

REPORT DATE: 00/00/00
BUREAU: ALJ
SECTION(S):
APPROVED BY:
DIRECTOR:
SUPERVISOR:
PERSON IN CHARGE:
DOCKET NO: C-20077842

:
:
: 4. PUBLIC MEETING DATE:
: 00/00/00
:
:
: 7. DATE FILED: 06/05/07
: 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: KILYK, NICHOLAS G.

RESPONDENT/APPLICANT: PA-AMERICAN WATER CO

COMP/APP COJNTY: BERKS

UTILITY CODE: 212285

ALLEGATION OR SUBJECT

COMPLAINANT STATES THERE ARE INCORRECT CHARGES ON HIS BILL.

DOCKETED
JUN 06 2007

DOCUMENT
FOLDER

Formal Complaint Form

C-20077842

Please print or type.

RECEIVED
2007 JUN -5 AM 8:49
SPECIAL INVESTIGATIVE BUREAU

1. CUSTOMER NAME (COMPLAINANT)

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

Name NICHOLAS G. KILYK

Street/P.O. Box 6101 PERKIOMEN AVE. Apt # _____

City READING State P.A. Zip 19606

County BERKS.

Area Code/HOME Phone 610-582-7484

Area Code/WORK Phone SAME.

Utility Account Number 24-1367526-1
(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)

Name of utility company your complaint concerns: PENNSYLVANIAN AMERICAN WATER

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER
(taxi, moving company, limousine)

TELEPHONE
(local, long distance)

RECEIVED
2007 JUN -5 AM 8:49
SPECIAL INVESTIGATIVE BUREAU

10

4. COMPLAINT (check one)

A. In general, what is your complaint?

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.
- Other.
(explain)

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

On 6-1-07 approx 4:30 PM I called Pennsylvania Water Co 24 hr Phone No 1-800-565-7292 and I got (Marian) first name only I asked her how my bills are on even zeros the last three and I read on the meter 5 numbers not just the first two and the rest are zeros, the only thing she told me was they round off the number, I asked if she has a form for rounding off numbers, she said no then she put me on hold. then disconnected line.

5. RELIEF

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

Why can they not read the full number, as this is what I pay for as they charge service more than water. this is wrong. then they say (save water)! look at Enclosed bill.

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:

I Nicholas G. Kilyk, 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).

Nicholas G. Kilyk
(Signature)

6-5-2007
(Date)

Copy - NK



Pennsylvania
American Water

PO BOX 578
ALTON, IL 62002-0578

For Service To: 6101 Perkiomen Ave

C26863 1AV0 312 1863 25863 001863 095 1 PCC2EB

NICHOLAS G KILYK
6101 PERKIOMEN AVE
READING PA 19606-3637

meter to phone
Marian 6-21-07 4:30
she put me on hold for 30 min and never got back to me so I hung up she did want to give me answer.

| | |
|----------------|----------------------------------|
| ACCOUNT NUMBER | 24-1367526-1 |
| AMOUNT DUE | \$15.84 |
| DUE DATE | Jun 07, 2007 |
| AMOUNT PAID | ELECTRONIC PAYMENT DO NOT PAY |

Please return this portion with check
▼ Payable to the address below ▼

Pennsylvania American Water
PO Box 371412
Pittsburgh, Pa. 15250-7412

Please check here to add H2O Help to Others contribution to your monthly bill or to change your address or telephone number, and print information on reverse side

Customer Account Information

For Service To: NICHOLAS G KILYK
6101 Perkiomen Ave
Account Number: 24-1367526-1
Premise Number: 24-0649608

Billing Summary

-----Prior Balance-----
Balance from last bill
Payments prior to May 18, 2007. Thanks!
Total prior balance, May 18, 2007
-----Current Water Charges-----
Service Charge
Water Volume (\$ 005066 x 1,000)
STAS PAWC Water -0.44%
DSI - PAWC Charge 5.00%
Total water charges, May 18, 2007

| |
|----------------|
| \$21.13 |
| -21.13 |
| .00 |
| 10.08 |
| 5.07 |
| -.07 |
| .76 |
| 15.84 |
| \$15.84 |

Billing Period & Meter Information

Billing Date: May 18, 2007
Billing Period: Apr 16 to May 14 (28 days)
Next reading on/about: Jun 15, 2007
Rate Type: Residential

Meter readings in current billing period:

Meter Number N078555135 is a 5/8-inch meter.
Present-actual 68000
Last-estimate 67000
Gallons used 1000

