I am, Your Honor, yes.

21 JUDGE COLWELL: Okay. Before we get into argument,
22 then, let me speak with Ms. Jordan. Okay?

23 MR. EL BATTAH: Yes.

24 JUDGE COLWELL: And we will get right back to you.

25 MR. EL BATTAH: Yes, Your Honor.

1 JUDGE COLWELL: All right. Ms. Jordan, what he was
2 about to say actually has a lot to do with what I am
3 thinking about, because in Rule 18.1 I can see the reason
4 for the rule. I understand it from the Company's point of
5 view.

6 But it says at the end, "unless specifically approved
7 and authorized by the Company."

8 Now, that is a great big hole in the back door that
9 says: We're going to apply this rule unless you convince us
10 we don't have to. And then it doesn't tell you what you
11 need to convince me that you don't have to.

12 So, what is it about this property that makes you not
13 want to grandfather in an existing situation and to make it
14 so that there is just another meter on the same service
15 line?

16 THE WITNESS: Well, Your Honor, even right now,
17 looking at past records, we have already had the issue where
18 the Company was unable to terminate service at that location
19 because of unpaid water bills.

20 JUDGE COLWELL: And that is what is making the Company
21 take this stand?

22 MR. MENDELSON: Your Honor, I am not sure if this
23 might be -- if this would be more appropriately addressed in
24 closing arguments.

25 JUDGE COLWELL: I think she can answer if she knows.

1 If you don't know, you can certainly say so.

2 But, Mr. Mendelsohn, let her answer if she does.

3 THE WITNESS: Okay. I am sorry. Could you repeat the
4 question, Your Honor?

5 JUDGE COLWELL: What is it -- we are talking about --
6 now I don't know what I said.

7 MR. MENDELSON: I apologize.

8 (Pause.)

9 JUDGE COLWELL: All right. Then we will go to another
10 question.

11 It says, "unless specifically approved and authorized
12 by the Company." Under what circumstances would a situation
13 be specifically approved and authorized?

14 THE WITNESS: At this time, I can't answer that
15 question.

16 JUDGE COLWELL: I see.

17 (Witness excused.)

18 JUDGE COLWELL: All right. Then why don't you go
19 ahead and give me your argument?

20 Go ahead, Mr. El Battah.

21 MR. EL BATTAH: Yes, Your Honor. Can you hear me now?

22 JUDGE COLWELL: I can.

23 Oh, wait. I am sorry. What we need to do is admit
24 all of the evidence.

25 MR. MENDELSON: Yes, Your Honor. We would be moving

1 for the admission of PAWC Exhibits 2 and 3.

2 JUDGE COLWELL: Do you have any objection to that,
3 Mr. El Battah?

4 MR. EL BATTAH: Maybe just give me one second, please,
5 Your Honor.

6 JUDGE COLWELL: Sure.

7 MR. EL BATTAH: One second.

8 JUDGE COLWELL: Sure.

9 MR. EL BATTAH: It is okay. Exhibit 2 is okay.
10 Exhibit 3 is okay, also.

11 JUDGE COLWELL: All right. Then they are admitted.

12 (Whereupon, the documents marked as PAWC Exhibits
13 Nos. 2 and 3 were received in evidence.)

14 JUDGE COLWELL: We are also going to admit
15 Mr. El Battah's drawing as Exhibit A.

16 Also attached to that is some answers to questions
17 that weren't specified. You weren't asking for that to be
18 admitted, were you, sir?

19 MR. EL BATTAH: Repeat that again, Your Honor. What
20 is that?

21 JUDGE COLWELL: The document that you sent to me that
22 has your Exhibit A in it --

23 MR. EL BATTAH: Yes, Your Honor.

24 JUDGE COLWELL: -- also has a list of answers to
25 questions. Were you moving for admission of that as well?

1 MR. EL BATTAH: Please, Your Honor, yes.

2 JUDGE COLWELL: Because it really doesn't have the
3 questions; it just has the answers.

4 MR. EL BATTAH: Yes, Your Honor, it is attached to the
5 questions, Your Honor.

6 JUDGE COLWELL: I don't have questions. I just have
7 answers.

8 MR. EL BATTAH: Yes, Your Honor.

9 JUDGE COLWELL: Okay. Any objection, Mr. Mendelsohn?

10 MR. MENDELSON: Your Honor, just for the clarity of
11 the record, perhaps Mr. El Battah would just limit it to the
12 exhibit, the map that he attached, and we would not object
13 to that.

14 I think all of the information that he has had in his
15 answers is already on the record. And, for clarity, perhaps
16 admitting his diagram would be sufficient.

17 MR. EL BATTAH: Your Honor?

18 JUDGE COLWELL: Yes.

19 MR. EL BATTAH: I wish to have my answers admitted,
20 also, with the Exhibit 1 (sic).

21 JUDGE COLWELL: Well, Mr. Mendelsohn, your objection
22 would be stronger, except you have also included it in your
23 documents.

24 MR. MENDELSON: Your Honor, we will waive any
25 objection.

1 JUDGE COLWELL: All right. Thank you. Then they are
2 also admitted.

3 So, I have got Exhibits 2 and 3 of the Water Company
4 and Exhibit A, and we will mark the rest of that document
5 Exhibit B for Mr. El Battah.

6 (Whereupon, the document was marked as
7 Complainant's Exhibit B for identification, and
8 the documents marked as Complainant's Exhibits A
9 and B were received in evidence.)

10 MR. EL BATTAH: Very good.

11 JUDGE COLWELL: All right. Then, go ahead,
12 Mr. El Battah.

13 Whereupon,

14 **ABDEL EL BATTAH**

15 having previously been duly sworn, testified further as
16 follows:

17 **DIRECT TESTIMONY**

18 THE WITNESS: Yes, Your Honor, I would like to revisit
19 your question on the 18.1 reference that the Water Company
20 lists, "unless specifically approved and authorized by the
21 Company."

22 Keeping in mind that a utility company is obligated to
23 serve the people, I don't see here, Your Honor. They are
24 not serving me.

25 I am complying with everything. I am just trying here

1 to just make a living. Okay?

2 And the Water Company is not being specific about if
3 there is any danger to the system they have. They are not
4 being specific if there is any danger to my properties to
5 serve me. They are not saying they don't have adequate
6 facilities or anything like that.

7 So, basically, Your Honor, there is no reason for them
8 to refuse my application. There is no danger. There is no
9 harm to no one. It is not causing anybody any problem.

10 You know, on the contrary, to be clear, I understand,
11 Your Honor, they are trying to protect their interests of
12 having the ability to shut down the water on one tenant.

13 And this applies in the whole state of Pennsylvania.
14 My area here is 99 percent properties that are served by one
15 single line with separate meters inside.

16 Your Honor, let me add, too, that in September of last
17 year, on the 15th, the Water Company, the same technician,
18 installed an additional three meters for me at a separate
19 location, and I have the record right here in front of me.
20 The same situation applied, and he did install the three
21 additional meters.

22 And two years ago, the same thing applied on another
23 property that I have. The technician came and installed
24 another separate meter for the same thing.

25 So, what I am saying: Sometimes the Water Company

1 applies the rules; sometimes they do not apply the rules.

2 I am done, Your Honor.

3 MR. MENDELSON: Your Honor, I am going to object to
4 all of that testimony regarding prior circumstances.

5 THE WITNESS: This is after this application, Your
6 Honor. This is after this application. This is after the
7 application. It is not prior.

8 This was on September 28. Your technician came out to
9 127, 129, 127-1/2, and 129-1/2 and had, indeed, installed a
10 meter for me on one single line.

11 JUDGE COLWELL: Mr. Mendelschn, were you aware of
12 this?

13 MR. MENDELSON: I was not, Your Honor.

14 THE WITNESS: We talked about it, and you advised me
15 not to bring it into the evidence.

16 MR. MENDELSON: Your Honor, there was absolutely no
17 testimony on this by Mr. El Battah during direct.

18 JUDGE COLWELL: Well, I am certainly not going to keep
19 you from crossing him on it right now. That would be just
20 fine, if that is your only objection. Go ahead and ask him
21 questions.

