

DOCKET NO.: C-20030137  
RESPONDENT OR APPLICANT: PENNSYLVANIA UTILITY COMPANY  
PARTY OR COMPLAINANT: GLEN AT TAMIMENT PROP OWNERS ASSOC.

ENTRY TYPE	DATE	BUREAU	PERSONNEL
1 N	04/21/03	SEC	BESTKAY
FORMAL COMPLAINT OF THE GLEN AT TAMIMENT PROPERTY OWNERS ASSOC. VS PA WATER			
2 N	05/27/03	SEC	BESTKAY
NOTICE OF COMPLAINT SERVED TO RESPONDENT FOR ANSWER IN 20 DAYS			
3 N	06/03/03	SEC	BESTKAY
COMPLAINT RE-SERVED TO PA AMERICAN WATER FOR ANSWER IN 20 DAYS			
4 N	06/06/03	SEC	FRISCIA
PAWC LTR W/RETURNED COMPLT ADV PA UTILITY COMPANY IS CORRECT RESPONDENT W/CERT			
5 N	06/24/03	SEC	BESTKAY
COMPLAINT RE-SERVED TO THE PENNSYLVANIA UTILITY COMPANY			
6 N	07/16/03	SEC	JACOBDIANE
RESPONDENT FILED ANSWER TO COMPLAINT WITH CERTIFICATE OF SERVICE			
7 N	07/31/03	SEC	PATRICK
CALJ CHRISTIANSON INTERIM ORDER SETTING RESOLUTION CONFERENCE ISSUED			
8 N	09/05/03	SEC	BESTKAY
GLEN AT TAMIMENT PROPERTY OWNERS ASSOCIATION FILED AN AMENDED COMPLAINT			
9 N	09/29/03	SEC	BESTKAY
SEC LTR TO RESP ADVISING AMENDED COMPLAINT FILED-FILE ANS IF DESIRED IN 20 DAY			
10 N	10/14/03	SEC	BENJAMIN
RESPONDENT FILED ANSWER TO AMENDED COMPLAINT W/CERTIFICATE OF SERVICE			
11 N	10/15/03	SEC	MOTTER
RESP FLD AFFIDAVIT OMITTED FROM ANSWER TO AMENDED COMPLAINT W/CERT OF SERVICE			
12 N	12/10/03	SEC	MOTTER
CALJ MEMO TO SEC-CASE STILL IN MEDIATN-PROCESS REVIEW;PROGRESS RPTS BEING MADE			
13 N	02/17/05	SEC	FARNERJOYCE
COMPLAINANT FILED LETTER WITHDRAWING COMPLAINT (COPY)			
14 N	03/07/05	SEC	FARNERJOYCE
CALJ MEMO ACKNOWLEDGING WITHDRAWAL & CLOSING IN 10 DAYS			
15 N	02/17/05	SEC	FARNERJOYCE
COMPLAINANT FILED WITHDRAWAL OF COMPLAINT			
16 N	06/02/05	SEC	FARNERJOYCE
SEC LETTER ADVISING COMMISSION HAS MARKED PROCEEDING CLOSED			

DESCRIPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00
- 2. BUREAU: ALJ
- 3. SECTION(S):
- 5. APPROVED BY:  
DIRECTOR:  
SUPERVISOR:
- 6. PERSON IN CHARGE:
- 8. DOCKET NO: C-20030137 *"Corrected copy"*
- 4. PUBLIC MEETING DATE:  
00/00/00
- 7. DATE FILED: 04/21/03
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: GLEN AT TAMIMENT PROP OWNERS ASSOC.

RESPONDENT/APPLICANT: PENNSYLVANIA AMERICAN WATER

COMF/APP COUNTY: PIKE

UTILITY CODE: 212285

ALLEGATION OR SUBJECT

COMPLAINANT STATES ALL METERS HAVE NOT BEEN INSTALLED AND COMPANY HAS NOT MONITORED USAGE SO THAT THEY CAN APPLY FOR A RATE. THEY WANT PUC TO KEEP COMPANY FROM APPLYING FOR OR RECEIVING ANY RATE HIKE UNTIL THEY COMPLY WITH REGULATION AND CHARGE END-USERS BASED ON THEIR ACTUAL USAGE RATHER THAN A FLAT QUARTERLY FEE.

DOCUMENT  
FOLDED

RJP

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE:	00/00/00	:	
2. BUREAU:	ALJ	:	
3. SECTION(S):		:	4. PUBLIC MEETING DATE:
5. APPROVED BY:		:	00/00/00
	DIRECTOR:	:	
	SUPERVISOR:	:	
6. PERSON IN CHARGE:		:	7. DATE FILED: 04/21/03
8. DOCKET NO:	C-20030137	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: GLEN AT TAMIMENT PROP OWNERS ASSOC.

RESPONDENT/APPLICANT: CONSUMERS PA WATER-SUSQ DIV

COMP/APP COUNTY: PIKE

UTILITY CCDE: 212300

ALLEGATION OR SUBJECT

COMPLAINANT STATES ALL METERS HAVE NOT BEEN INSTALLED AND COMPANY HAS NOT MONITORED USAGE SO THAT THEY CAN APPLY FOR A RATE. THEY WANT PUC TO KEEP COMPANY FROM APPLYING FOR OR RECEIVING ANY RATE HIKE UNTIL THEY COMPLY WITH REGULATION AND CHARGE END-USERS BASED ON THEIR ACTUAL USAGE RATHER THAN A FLAT QUARTERLY FEE.

DOCUMENT  
FOLDER

DOCKETED  
MAY 2 2003

ORIGINAL RECEIVED

C-2003-137  
2/2300

2003 APR 21 AM 9:42

Formal Complaint Form  
Pennsylvania Public Utility Commission

Please Print: <sup>MUC</sup> ~~SECRET~~ <sup>OFFICE BUREAU</sup> You may also type your answers directly onto the form as it appears on your screen)

1. Your name, mailing address and telephone number:

Name The Glen at TAMIMENT Property Owners Association

Street/P.O.Box 235 The Glen Apt # \_\_\_\_\_

City TAMIMENT State PA Zip 18371

County PIKE Area Code/Home Phone \_\_\_\_\_  
Area Code/Work Phone 570-588-5000

2. Name of company your complaint concerns: <sup>PA American Water</sup> ~~THE PENNSYLVANIA UTILITY COMPANY~~

3. What is your complaint? (Use additional paper if need more space).

SEE ATTACHED

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

SEE ATTACHED

5. You must sign and date your complaint below.

The information I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.

Joseph Bellantoni 4-12-03  
Signature Date  
Joseph Bellantoni, Pres. Glen at TAMIMENT POA  
Continued on next page

Alan D. Furman 4.10.2003

ALAN D. FORMAN, V.P. Glen at TAMIMENT POA

00

Re: The Pennsylvania Utility Company

Complainant: The Glen at Tamiment Property Owners Association  
235 The Glen  
Tamiment, PA 18371

Facts:

The Pennsylvania Water Company was given until April 2003 to install meters in the properties of all end users.

Once all the meters are installed, the Utility is given approximately one year to apply for water meter rates based upon usage. This has not been done.

The rate that is applied for is expected to be revenue neutral. That is, the total that the Utility Company collects will be the same as the current total that they collect in quarterly payments, however, each individual payer will pay their allocate share based on usage.

3. What is your complaint?

The company has not installed all the meters. The company has not monitored usage so that they can apply for a rate.

4 What do want the Public Utility Commission to do about your complaint?

Estop the company from applying for or receiving any rate hikes until they comply with the regulation that they install meters and apply for a rate.

Require the company to install the necessary meters, monitor their use and apply for a rate that is revenue neutral. Require that the company charge its end-users based on their actual usage rather than a flat quarterly fee.

6. If you are represented by a lawyer you must provide your lawyer's name, address and telephone number.

Lawyer's Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Area Code/Phone Number \_\_\_\_\_

Mail to:  
Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

For more information, please contact the Secretary's Bureau at 717-772-7777.

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

DATE SERVED: MAY 27, 2003

C-20030137

CONSUMERS PA WATER  
KENNETH W. REEVES  
100 SHENANGO AVENUE  
SHARON PA 16146

DOCUMENT  
ENTERED

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by THE GLEN AT TAMIMENT PROPERTY OWNERS ASSOCIATION. 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.

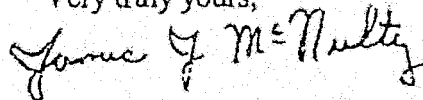
MAY 27, 2003

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".

James J. McNulty  
Secretary

KSB

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: MAY 27, 2003

THE GLEN AT TAMIMENT  
PROPERTY OWNERS ASSOCIATION  
Complainant

VS.

CONSUMERS PA WATER  
Respondent

Complaint Docket  
No: C-20030137

DOCUMENT  
MAY 23 2003

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FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

---

TO: CONSUMERS PA WATER

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).

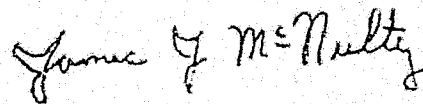
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa.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

JUN 04 2003

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

DATE RE-SERVED: JUNE 3, 2003

C-20030137

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

DOCUMENT  
FOLDER

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by THE GLEN AT TAMIMENT PROPERTY OWNERS ASSOCIATION. 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.

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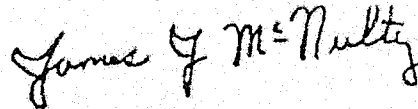
JUNE 3, 2003

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  
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P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375

Very truly yours,

A handwritten signature in cursive script that reads "James J. McNulty".

James J. McNulty  
Secretary

KSB

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE RE-SERVED: JUNE 3, 2003

THE GLEN AT TAMIMENT  
PROPERTY OWNERS ASSOCIATION

Complainant

VS.

Complaint Docket

No: C-20030137

PENNSYLVANIA AMERICAN WATER  
COMPANY

Respondent

---

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

---

TO: PENNSYLVANIA AMERICAN WATER COMPANY

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, an answer (original and three copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

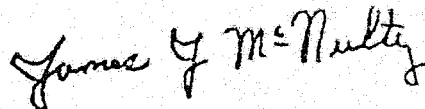
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which

prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

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James J. McNulty  
Secretary

(SEAL)

Certified Mail  
Return Receipt Requested

**COPY**

C-2003130

212300 212285

2003 APR 21 AM 9:42

**Formal Complaint Form  
Pennsylvania Public Utility Commission**

Please Print (You may also type your answers directly onto the form as it appears on your screen)

1. Your name, mailing address and telephone number:

Name The Glen at TAMIMENT Property Owners Association

Street/P.O.Box 235 The Glen Apt # \_\_\_\_\_

City TAMIMENT State PA Zip 18371

County PIKE Area Code/Home Phone \_\_\_\_\_  
Area Code/Work Phone 570-588-3000

2. Name of company your complaint concerns: PA American Water  
~~The Pennsylvania Utility Company~~

3. What is your complaint? (Use additional paper if need more space).

SEE ATTACHED

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

SEE ATTACHED

5. You must sign and date your complaint below.

The information I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.

Joseph Bellantoni 4-12-03  
Signature Date  
Joseph Bellantoni, Pres. Glen at TAMIMENT POA  
Continued on next page

Alan D. Furman 4.10.2003

ALAN D. FURMAN, V.P. Glen at TAMIMENT POA

00

6. If you are represented by a lawyer you must provide your lawyer's name, address and telephone number.

Lawyer's Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Area Code/Phone Number \_\_\_\_\_

**Mail to:**  
Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

**For more information, please contact the Secretary's Bureau at 717-772-7777.**

Re: The Pennsylvania Utility Company

Complainant: The Glen at Tamiment Property Owners Association  
235 The Glen  
Tamiment, PA 18371

Facts:

The Pennsylvania Water Company was given until April 2003 to install meters in the properties of all end users.

Once all the meters are installed, the Utility is given approximately one year to apply for water meter rates based upon usage. This has not been done.

The rate that is applied for is expected to be revenue neutral. That is, the total that the Utility Company collects will be the same as the current total that they collect in quarterly payments, however, each individual payer will pay their allocate share based on usage.

3 What is your complaint?

The company has not installed all the meters. The company has not monitored usage so that they can apply for a rate.

4. What do want the Public Utility Commission to do about your complaint?

Estop the company from applying for or receiving any rate hikes until they comply with the regulation that they install meters and apply for a rate.

Require the company to install the necessary meters, monitor their use and apply for a rate that is revenue neutral. Require that the company charge its end-users based on their actual usage rather than a flat quarterly fee.



# Pennsylvania-American Water Company

800 West Hershey Park Drive • P.O. Box 888 • Hershey, PA 17033-0888  
(717) 533-5000 • Fax: (717) 531-3314 • E-mail: [ssimms@pawc.com](mailto:ssimms@pawc.com)

Susan Simms Marsh  
Associate Corporate Counsel

BTL

June 4, 2003

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
PO Box 3265  
Harrisburg, PA 17105-3265

DOCUMENT  
FOLDER

ORIGINAL RECEIVED  
2003 JUN -6 AM 8:57  
SECRETARY'S BUREAU

Re: The Glen at Tamiment Property Owners Association v. Pennsylvania-American  
Water Company  
Docket No. C-20030137

Dear Mr. McNulty:

Pennsylvania-American Water Company is in receipt of the Formal Complaint in the above captioned matter. I have reviewed the Company's service territory and have determined that the Glen at Tamiment Property Owners Association is not within the Company's service territory and that Pennsylvania-American Water Company does not provide water service to the Complainant. Water service is provided by Pennsylvania Utility Company. Accordingly, I am returning the Formal Complaint and the Company will not be filing an answer. If you have any questions, please do not hesitate contact me.

DOCKETED

JUN 18 2003

Sincerely,

*Susan Simms Marsh*  
Susan Simms Marsh

Enclosure

cc: Joseph Bellantoni, The Glen at Tamiment  
Property Owners Association

2



Kirkpatrick & Lockhart LLP

ORIGINAL

Payne Shoemaker Building  
240 North Third Street  
Harrisburg, PA 17101-1507  
717 231 4500  
www.kl.com

July 16, 2003

James P. Melia  
717 231 5842  
Fax 717 231 4501  
jmelia@kl.com

VIA HAND DELIVERY

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building, 2<sup>nd</sup> Floor  
400 North Street  
Harrisburg, PA 17120

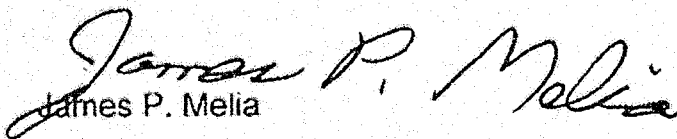
Re: The Glen at Tamiment Property Owners Association v. Pennsylvania Utility  
Company, Docket No. C-20030137

Dear Secretary McNulty,

Enclosed for filing please find an original and three copies of the Answer of  
Pennsylvania Utility Company to the Complaint of The Glen at Tamiment Property  
Owners Association in the above captioned matter.

Copies of this Answer have been served on the parties to this matter as indicated on the  
enclosed Certificate of Service.

Very truly yours,

  
James P. Melia

JPM/cem  
Enclosure

cc: Service List (w/Enclosures)

DOCUMENT  
FOLDER

SECRETARY'S BUREAU  
03 JUL 16 PM 3:17

121

HA-134958 v1 0605250-0801

ORIGINAL

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

The Glen at Tamiment Property  
Owners Association

v.

Pennsylvania Utility Company

Docket No. C-20030137

CERTIFICATE OF SERVICE

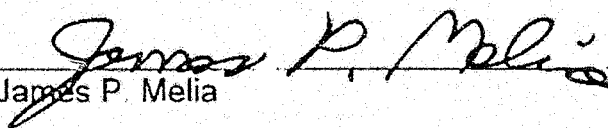
I hereby certify that I have this day served true and correct copies of the foregoing Answer upon the individuals listed, in accordance with the requirements of Section 154 (relating to service by a participant).

Via First Class Mail

Kenneth Zielonis, Esquire  
Stevens & Lee, P.C.  
4750 Lindle Road  
P.O. Box 11670  
Harrisburg, PA 17108-1670

SECRETARY'S BUREAU  
03 JUL 16 PM 3:17

Kirkpatrick & Lockhart LLP  
240 North Third Street  
Harrisburg, PA 17101-1507  
(717) 231-4500  
(717) 231-4501 (Fax)  
jmelia@kl.com

  
James P. Melia

Counsel for Pennsylvania Utility Company

Dated: July 16, 2003

# ORIGINAL

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

The Glen at Tamiment Property  
Owners Association

v.

Pennsylvania Utility Company

Docket No. C-20030137

---

ANSWER

---

SECRETARY'S BUREAU

03 JUL 15 PM 3:17

AND NOW COMES, Pennsylvania Utility Company ("Company") by its counsel Kirkpatrick & Lockhart LLP, and herein files an Answer to the Complaint of The Glen at Tamiment Property Owners Association ("Association"). In further response, the Company states as follows:

1. Admitted.
2. Admitted.
3. Admitted in part and denied in part. It is admitted that the Company was given until April 2003 to install meters at the properties of all end users. It is further admitted that the Company was required to record approximately one year's worth of metered data prior to conversion to metered rates. At that point, a rate filing will be made by the Company which will convert from flat rates to metered rates on a revenue neutral basis. It is denied that the Company is in violation of said order given that it has apprised the Commission Staff of the status of its metering activities. Further, it is

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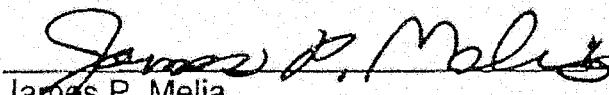
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denied that the Company is not monitoring usage. Since January 2003, the Company has monitored usage of all residential meters.

4. Denied. It is denied that the Company is operating in violation of any Commission rules and regulations. Further answering, the Company will not be applying for any rate increases until all meters have been installed and adequate data has been recorded which will allow the calculation of an accurate metered rate. Further answering, the Company is continuing to bill customers on a flat quarterly rate and will convert to a metered rate after the appropriate rate application has been made and approved by the Commission.

WHEREFORE, for all of the foregoing reasons, Pennsylvania Utility Company respectfully requests that the Complaint of The Glen at Tamiment Property Owners Association be dismissed.

Respectfully submitted,

  
James P. Melia

Kirkpatrick & Lockhart LLP  
240 North Third Street  
Harrisburg, PA 17101-1507  
(717) 231-4500  
(717) 231-4501 (Fax)  
jmelia@kl.com

Counsel for Pennsylvania Utility Company

Dated: July 16, 2003

03 JUL 16 2003 3:17  
SECRETARY'S BUREAU

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

The Glen at Tamiment Property  
Owners Association

v.

Pennsylvania Utility Company

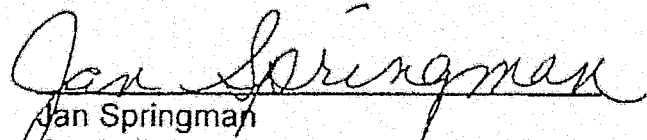
Docket No. C-20030137

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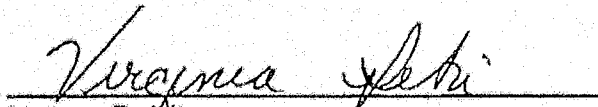
AFFIDAVIT

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I, Jan Springman, being duly sworn according to law, depose and say that I am Controller of Tamiment Resort & Conference Center and Pennsylvania Utility Company; that I am authorized to and do make this affidavit for it, and that the facts set forth in the foregoing Answer are true and correct to the best of my knowledge, information, and belief, and I expect the said Tamiment Resort & Conference Center to be able to prove the same at any hearing hereof.

  
Jan Springman  
Controller  
Tamiment Resort & Conference Center  
and Pennsylvania Utility Company

Sworn and subscribed before me  
this 30 day of June, 2003.

  
Notary Public

SECRETARY'S BUREAU

03 JUL 16 PM 3:18

RECORDED

Notarial Seal  
Virginia Petri, Notary Public  
Lohman Twp., Pike County  
My Commission Expires June 21, 2004

Member, Pennsylvania Association of Notaries