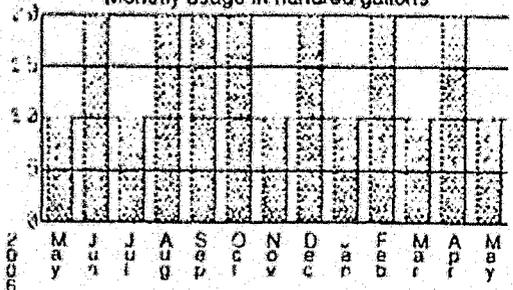
-----AMOUNT DUE -----

Do not send payment. Total Amount Due will be deducted from your bank account on Jun 07, 2007

*5-22-07 - 69150 }
4-21-07 - 67560 } = 1590 GALL.
6-1-07 69810 =
12-30-06 62050*

Water Usage Comparison

Monthly usage in hundred gallons





Pennsylvania
American Water

PO BOX 578
ALTON, IL 62002-0578

For Service To: 6101 Perkiomen Ave

1 32577 1 AV0203 (577) 32577-000577 127 1 PCBLCS

NICHOLAS G KILYK
6101 PERKIOMEN AVE
READING PA 19606-3637

| | |
|----------------|--------------------|
| ACCOUNT NUMBER | 24-1367526-1 |
| AMOUNT DUE | \$15.84 |
| DUE DATE | Apr 09, 2007 |
| AMOUNT PAID | ELECTRONIC PAYMENT |

Please return this portion with check
▼ Payable to the address below ▼

Pennsylvania American Water
PO Box 371412
Pittsburgh, Pa. 15250-7412

Please check here to add H2O Help to Others contribution to your monthly bill or to change your address or telephone number and print information on reverse side.

Customer Account Information

For Service To: NICHOLAS G KILYK
6101 Perkiomen Ave
Account Number: 24-1367526-1
Premise Number: 24-0649608

Billing Period & Meter Information

Billing Date: Mar 20, 2007
Billing Period: Feb 14 to Mar 14 (28 days)
Next reading on/about: Apr 16, 2007
Rate Type: Residential

Meter readings in current billing period:

Meter Number N078555135 is a 5/8-inch meter.
Present-actual 65000
Last-estimate 64000
Gallons used 1000

Billing Summary

-----Prior Balance-----
Balance from last bill \$21.13
Payments prior to Mar 20, 2007 Thanks! -21.13
Total prior balance, Mar 20, 2007 .00
-----Current Water Charges-----
Service Charge 10.08
Water Volume (\$.005066 x 1,000) 5.07
STAS PAWC Water -0.44% -.07
DSI - PAWC Charge 5.00% .76
Total water charges, Mar 20, 2007 15.84

-----AMOUNT DUE-----

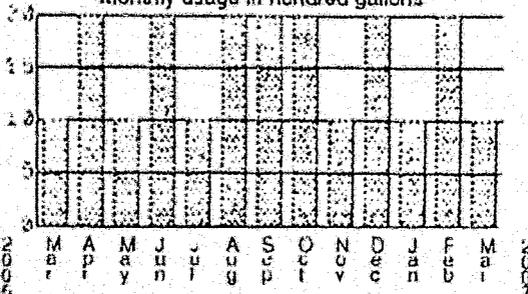
| |
|----------------|
| \$21.13 |
| -21.13 |
| .00 |
| 10.08 |
| 5.07 |
| -.07 |
| .76 |
| 15.84 |
| \$15.84 |

Do not send payment. Total Amount Due will be deducted from your bank account on Apr 09, 2007

3-10-Pa
3-15-07 5 call of complaint
Letter to Tuscarora A Contract NO 0537344
Tuscarora (see call) 3546

Water Usage Comparison

Monthly usage in hundred gallons





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

IN REPLY PLEASE
REFER TO OUR FILE

DATE SERVED: JUNE 7, 2007

C-20077842

PENNSYLVANIA AMERICAN
WATER COMPANY
DANIEL WARNOCK
800 W HERSHEY PARK DR
HERSHEY PA 17033

DOCUMENT
FOLDER

Dear Mr. Warnock:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by NICHOLAS G. KILYK. 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.

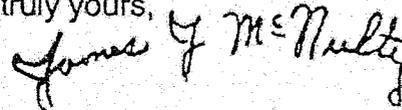
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

JUNE 7, 2007

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

jih

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: JUNE 7, 2007

NICHOLAS G. KILYK
Complainant

v.

PENNSYLVANIA AMERICAN WATER COMPANY
Respondent

Complaint Docket
No: C-20077842

DOCUMENT
FOLDER

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PENNSYLVANIA AMERICAN WATER COMPANY

DOCKETED
JUN 06 2007

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).