22 MR. MENDELSON: Your Honor, if I may just have a
23 moment?

24 JUDGE COLWELL: Okay.

25 (Pause.)

1 MR. MENDELSON: Your Honor, this is the first time I
2 am hearing this. I have no questions for him.

3 JUDGE COLWELL: Well, if you would like to have an
4 opportunity to look over what he is telling you and talk to
5 him about it separately, we can certainly reconvene at
6 another date.

7 But I am going to let him talk. I want to hear more
8 about why it is okay to have it at one location and not the
9 other. That doesn't make any sense to me, and somebody
10 needs to make sense of that for me.

11 MR. MENDELSON: Your Honor, I will ask, then, for a
12 continuance and to get the information from Mr. El Battah
13 about five properties where this supposedly has been
14 permitted.

15 THE WITNESS: Can I give you the information now?

16 MR. MENDELSON: That is fine.

17 THE WITNESS: Okay. The 127, 127-1/2, 129, and
18 129-1/2 Main Street in Kingston; application date,
19 September 15.

20 Another property, September 8, 2004, 2004, two years
21 ago, Curtis Street in Kingston.

22 JUDGE COLWELL: Can you spell that, please?

23 THE WITNESS: C-u-r-t-i-s.

24 JUDGE COLWELL: Thank you.

25 THE WITNESS: Thank you.

1 MR. MENDELSON: I am sorry. What was the address on
2 that?

3 THE WITNESS: 8-10.

4 MR. MENDELSON: Mr. El Battah, was there another
5 property?

6 THE WITNESS: The first one is the four units at Main
7 Street.

8 MR. MENDELSON: Okay. Your Honor, I am going to ask
9 that we be given ten days to look at this information, and I
10 will make this representation: If he is correct, we will
11 permit him to go without these separate service lines on the
12 instant property.

13 However, it is my understanding from him, and he has
14 represented today under oath --

15 THE WITNESS: Yes.

16 MR. MENDELSON: -- that these two separate properties
17 -- that is the Main Street property in Kingston and at
18 Curtis Street -- that our company permitted him to install
19 separate meters on the same service line.

20 THE WITNESS: Yes.

21 MR. MENDELSON: And I think, Your Honor, if that is
22 not true, what Mr. El Battah is telling us, that he should
23 pay sanctions for his conduct today.

24 THE WITNESS: Yes. I agree.

25 JUDGE COLWELL: Okay. Well, then, I will tell you

1 what I will do. I will give you ten days; and if I do not
2 hear from you during that time, then I will issue another
3 hearing notice and we will convene again to discuss what has
4 happened.

5 MR. MENDELSON: Great. Your Honor, I appreciate
6 that. Thank you.

7 JUDGE COLWELL: Okay, Mr. El Battah?

8 THE WITNESS: All of you -- thank you very much, Your
9 Honor. Mr. Mendelsohn, thank you, sir. Ms. Jordan, thank
10 you very much, ma'am. Okay. You all have a nice day.

11 And what should I do? Should I send you pictures, or
12 what should I do at this time for the two properties that I
13 have mentioned?

14 MR. MENDELSON: You are welcome to send me pictures.
15 We are going to search our customer service records --

16 THE WITNESS: Okay. Very good.

17 MR. MENDELSON: -- on those properties.

18 JUDGE COLWELL: Okay. You can do that without me
19 being here.

20 So, I am going to issue you an Order which states that
21 this is continued, and I will wait to hear from you, and in
22 ten days we will determine what to do next.

23 MR. MENDELSON: Thank you, Your Honor.

24 JUDGE COLWELL: Thank you all very much. We are off
25 the record.

(Witness excused.)

(Whereupon at 10:50 a.m., the hearing was adjourned, to be reconvened at a time and place to be designated by the Commission.)

C E R T I F I C A T E

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

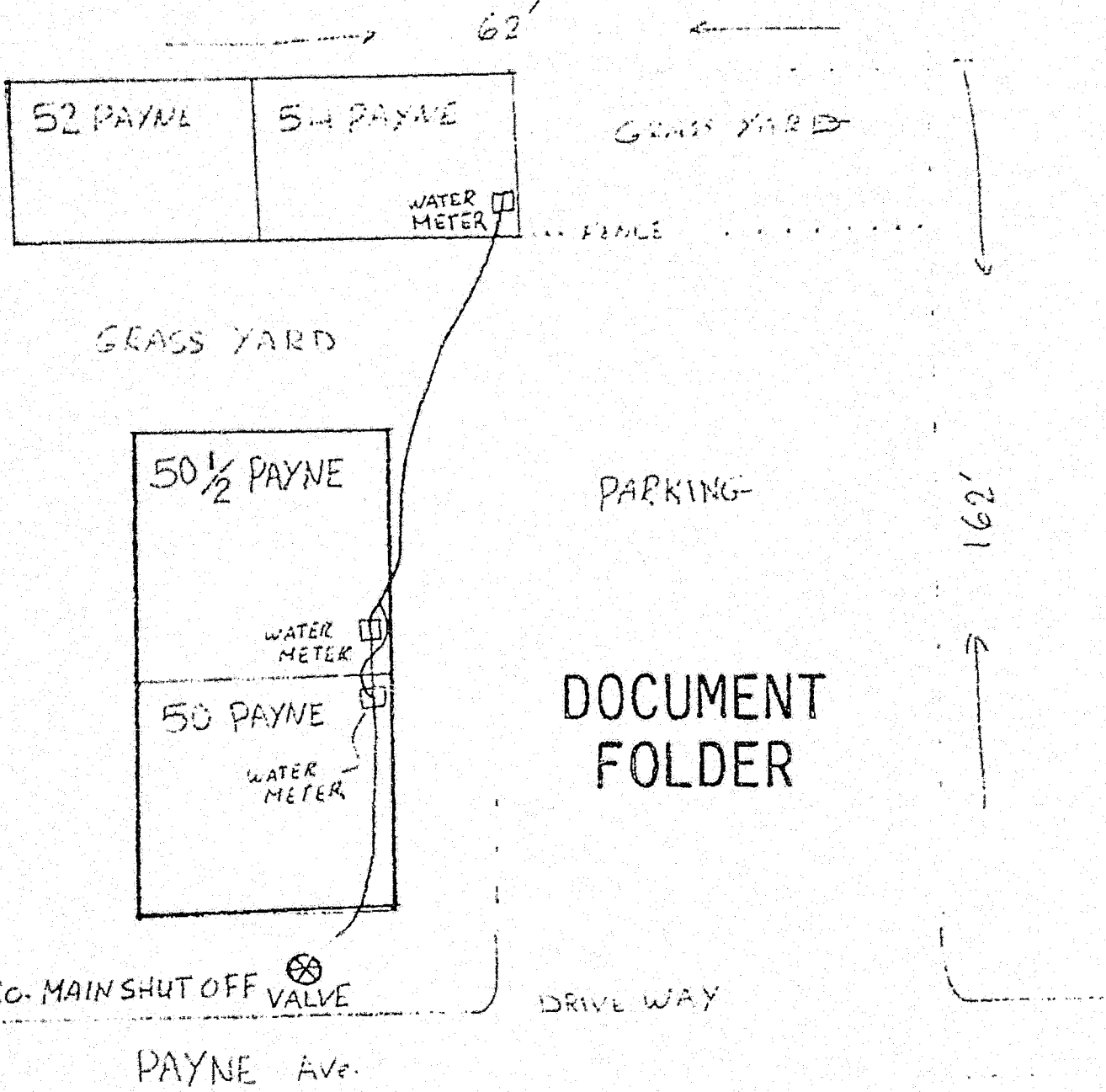
COMMONWEALTH REPORTING COMPANY, INC.

By: Monta E. Gentile
Monta E. Gentile

RECEIVED
2006 MAR 27 AM 9:23
PA PUC
SECRETARY'S BUREAU

ALL the following described piece or parcel of land situate in Kingston Borough, Luzerne County, Pennsylvania, bounded and described as follows, to wit:
 BEGINNING at a corner on Payne Street in line of land now or late of G.W. Poole,
 THENCE North thirty-four and one-half (34 1/2) degrees West, one hundred sixty-two (162) feet to a corner in line of land now or late of A. Sker,
 THENCE North fifty-five and one-half (55 1/2) degrees East, sixty-two (62) feet to a corner,
 THENCE South thirty-four and one-half (34 1/2) degrees East, one hundred sixty-two

(162) feet to a corner in line of said Payne Street.
 THENCE by said Payne Street South fifty-five and one-half (55 1/2) degrees West, sixty-two (62) feet to the place of beginning
 Improved upon thereon by Residential Dwelling known as: 50-50 1/2, 52-54 PAYNE AVENUE, KINGSTON, PA 18704
 TITLE TO SAID PREMISES IS VESTED IN Barbara Stone, Unmarried by Deed from Ray F. Nickerson, Jr and Melanie F. Nickerson Said deed dated on 06/27/2000 and recorded on 06/28/2000 in Deed book 2725 at Page 960
 Pin No # G9SW3 B002 L014



3) MAIN SHUT OFF AND WATER LINE SERVING ALL UNITS 50-50 1/2 AND 54

VIA FAX AND MAIL

2-20-06

THE HONORABLE SUSAN D. COLWELL
ADMINISTRATIVE LAW JUDGE
PENNSYLVANIA PUBLIC UTILITY COMMISSION
400 NORTH STREET
HARRISBURG PA 17120

REF: DOCKET # C-20055478

DEAR JUDGE COLWELL:

ENCLOSED PLEASE FIND THREE COPIES OF MY ANSWERS
TO ATTORNEY MR. MENDELSON. TWO PAGES TOTAL
ONE PAGE ANSWERS AND SECOND PAGE MARKED EXHIBIT "A".
PLEASE NOTE TO CHANGE TELEPHONE NUMBER FOR
THE HEARING. NEW NUMBER IS 570-288-7766
THANK YOU,

RESPECTFULLY SUBMITTED,

Abdel Elbattah

ABDEL ELBATTAH

670 TIoga Ave.

KINGSTON PA 18704

570-288-7766 HOME

570-239-5089 cell

DOCUMENT
FOLDER

C: ATTORNEY MENDELSON

C20055478
Complainant's
Ltr. B
3/1/06 Hbg

RECEIVED
2006 MAR 27 AM 9:23
SECRETARY'S BUREAU

PA PJC

1570-288-7766

2-20-06

VIA FAX AND MAIL

Mr. SETH MENDELSON, ESQUIRE
800 WEST HERSHEY PARK DRIVE
HERSHEY, PA 17033

REF: ABDEL ELBATTAH
V.

PA - AMERICAN WATER CO.
DOCKET # C-20055478

DEAR ATTORNEY MENDELSON:

ENCLOSED PLEASE FIND TWO COPIES OF MY RESPONSE
TO YOUR QUESTIONS. TWO PAGES ATTACHED ONE
PAGE THE ANSWERS AND 2ND PAGE EXHIBIT "A".

I SHALL FAX AND SEND THREE COPIES TO THE
HONORABLE JUDGE SUSAN D. COLWELL.

PLEASE NOTE CHANGE IN TELEPHONE NUMBER FOR THE
UPCOMING HEARING.

570-288-7766 MY HOME TO REPLACE CELL 570-239-5089

IF YOU HAVE ANY QUESTIONS, PLEASE CALL.

RESPECTFULLY,

Abdel Elbattah

ABDEL ELBATTAH
670 TIOGA AVE.
KINGSTON PA 18704

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

ABDEL EL BATTAH / COMPLAINANT

PENNSYLVANIA - AMERICAN WATER CO. / RESPONDENT
DOCKET # C-20055478

ANSWERS

- 1- NO WITNESS AT THIS TIME.
- 2- NAME IS BOB GOLDEN
SERVICE TECHNICIAN - PA WATER CO.
WILKES-BARRE FIELD OFFICE
1-800-565-7292
- 3- MY COMPLAINT IS SUBJECT TO THE PROVISIONS
OF 66 PA. CS. § 1529.1 WHICH REFER TO
THE DUTY OF OWNER OF RESIDENTIAL OR MOBILE
HOME PARK WHICH CONTAIN^{ONE OR MORE} NOT INDIVIDUALLY METERED
UNITS. MY UNITS ARE INDIVIDUALLY METERED.
- 4- AS OF JULY 3RD 2005.
- 5- PLEASE REFER TO EXHIBIT "A" ATTACHED.
- 6- PLEASE SEE 052 PA. CODE 65.7 a, b, c, d AND 18.1 PUC#4
- 7- YES.
- 8- VERBAL \$3500⁰⁰ TO \$4000⁰⁰.
- 9- BECAUSE WE HAVE AN EXISTING INDEPENDENT SERVICE
WATER LINE ON THE PROPERTY.

RECEIVED
2006 MAR 27 AM 9:23
SECRETARY'S BUREAU

DOCUMENT FOLDER

SUBMITTED RESPECTFULLY
Abdel Elbattah 2-20-06

Complainant's Ep B My 3-1-06
746 C-20055478 3/1/06

ABDEL ELBATTAH VS. PA-AMERICAN WATER CO. / DOCKET # C-20055478

ALL the following described piece or parcel of land situate in Kingston Borough, Luzerne County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a corner on Payne Street in line of land now or late of G.W Poole;
 THENCE North thirty-four and one-half (34 1/2) degrees West, one hundred sixty-two (162) feet to a corner in line of land now or late of A. Skeer;

THENCE North fifty-five and one-half (55 1/2) degrees East, sixty-two (62) feet to a corner;

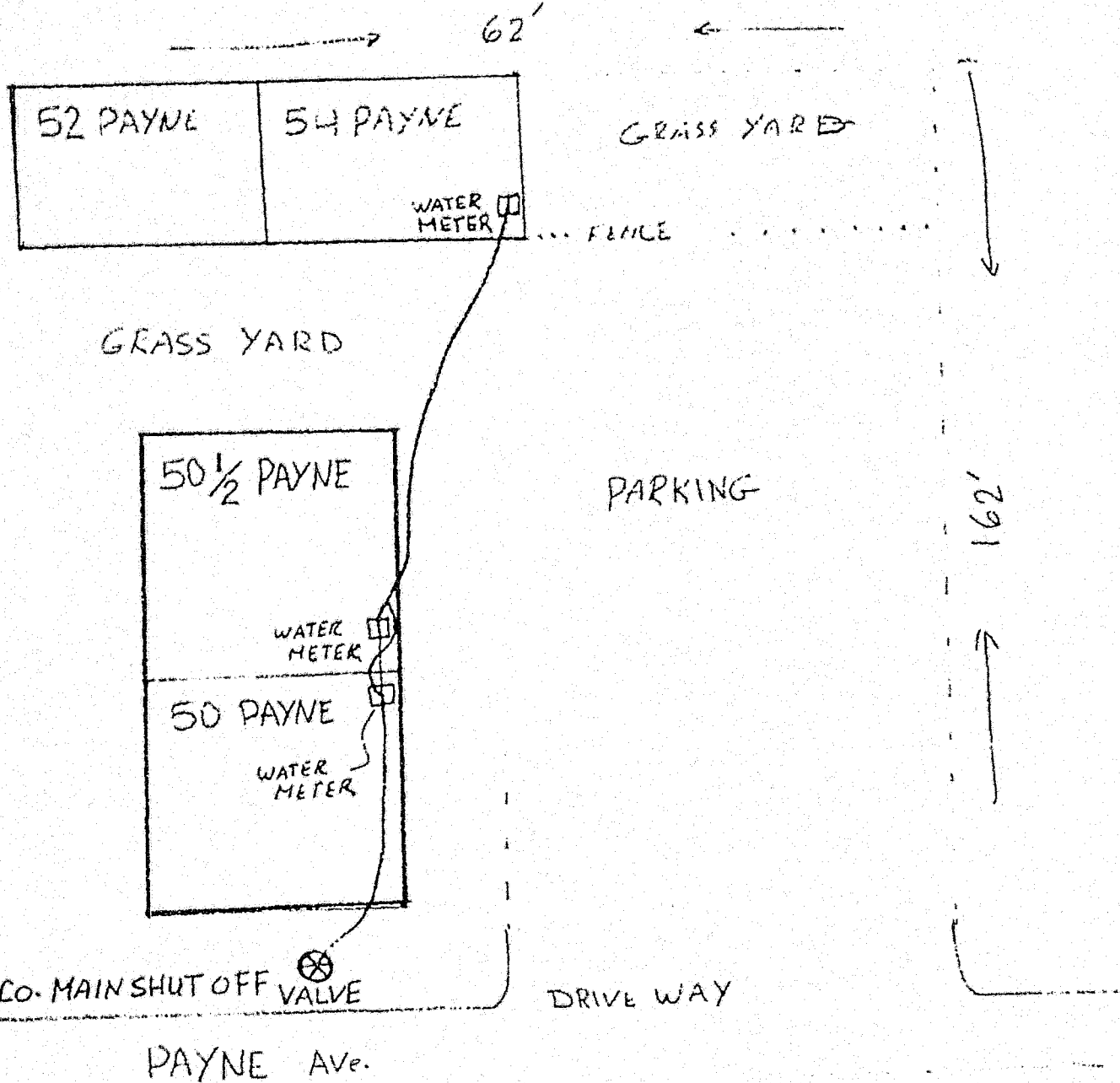
THENCE South thirty-four and one-half (34 1/2) degrees East, one hundred sixty-two

(162) feet to a corner in line of said Payne Street;

THENCE by said Payne Street South fifty-five and one half (55 1/2) degrees West, sixty-two (62) feet to the place of beginning.

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⊗ MAIN SHUT OFF AND ONE WATER LINE SERVING ALL UNITS 50-50 1/2 AND 54

Complainant's EXHIBIT 'A' MS 3-1-06 74pg
 N.T.S. C-20055478



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2/22/2006 10:01:44 AM

External Carrier: UPS

Floor:

Department: PUC

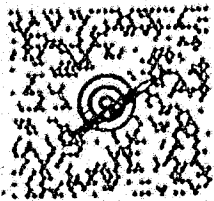
TO: COLWELL, S. PUC (COLWELL)

THE UPS STORE #2166
(570) 288-9901
512 NORTHAMPTON ST
EDWARDSVILLE PA 18704

1 OF 1

SHIP JUDGE SUSAN D COLWELL
TO: PA PUBLIC UTILITY COMMISSION
BOX 3265
OFFICE OF ADMINISTRATIVE LAW JUDGE

HARRISBURG PA 17105

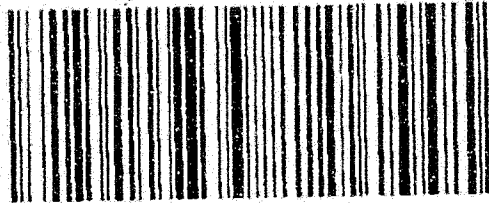


PA 171 9-20



UPS GROUND

TRACKING #: 1Z1E75860302266484



BILLING: P/P

PA PUBLIC UTILITY COMMISSION
400 NORTH ST

HARRISBURG PA 17120-0053

P: SILVER S: MRED 1: B52

39D-RDL



1Z1E75860302266484

SHIP DATE: FEB 22 02 20 12 2006
TD 1711 01P 5 9 2 1N*4420

RULES AND REGULATIONS GOVERNING THE
DISTRIBUTION AND SALE OF WATER

18. Separate Meter and Service Line

18.1 Independent Service

Each meter serving a premise or multiple premise shall be supplied through an independent service pipe from a separate control valve or valve box unless specifically approved and authorized by the Company.

DOCUMENT
FOLDER

REGION
Kingston
ROUTE/STOP
2363 / 1310
GRID/EXT.
/

DUPLICATE COPY **
Pennsylvania American (PAPR) Production
Set Meter/Furn On: ONSET
HUMNELDP 11/01/05 15:05:36
Error

SERVICE ORDER #: 3690583
SERVICES PRINTED: 1 1
REQUESTED BY: ABDEL ELBATTIAH

UTILITY TYPE: Water Service | SCHEDULE DATE: 8/24/2005 | TIME: AM
SEQUENCE #: 1 | ORDER TAKEN BY: C24006975 8/19/2005 13:34:00
SERVICE ADDRESS: 52 Payne Ave
MAILING ADDRESS: 670 TIOGA AVE
CITY/ST/ZIP: Kingston PA 187043236 | DISTRICT: Wilkes-Barre / Scranton Dist
CUSTOMER NAME: ELBATTIAH, ABDEL | BILLING CYCLE: 3 | ACCOUNT #: 24-1706934-7
NEW CUSTOMER NAME: | WLPP: NO | PREMISES#: 240253092
BILL CLASS: Residential | PHONE NUMBER: 5702887766
LAST NOTICE: | CALL BACK NUMBER: 5702395089
HEALTH ALERT: Hot Water Heat CREW: Wilkes-Barre / Scranton | CREDIT TYPE: 0000
SERIAL NUMBER: | METER TYPE: | METER NUMBER:
OF DIALS: SIZE: | INSTALL DATE: | REMOTE ID #:
MFG: | LAST TEST DATE:
TAP NUMBER: C00000000 | PAST DUE AMOUNT: | LAST PAYMENT DATE:
TAP SIZE: | LAST PAYMENT AMT:
TAP LOCATION:

MEASUREMENTS:

CURRENT READ: C0000000 LAST S/C WORKED: 3661720 HILOW 8/03/2005

DATE	READ	USE RTP	DATE	READ	USE RTP	DATE	READ	USE RTP
10/18	3651	S	02/27	3651	10 A	08/25	3301	97 A
08/27	3651	A	01/31	3641	93 S	06/26	3204	78 A
06/26	3651	A	12/27	3548	122 A	06/01	3126	116 S
04/26	3651	A	10/25	3426	125 A	04/26	3010	145 A

PENDING SO: | GET NEXT TO:
ADDRESS BEFORE: 56 Payne Ave
ADDRESS AFTER: 54 Payne Ave

COR/RMVD METER: DIAL #1 RDG: #2: #3:
NEW/SET METER: DIAL #1 RDG: #2: #3:
METER LOCATION: Pro Read with Touch Pad

METER READ: RIGHT
COMMENTS:
METER: LOCKED STUCK DAMAGE/TAMPER REGIST. sec/min
FOUND: ON OFF UN TO DETERMINE AT CORP STOP MB INSIDE
LEFT: ON OFF UN TO DETERMINE AT CORP STOP MB INSIDE

FOLLOW UP REQUIRED START DATE: TIME: KEYED:
COMPLETED BY: DATE: TIME:

COMMENTS: PLEASE SET METER. PLEASE CALL BEFORE YOU GO OUT
Rescheduled Reason: Other
Rescheduled Notes: mme
man has to run new service first for another meter
Office review required.
WGO: Incompletion reason: Other
WGO: Install order on service w/o a rate schedule Meter:

DOCUMENT FOLDER

SERVICE CONTINUED

PAWC EXHIBIT NO. 3 MS 3-1-06 Hbg C-20055478

SERVICE ORDER #:
3690583
SERVICES PRINTED:

Reading:	1	1
8-25-05 office review complete/mad		
meter not set		
SCHEDULED SERVICE ORDER FOR EXISTING CUSTOMER. PLEASE SET METER. SA		
TISFIED		

END OF SERVICE
END OF SERVICE ORDER #: 3690583

RECEIVED

2006 MAR 27 AM 9:23

PA PUC
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ABDEL EL BATTAH,

Complainant

v.

PENNSYLVANIA-AMERICAN WATER
COMPANY,

Respondent

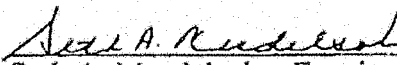
DOCKET NO. C-20055478

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants, listed below, in accordance with the requirements of 52 Pa. Code § 1.54:

VIA UPS OVERNIGHT DELIVERY

Abdel El Battah
670 Tioga Avenue
Kingston, PA 18704


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

Dated this 23rd day of February 2006.