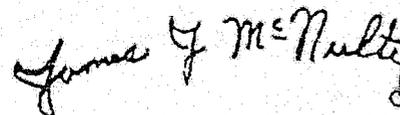
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa.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

June 26, 2007

RECEIVED

JUN 26 2007

VIA OVERNIGHT MAIL

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

DOCUMENT
FOLDER

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Re. Nicholas G. Kilyk v. Pennsylvania-American Water Company
Docket No. C-20077842

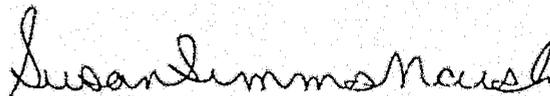
ORIGINAL

Dear Secretary McNulty:

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

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

Respectfully submitted,



Susan Simms Marsh

Enclosures

c: Nicholas Kilyk
Judy Jordan

Pennsylvania American Water

Susan Simms Marsh
Corporate Counsel

800 West Hersheypark Drive
Hershey, PA 17033 USA

T 717-533-5000
F 717-531-3252
E smarsh@pawc.com
I www.pawc.com

35

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In the matter of:

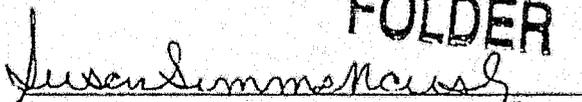
Re: Nicholas G. Kilyk v. Pennsylvania-American Water Company
Docket No. C-20077842

ORIGINAL

NOTICE OF APPEARANCE

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

DOCUMENT
FOLDER



Susan Simms Marsh
800 West Hershey Park Drive
Hershey, Pennsylvania 17033
(717) 533-5000

Dated: June 26, 2007

DOCKETED
JUN 29 2007

RECEIVED

JUN 26 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

JUN 20 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

NICHOLAS G. KILYK,
Complainant

v.

DOCKET NO. C-20077842

PENNSYLVANIA-AMERICAN WATER
COMPANY,
Respondent

ORIGINAL

ANSWER TO FORMAL COMPLAINT OF NICHOLAS G. KILYK

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

1. Admitted.
2. Admitted.
3. Admitted.

DOCUMENT
FOLDER

DOCKETED
JUN 29 2007

4. A. This is a statement to which no response is required. To the extent that a response is required, the Company denies any and all such allegations.

4. B. Admitted with clarification. The meter located at the Complainant's resident along with the electronic device reads in 1,000 gallons indicating that the first 4 dials are read from left to right thereby indicating that the meter is read in 1,000 gallons. The Company is willing to investigate the feasibility of accommodating the Complainant's request. The remaining averments are denied.

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

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

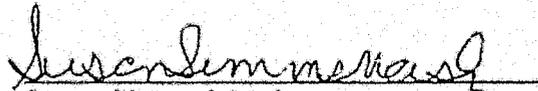
7. Admitted.
8. This is a statement to which no response is required.

NEW MATTER

9. The averments contained in Paragraphs 1 through 8 are hereby incorporated by reference.
10. The Company requests that this matter be referred to the Mediation Unit.

WHEREFORE, Pennsylvania American Water requests your Honorable Commission to dismiss, without hearing, the Formal Complaint of Nicholas G. Kilyk at Docket No. C-20077842.

Respectfully submitted,



Susan Simms Marsh
Corporate Counsel
Pa. Attorney I. D. 44689
Pennsylvania-American Water Company
800 West Hershey Park Drive
Hershey, Pennsylvania 17033

Dated: June 26, 2007

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

NICHOLAS G. KILYK,
Complainant

v.

PENNSYLVANIA-AMERICAN WATER
COMPANY,
Respondent

DOCKET NO. C-20077842

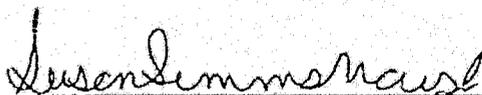
CERTIFICATE OF SERVICE

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

VIA OVERNIGHT MAIL

Nicholas G. Kilyk
6101 Perkiomen Ave.
Reading, PA 19606

Dated this 26th day of June, 2007.



Susan Simms Marsh
Pennsylvania-American Water Company
800 West Hershey Park Drive
Hershey, Pennsylvania 17033
(717) 533-5000

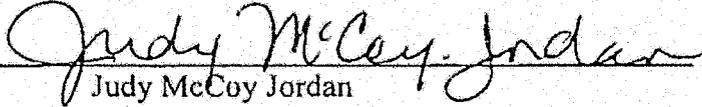
RECEIVED

JUN 26 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

VERIFICATION

I, JUDY MCCOY JORDAN, 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).



Judy McCoy Jordan
Collection and Compliance Supervisor
Pennsylvania-American Water Company

RECEIVED

JUN 26 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU