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1041 PRESTON RD.  
LANCASTER, PA 17601  
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MARCH 15, 2018

ROSEMARY CHIAVETTA, SECRETARY  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH KEYSTONE BUILDING – 2<sup>ND</sup> FLOOR  
400 NORTH STREET  
HARRISBURG, PA 17120

RE: FRANK D. KITZMILLER v. CITY OF LANCASTER WATER DEPARTMENT  
DOCKET NO. C-2014-2435567;                      FILING OF BRIEF

DEAR SECRETARY CHIAVETTA:

ENCLOSED FOR FILING WITH THE COMMISSION, ON BEHALF OF COMPLAINANT, FRANK D. KITZMILLER, IS AN ORIGINAL COPY OF A FILING OF BRIEF IN THE ABOVE REFERENCED MATTER.

IF YOU HAVE ANY QUESTIONS PLEASE CONTACT ME AT MY ABOVE ADDRESS INFORMATION. COPIES OF THIS CORRESPONDENCE AND THE FRANK D. KITZMILLER FILING OF BRIEF HAVE BEEN SERVED ON THE PARTIES LISTED IN THE ATTACHED CERTIFICATE OF SERVICE.

VERY TRULY YOURS,

*Frank D. Kitzmiller*

FRANK D. KITZMILLER, COMPLAINANT

C: As per certificate of Service

**RECEIVED**  
MAR 15 2018  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU



This Certificate of Satisfaction is located in the Public Documents section of the PUC Case Summary for Docket No. C-2014-2435567. (EXH FDK 8)

Complainant seeks to recover, by refund, the amount of the overbillings paid to Respondent together with interest at the legal rate and requests Judicial Extension of time to be granted to Complainant and requests that all future billings of Customer Charges be made at the rate applicable to a customer using a ¾" water meter. See EXH FDK 2 for an estimate of the overbillings plus interest.

#### SUMMARY OF ARGUMENT

Respondent appears to have made a deliberate decision to overbill the Customer Charge portion of the bill for water services by billing the Tariff No. 6 rate for a 1" size water meter instead of the ¾" size supplied by the Respondent which was required to be used to provide adequate service by the Complainant.

Respondent's actions were not in compliance with the provisions of Title 66, Part 1, Chapter 13, Subchapter A, Section 1303, Adherence to Tariffs, Section 1304, Discrimination in Rates and Section 1308 (a), Voluntary Changes in Rates.

Complainant also requests that the Pennsylvania Public Utility Commission (PUC) make an order requiring Respondent to refund the amount of overbilling, together with interest at the legal rate, to Complainant pursuant to the provisions of Section 1312 (a) of the abovementioned Chapter 13.

In addition, Complainant requests Judicial Extension of Time pursuant to the provisions of 42 Pa. CS Chapter 55, Subchapter A, Section 5504 (b).

In addition, Complainant requests that all future billings of Customer Charges be made at the rate applicable to a customer using a ¾" size wafer meter.

#### ARGUMENT

It appears that respondent made a deliberate decision to retain the same rate design for the new Manheim Township customer hookups after 9/30/85 but bill the Customer Charge at the 1" size water meter rate for the use of the ¾" size water meter that they used. In a "Petition of Satisfaction" filed on 8/11/17 relating to the overbilling Formal Complaint Notice related to Docket No. C-2014-2435567, it was stated that the Respondent had NO actual 1" size residential water meters.

The decision was in direct conflict with the provisions of the Municipal Connector's Agreement dated 9/30/85 between Respondent and Manheim Township, provided in response to Set 1, Item 16 written interrogatories request, which on page 2, paragraph 6 indicated that respondent was to charge Manheim Township customers connected to the City water supply system at the rates in effect from time to time in such area. (EXH FDK 3)

At that time, any minimum Customer Charges being in excess of the present tariff rates, especially those at 265% more, would have discouraged the affected Manheim Township residents with satisfactory working water wells as their source of water from hooking up to Respondent's water system.

Also, it would appear that Respondent's breach of the terms of the Municipal Connector's agreement could have resulted in incurring a liability for sanctions against Respondent.

No attempt was made by Respondent to comply with the provisions of 66 Pa. C.S. Sections 1303, 1304, 1308 (a) and 1308 (b) which, if complied with, would have postponed the implementation of any allowed rate increase and Section 1308 (c) which would have allowed the PUC to determine a just and reasonable new rate.

This deliberate decision resulted in significant benefits for Respondent such as substantially higher billing amounts, immediate receipt of the higher billings, obtaining 100% of the rate increase, eliminating the large costs normally incurred in a rate case request, increasing the funds available to transfer from the Water Department operations to Lancaster City General Fund to \$4,000,000 annually budgeted for the year 2018, increasing the value of the Water Department for a possible future sale and increasing the non-electoral debt borrowing base by 250% of the annual amount of overbillings.

Complainant also requests that the PUC make an order requiring Respondent to refund the amount of overbilling, together with interest at the legal rate, to Complainant pursuant to the provisions of Section 1312(a) of the above-mentioned Chapter 13.

In addition, Complainant requests Judicial Extension of Time pursuant to the provisions of 42 Pa CS Chapter 55, subchapter A, Section 5504 (b).

In addition, Complainant requests that all future billings of Customer Service Charges be made at the rate applicable to a customer using a ¾" size water meter.

It appears that Respondent took actions to limit the exposure of publicity to its overbillings.

Such actions began with Respondent's violations of the provisions of 66 Pa. C.S. Section 1303, 1304 and 1308(a) by not disclosing the rate increase to either the PUC or to the water service customers who were affected by the rate increase.

These water service customers were probably new customers who probably had no prior experience with the billing for water service provided by Respondent and were not aware of how their water bill was determined based upon a fixed rate Customer Charge and a variable consumption charge.

These new customers were provided by Manheim Township with a Water Connection Notice and Payment Schedule requiring a payment of \$2,000.00 (which was a significant amount at the time) Connection Fee and mentioning that a property lien will be filed against the property if the payment is not made by the due date, it is not known if the new customer was provided with any information about the present water rates at this time and whether the current rates being billed by Respondent to

existing customers would be billed to the new customers after they had the water meters installed following the connection to the property's water system.

To avoid confusing the water customers if there was ever an inquiry as to what the composition of the current rates were, respondent should have added a new class of service on its Tariff Water Pa. No. 6 for " ¾" Size of Water Meter for Certain Manheim Township Customers" with the Customer Charge rate being equal to the 1" size of water meter (which is 265% higher than the normal ¾" size water meter rate). This revised schedule of meter rates should have been provided to the water service customer with the initial billing for water service, and, although not required by PUC regulations, annually or when a new rate has been granted by the PUC. Respondent should also have instructed the customer to verify the actual size of their water meter when trying to determine the amount of their bill for water service.

During the period in which a rate increase is requested by Respondent, there is enormous amounts of information generated as the Respondent and the parties opposed to the rate increase present their sides on this matter. However not much of this information is readily available to the water service customers and the information which is provided to the customers is confusing and misleading, such as requesting a "modest" overall increase of 88.7% in 2010 and a "modest" increase 42.1% in 2014.

The water customer receives a 2 page letter (single sheet with 2 printed sides) about the proposed increase approximately 2 months prior to the proposed effective date on the date that the Respondent files its request with the PUC. One page of the letter (addressed to "Dear Water Service Customer") provides the reasons why such increase has been requested and compares the water consumption rate per 1,000 gallons after the proposed increase to what water costs if purchasing it in the form of bottled water in a 16 ounce bottle. The other page is a PUC required "Customer Notice" addressed "To Our Customers" which provides a comparison of the total quarterly water bill before and after the proposed rate increase for a residential customer with a 5/8 " water meter using 12,000 (or 13,000 in 2014) gallons per quarter and calculates the percentage increase.

There is no mention in these 2 pages of information that the billing to the customer is based on the sum of 2 separate charges: (Which are shown only on a schedule similar to EXH FDK 1)

1. A "customer charge" which is a fixed charge to recover the costs of the water meter (which is owned by Respondent), the quarterly reading of the water meter and the quarterly billing of the customer. Also included by the Respondent is a charge for "service" and public fire protection. The customer charge varies based upon the required size of the water meter needed to render adequate service with 5/8 " and ¾" meters being charged the lowest amount and substantial increases for the larger size water meters of 1 " (265% of the 5/8" and ¾" rate) or above. The requested increases in Customer Charges for 2010 and 2014 were 174% and 100%, respectively. The use of the term "modest" to describe the requested rate is not appropriate and actually appears to be intentionally misleading.
2. A "consumption charge" based upon the amount of water consumed in the quarter in thousand (1,000) gallon increments. This rate for 1,000 gallons decreases for higher levels of consumption.

The requested increase in the consumption charges for 2010 and 2014 were 76% and 30%, respectively.

Whether intentional or unintentional, the lack of mention of the Customer Charge in Respondent's "Dear Water Company Customer" page and the use of the term "modest" to describe the proposed rate increase, the amount of which is not disclosed, is not appropriate. (EXH FDK 4)

Because of Respondent's concealing of the fixed Customer Charge and only mentioning the proposed water Consumption Charge, the customer is likely to think that the water bill is based solely on the Consumption Charge and will think that reduced water usage will significantly reduce the effect of the rate increase. The customer probably will not call the Respondent or search the rate case legal documents to obtain additional information on the proposed rate increase and thus will not reach the final stage of the review which would be an attempt to calculate the exact effect of the proposed increase on the customer's bill. It is only at this point when all of the information is available that the customer, if among the 5,000+ customers in Manheim Township who have a  $\frac{3}{4}$ " water meter being billed as having a 1" water meter (EXH FDK 7) will realize that they have been significantly overbilled. The recent trend since 2006 of substantially increasing the Customer Charge (up 379% based on the proposed rate increase) while limiting the increase in the Consumption Charge (up only 98% based on proposed rate increase) results in the present overbilling to be significantly higher.

The "Customer Notice" does provide a paragraph relating where additional information can be obtained and the location of documents that can be examined. In order to locate any information related to the Customer Charge portion of the water bill, the Customer's Notice indicates that the customer will have to examine the voluminous filings with the PUC which are kept at the Lancaster City Clerk's office.

The "Customer Notice" does provide information on the ability to file a Formal Complaint or make other input into the rate request process. (EXH FDK 5)

The quarterly billings through 2/21/17 have a statement within the small print section which states "Please visit us at [www.cityoflanasterpa.com](http://www.cityoflanasterpa.com) procurement & collection/treasury office page for more water and sewer information." I could not find any water meter rate information at these sites or any links to get to water meter rate information (EXH FDK 6)

The new revised quarterly bills effective after 2/21/17 just have a note on the back which states "meter and consumption rate schedules are available for inspection at the City Treasury Office-Customer Service". There is no address provided for the location of this office. There is no reference to meter rate information being available at the Customer Service Office at 39 W. Chestnut St. or on the City of Lancaster Water department website.

The new revised bill does not indicate the actual meter size used by the water service customer which on the prior bill format indicated that Complainant used a "1 X  $\frac{3}{4}$ " meter and just provides a rate code of "1" ROQ " with no explanation of "ROQ". It is unclear if this reduced amount of water rate information

is in compliance with PUC regulations, but it is not that helpful to the water customer in trying to determine if the quarterly bill is accurate.

As noted above, the customer's quarterly bill information is not sufficient to prevent an overbilling from occurring and being concealed. (EXH FDK 6)

It appears that the overbilling was never noticed by the professional consultants hired by the OCA, SBA and Respondent's staff and by the highly skilled employees of the PUC investigating the various rate increase requests made by Respondent from 1985 to the present date. These professionals performed intense adversarial detailed investigations of all of the activities of Respondent including billing analysis, fixed asset and depreciation reviews and determination of Cost of Services based on the size of the water meters. It is not known if the ¾" size water meters were recorded in fixed assets as 1" size water meters and if such classification had an effect on rate base calculations.

In Complainant's review of the 2014 rate case and all prior rate cases reported in the Public Documents in the PUC Case Summaries for Respondent, I saw no inquiry being made about the actual size of a ¾" water meter being billed out as a 1" water meter with a billing rate that was 265% of the ¾" water meter rate.

The independent public accountants auditing the financial statements of Respondent apparently did not notice this overbilling in their annual audits. Perhaps the annual amount of overbilling of \$109.80 for each of the 5,122 (\$562,395 annual overbilling) water customers was not material enough to arouse suspicion.

It would appear that the 5,000+ group of Manheim Township water customers who were overbilled would have been the ones to have discovered the overbilling. Just by comparing water bills with neighbors in their own neighborhood or with friends in the other parts in Manheim Township which obtained water service before 1985, they may have noticed differences that would arouse curiosity enough to try to calculate how their water bill was determined. But it appears that it was not worth their efforts due to the relatively low amount of the bill and the knowledge that the PUC has thoroughly examined any rate increase request and allowed only the rates that are considered to be just and reasonable.

Complainant has never seen any reporting of this overbilling in the local newspaper.

In Discovery, Complainant, on 1/23/18, requested in Set 2 interrogatories, item 5, requested information as to whether there were any complaints made by Formal Complaints, Informal Complaints or other means related to the Respondent's billing of a Customer Charge at the 1" water meter rate rather than the ¾" water meter rate for the actual ¾" water meter size used by the customer. On 3/6/18, Respondent denied this Set 2 interrogatory on the grounds that as a party of the prior RATE case proceeding at Docket No. R-2014-2418872, Complainant failed to present any discovery in the form presented in this Set 2 interrogatory the current OVERBILLING case proceedings. Respondent is not recognizing the fact that the RATE case is a separate case and not part of the OVERBILLING case. As a

result, Respondent concluded that Complainant was estopped from compelling responses to discovery that Complainant had every opportunity to present during the prior rate case proceeding at Docket No. R-2014-2418872. Accordingly, unless Judge Cheskis objects to Respondent's denial of discovery, Complainant will never be able to determine whether water service customers similar to Complainant have made a similar complaint.

The denial by Respondent, if not objected to by Judge Cheskis, would appear to apply to all pending and future discovery requests made by Complainant to Respondent. There are also 2 other Motions made by Respondent, based upon the same illogic position, which are awaiting action by Judge Cheskin.

#### CONCLUSION

For the reasons outlined in this BRIEF, Frank D. Kitzmiller (Complainant) respectfully requests that Administrative Law Judge Joel Cheskis recommend, and the Commission affirm, the relief requested which consists of:

1. The refund of the overbillings paid to City of Lancaster Water Department during the period 3/15/88 to the present date.
2. Allow for interest compounded at the legal rate on the overbillings during the period 3/15/88 to the present date.
3. Requiring the City of Lancaster Water Department to make future billings for its water service to Frank D. Kitzmiller to be made at the rate applicable to a customer having a  $\frac{3}{4}$ " size water meter.

Respectfully submitted,

Frank D. Kitzmiller

March 15, 2018

Frank D. Kitzmiller, Complainant, Pro Se

1041 Preston Rd.

Lancaster, PA 17601

717-569-0132

dkitz@comcast.net



APPENDIX TO BRIEF

EXHIBITS

- EXH FDK 1 Supplement No. 45 to Tariff Water No. 6 25<sup>th</sup> Revised Page No. 4
- EXH FDK 2 Summary of Overbill and Statutory Interest to 3/15/88
- EXH FDK 3 Municipal Connector's Agreement dated 9/30/85, pages 1 and 2
- EXH FDK 4 Dear Water Service Customer letter dated 8/27/10
- EXH FDK 5 Notice of Proposed Rate Changes To Our Customers
- EXH FDK 6 Example of City of Lancaster Water Department quarterly water bills
- EXH FDK 7 Residential quarterly billing information indicating that 5,122 Outside the City customers  
were billed for a 1" size water meter for the year ended 12/31/13
- EXH FDK 8 Certificate of Satisfaction, filed 8/11/17

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**CITY OF LANCASTER**  
Lancaster, Pennsylvania

**Supplement No. 45 to Tariff**  
**Water-Pa. P.U.C. No. 6**  
**25<sup>th</sup> Revised Page No. 4**  
**Cancelling 24<sup>th</sup> and 23<sup>rd</sup> Revised Page No. 4**

Schedule of Rates

(I)

Meter Rate - General Service

Application

This Schedule applies to all service other than (1) emergency sales for resale and (2) fire protection.

(See Section 3).

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Customer Charges

(I)

PA PUBLIC UTILITY COMMISSION  
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All metered customers shall be subject to a monthly or quarterly customer charge, based on the (C) required size of meter to render adequate service.

<u>Size of Meter</u>	<u>Customer Charge</u>			<u>Size of Meter</u>	<u>Customer Charge</u>		
	<u>Per Month</u>	<u>Per Qtr</u>			<u>Per Month</u>	<u>Per Qtr</u>	
5/8" or 3/4"	\$5.55	\$16.65	(I)	3"	\$71.50	\$214.50	(I)
1"	\$14.70	\$44.10	(I)	4"	\$111.60	\$334.80	(I)
1-1/4"	\$18.75	\$56.85	(I)	6"	\$222.00	\$666.00	(I)
1-1/2"	\$23.20	\$69.60	(I)	8"	\$351.60	\$1,054.80	(I)
2"	\$36.20	\$108.60	(I)	10"	\$465.10	\$1,395.30	(I)
				12"	\$701.50	\$2,104.50	(I)

Consumption Charges – Residential, Commercial and Industrial

(C)

		<u>Rate Per 1,000 Gallons</u>	
For the first 25,000 gallons/month or 75,000 gallons/quarter		\$4.489	(I)
For the next 575,000 gallons/month or 1,725,000 gallons/quarter	(C)	\$3.824	(I)
For all over 600,000 gallons/month or 1,800,000 gallons/quarter	(C)	\$3.247	(I)
Consumption Charge – Large Industrial for all consumption		\$3.202	(C)

The minimum charge shall be the customer charge.

When more than one meter is installed on the premises for the convenience of the customer, the above consumption and customer charges will be assessed against the individual meters.

(I) Indicates Increase

(C) Indicates Change

ISSUED: March 4, 2015

EFFECTIVE: March 5, 2015

## SUMMARY OF OVERBILL AND STATUTORY INTEREST TO 3/15/2018

	PERIODS IN YEARS		ANNUAL			COMPOUNDED INTEREST		
	OVERBILL	INTEREST	OVERBILL	INTEREST	TOTAL	OVERBILL	INTEREST	TOTAL
PERIOD 3/15/88 TO 10/28/98	11	30	665.72	2362.80	3028.52	665.72	2528.80	3194.52
PERIOD 9/29/99 TO 6/9/06	7	18	181.16	279.20	460.36	181.16	298.09	479.25
PERIOD 6/9/06 TO 3/1/12	6	11	175.68	123.94	299.62	175.68	133.71	309.39
PERIOD 3/1/12 TO 3/5/15	3	6	208.80	63.71	272.51	208.80	92.40	301.20
PERIOD 3/5/15 TO PRESENT	3	3	329.40	41.13	370.53	329.40	50.06	379.46
	<u>30</u>		<u>1560.76</u>	<u>2870.78</u>	<u>4431.54</u>	<u>1560.76</u>	<u>3103.06</u>	<u>4663.82</u>

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SECRETARY'S BUREAU

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MAR 15 2018

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

MUNICIPAL CONNECTOR'S AGREEMENT

This Agreement, made September 30, 1985, by and between the CITY OF LANCASTER, a third class city of the Commonwealth of Pennsylvania, ("City") and the GENERAL MUNICIPAL AUTHORITY OF THE TOWNSHIP OF MANHEIM, a municipal authority organized and existing under the Municipalities Authorities Act of 1945, Act of May 2, 1945, ("Connector"), witnesseth:

Background: Connector desires to have a public water supply system available to certain lands and it is willing to construct and pay for the distribution system and the City is willing to supply and sell the water after the lines are hooked up. Article 957 of the ~~Certified~~ Ordinances of the City of Lancaster provide for the extension of the city water mains.

The parties, intending to be legally bound, are agreed as follow;

1. Connector will lay water mains being more fully described in "Exhibit A" attached to and made a part hereof and located as shown on the plot plan attached to and made a part hereof as "Exhibit B."

now attached

2. Connector will lay said water lines in accordance with the plans and the specifications of the City. Connector will pay all costs and expenses incurred in the construction of said water mains.

3. City will permit the Connector to connect said water mains to the existing City water mains as described in "Exhibit A" and located as shown on "Exhibit B."

wcm/1/850905/8007-a-b

4. Upon completion of each of said water lines and final testing and sterilization thereof, Connector will submit to City an application for acceptance in such form as City may from time to time prescribe. The City will accept each of said lines, if laid in accordance with its specifications and all orders of the City with respect thereto have been carried out. The total cost thereof, including engineering, legal and financing charges shall be reported to the City at the time of acceptance. Upon acceptance of each of said water lines by the City, the Connector will thereupon lease that water line to the City on the terms and conditions hereinafter set forth.

LEASE

5. The parties hereto will certify the date when each of the aforesaid water lines have been accepted and put into service by the City and the Connector hereby leases each such line to the City for a period of (25) years from such date or dates on the terms and conditions herein set forth.

6. The City will operate said water line as a part of its water supply system and serve water to all consumers connected thereto at the rates for water use established by the City in effect from time to time in such area. The City will pay all costs of maintaining, repairing, and replacing said line during the term of the lease.

7. During the term of the lease, the City will not permit any person, other than the Connector, to connect to said water

August 27, 2010



**NOTICE OF PROPOSED RATE CHANGES**

**RECEIVED**

TO OUR CUSTOMERS:

MAR 15 2018

The City of Lancaster is filing a request with the Pennsylvania Public Utility Commission (PUC) to increase your water rates as of October 26, 2010. This notice describes the City's rate request, the PUC's role, and what actions you can take.

The City of Lancaster has requested an overall rate increase of \$8,608,024 per year. If the City's entire request is approved, the total bill for a residential customer using 12,000 gallons per quarter with a 5/8 inch meter would increase from \$33.59 to \$63.38 per quarter or by 88.7%.

The total bill for a commercial customer using 190,000 gallons per quarter with a 2-inch meter would increase from \$410.84 to \$868.77 per quarter or by 111.5%.

Rates for an industrial customer using 500,000 gallons per month with a 2 inch meter would increase from \$784.64 to \$1,838.66 per month or by 134.3%.

To find out your customer class or how the requested increase may affect your water bill, contact City of Lancaster Customer Service at (717) 735-3425. The rates requested by the City may be found in Supplement No. 40 to Tariff Water-Pa. P.U.C. No. 6. You may examine the material filed with the PUC which explains the requested increase and the reasons for it. A copy of this material is kept at the City Clerk's office. Upon request, the City will send you the Statement of Reasons for Supplement No. 40 to Tariff Water-Pa. P.U.C. No. 6, explaining why the rate increase has been requested.

The state agency which approves rates for public utilities is the PUC. The PUC will examine the requested rate increase and can prevent existing rates from changing until it investigates and/or holds hearings on the request. The City must prove that the requested rates are reasonable. After examining the evidence, the PUC may grant all, some, or none of the request or may reduce existing rates.

The PUC may change the amount of the rate increase or decrease requested by the utility for each customer class. As a result, the rate charged to you may be different than the rate requested by the City and shown above.

There are three ways to challenge the City's request to change its rates:

1. You can file a formal complaint. If you want a hearing before a judge, you must file a formal complaint. By filing a formal complaint, you assure yourself the opportunity to take part in hearings about the rate increase request. All complaints should be filed with the PUC before October 26, 2010. If no formal complaints are filed, the Commission may grant all, some or none of the request without holding a hearing before a judge.
2. You can send us a letter telling why you object to the requested rate increase. Sometimes there is information in these letters that makes us aware of problems with the City's service or management. This information can be helpful when we investigate the rate request.

Send your letter or request for a formal complaint form to the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265.

3. You can be a witness at a public input hearing. Public input hearings are held if the Commission opens an investigation of the City's rate increase request and if there is a large number of customers interested in the case. At these hearings, you have the opportunity to present your views in person to the PUC judge hearing the case and the City representatives. All testimony given "under oath" becomes part of the official rate case record. These hearings are held in the service area of the City.

August 27, 2010



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MAR 15 2018

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SECRETARY'S BUREAU

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EXH FOR 6

# RECEIVED



## CITY OF LANCASTER

A City Authentic

39 W CHESTNUT ST, PO BOX 1020  
LANCASTER, PA 17608-1020

MAR 15 2018

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

UTILITY BILL

Customer Copy

Keep this portion for your records

www.cityoflanasterpa.com

FRANK D KITZMILLER					1041 PRESTON RD						
550814	03/06/2018	269440 - 20034123			Current Billing Due Date 04/05/2018						
Service Description	Rate Code	Meter #	Type	Read Code	From-To Dates	Days	Reading Prev	Reading Curt	Consumption Actual	Consumption Billed	Charge
WATER	1" ROQ	0064679276	M	A	11/27/2017 02/22/2018	87	505	510	5	5	66.55
								511.3 @ 312.5			

CITY OF LANCASTER, PENNSYLVANIA  
39 W CHESTNUT ST, P.O. BOX 1020 LANCASTER, PA 17608-1020  
UTILITY SERVICE

FRANK D KITZMILLER  
1041 PRESTON RD  
LANCASTER PA 17601-4852

ACCOUNT NO	CUSTOMER NO
269440	13825
JUL 6 15	69.19
DUE DATE	AMOUNT DUE

For Service To: 1041 PRESTON RD

Cycle: 8 Bill Freq: Q

Meter #	Typ	Size	From-To Dates	Days	Read Prv	Type Cur	Reading Prv	Reading Cur	Consumption Actual	Consumption Billed
0064679276	WTR	1" X 3/4	2/25/15 5/26/15	90	E	A	421	427	6	6

*new RATE 3/5/15 - 5/26/15*  
*water 20 bills as 1" meter*  
*( \$ 27.00 call fee )*

R  
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R

I have 3/4" meter  
Customer charge 16.65  
Consumption 684.489 26.93  
43.58

\* customer charge covers 1) Reading meter, 2) billing customer 3) collection of bill

Water	69.19	53.98	53.98CR	69.19	69.19
Total	69.19				

*92 DAYS 7,000 GAL AT OLD RATE'S*  
*get 53.98 calc. fee. (blend of old rate + 3/4" 15" + new rate after 3/15/15*

Our 'Annual Water Quality Report' is available on-line at:  
<http://cityoflanasterpa.com/sites/default/files/documents/2014-ANNUAL-DRINKING-WATER-QUALITY-REPORT.pdf>

Payment of this bill will be accepted at the City Treasurer's office, 39 W Chestnut St (Rear New Police Station). Office hours 8:30 A.M. to 5:00 P.M. Monday through Friday. Checks are to be made payable to: City of Lancaster, Pa. For questions about this bill, contact customer service, 39 W Chestnut St, Lancaster, Pa. 17603 - phone (717) 735-3425. Rate schedules are available for inspection at the office of Customer Services. Finance charge of 1.5% per month added after due date. Payments received after 3:00 P.M. will be credited the next business day. Please visit us at [www.cityoflanasterpa.com](http://www.cityoflanasterpa.com). Procurement & Collection / Treasury Office page for more water and sewer billing information. All checks returned to the City due to a closed account, for insufficient funds, or because a stop payment was placed on the check will be assessed a \$50.00 fee.

Check No. \_\_\_\_\_ Date Paid 6/15/15 VISA

If you have a water emergency, please call (717)291-4816.

Use your VISA® or MASTERCARD® credit/debit card when you make payments at the City Treasurer's Office at 39 W Chestnut St. You may make payment online using your Visa, MasterCard or Discover Debit or Credit Card by logging onto <http://billing.ci.lanasterpa.us>. There is a small convenience fee for online payments.



CITY OF LANCASTER - BUREAU OF WATER  
OUTSIDE THE CITY

APPLICATION OF PRESENT RATES AND SETTLEMENT RATES TO CONSUMPTION ANALYSIS  
YEAR ENDED DECEMBER 31, 2013

Rate Block 1000 Gallons (1)	Number Of Bills (2)	Present Consumption (3)	Present Rate (4)	Revenue (5)	Settlement Consumption (6)	Settlement Rate (7)	Settlement Revenue (8)
<u>Residential - Quarterly</u>							
Service Charge							
5/8"	76,262	-	\$ 10.50	\$ 800,751	-	\$ 18.65	\$ 1,269,762
3/4"	12,430	-	10.50	130,515	-	18.65	206,960
1"	20,490	5122	27.90	571,671	-	44.10	903,609
1 1/2"	168	-	43.80	7,358	-	69.60	11,693
2"	68	-	68.40	4,651	-	108.60	7,385
3"	3	-	135.30	406	-	214.50	644
<b>Total - Service Charge</b>	<b>109,421</b>	<b>-</b>		<b>1,515,353</b>	<b>-</b>		<b>2,400,052</b>
First 75	-	1,423,005	\$ 3.7260	\$ 5,302,117	1,423,005	\$ 4.4890	\$ 6,387,869
Next 925 or 1,725	-	12,375	3.4240	42,372	12,375	3.8240	47,322
Over 1,000 or 1,800	-	-	2.2400	-	-	3.2470	-
		<b>1,435,380</b>		<b>5,344,489</b>	<b>1,435,380</b>		<b>6,435,191</b>
<b>Subtotal</b>	<b>109,421</b>	<b>1,435,380</b>		<b>\$ 6,859,841</b>	<b>1,435,380</b>		<b>\$ 8,835,243</b>

<u>Commercial - Quarterly</u>							
Service Charge							
5/8"	1,316	-	\$ 10.50	\$ 13,818	-	\$ 18.65	\$ 21,911
3/4"	634	-	10.50	6,657	-	18.65	10,556
1"	1,508	-	27.90	42,073	-	44.10	66,503
1 1/2"	601	-	43.80	26,324	-	69.60	41,830
2"	1,071	-	68.40	73,256	-	108.60	116,311
3"	43	-	135.30	5,818	-	214.50	9,224
4"	40	-	211.20	8,448	-	334.80	13,392
6"	64	-	420.00	26,880	-	666.00	42,824
8"	8	-	665.10	5,321	-	1,054.80	8,438
10"	-	-	879.90	-	-	1,395.30	-
<b>Total - Service Charge</b>	<b>5,285</b>	<b>-</b>		<b>\$ 208,595</b>	<b>-</b>		<b>\$ 330,788</b>
First 75	-	124,566	\$ 3.7260	\$ 464,133	124,566	\$ 4.4890	\$ 559,177
Next 925 or 1,725	-	56,905	3.4240	194,843	64,373	3.8240	246,162
Over 1,000 or 1,800	-	14,995	2.2400	33,589	7,527	3.2470	24,440
		<b>196,466</b>		<b>692,564</b>	<b>196,466</b>		<b>829,779</b>
<b>Subtotal</b>	<b>5,285</b>	<b>196,466</b>		<b>\$ 901,160</b>	<b>196,466</b>		<b>\$ 1,160,568</b>

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MAR 15 2018  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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MAR 15 2018

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Frank D. Kitzmiller,

Complainant,

v.

City of Lancaster,

Respondent.

Docket No. C-2014-2435567

**CERTIFICATE OF SATISFACTION**

Pursuant to Section 5.24(b) of the Formal Proceeding Regulations of the Public Utility Commission ("Commission"), 52 Pa. Code § 5.24(b), the City of Lancaster ("City, or Lancaster"), the Respondent in the above-captioned matter, hereby submits this Certificate of Satisfaction. The City hereby certifies that it has satisfied the Complaint of Frank D. Kitzmiller (the "Complainant").

The subject Complaint involved an overbilling issue in which the Complainant alleged that he was being overbilled for a 1" meter rather than his actual 3" inch meter. In response to the Complaint the City's Business Manager (Mr. Patrick Hopkins) contacted Mr. Kitzmiller and explained the meter charge issue in detail. Mr. Hopkins explained to Mr. Kitzmiller that Manheim Township requires (and has since sometime in the mid-1980s) that all residential connections, such as Mr. Kitzmillers, be made with a 1" service line. The City does not have 1" residential meters, so the City's normal 3/4" meters were used in those properties with the 1" service line which was connected to the meter. These customers are billed based on the 1" "meter charge" because what really matters in the size of the service line, not the meter itself. Following Mr. Hopkins explanation Mr. Kitzmiller expressed satisfaction with the explanation and stated that it made sense to him. Subsequently, Mr. Kitzmiller filed a separate formal Complaint in the City's Rate Base Proceeding at Docket No. C-2014-2435548 in which Mr. Kitzmiller alleged that the City had omitted expense reductions for unaccounted water losses. Mr. Kitzmiller attached a copy of his previously filed billing complaint (Docket No. C-2014-243-5567) and it was assumed that Mr. Kitzmiller had merged said billing complaint with the formal rate case complaint. Mr. Kitzmiller agreed to the Settlement Petition dated November 24, 2014 provided that the City evaluate its lost & unaccounted water program which is set out in Paragraph 6 (e) of the Commission's January 15, 2015 Order adopting the settlement.

The City has served this Certificate of Satisfaction upon the Complainant as evidenced by the attached Certificate of Service. Unless the Complainant objects within ten (10) days of the filing of this Certificate of Satisfaction, the Commission shall withdraw the Complaint and mark the case closed. The Complainant may object to this Certificate of Satisfaction by writing a letter to the Secretary of the Public Utility Commission at P.O. Box 3265, Harrisburg, PA 17105-3265 with copies to the Respondent and the Administrative Law Judge Cheskis.

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

FRANK D. KITZMILLER, !  
COMPLAINANT, !  
V. ! DOCKET NO. C-2014-2435567  
CITY OF LANCASTER WATER DEPARTMENT, !  
RESPONDENT. !

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Brief in the manner listed below, upon the parties listed below, in accordance with the requirements of 52 Pa Code Section 1.54 (relating to service by a party).

FIRST CLASS MAIL

Honorable Joel Cheskis  
Office of Administrative Law Judge  
PA Public Utility Commission  
Commonwealth Keystone Building  
Harrisburg, PA 17120

John J. Gallagher, Esquire  
711 Forrest Road  
Harrisburg, PA 17112  
Counsel for the City of Lancaster

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MAR 15 2018

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Dated this 15th day of March, 2018

Frank D. Kitzmiller

Frank D Kitzmiller, Complainant

1041 Preston Rd

Lancaster, PA 17601

Telephone: 717-569-0132, Email:dkitz@comcast.net

KITZMILLER  
1041 PRESTON RD  
LANCASTER PA 17601

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

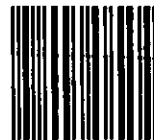
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R2304N118316-0

ROSEMARY CHIAVETTA, SECRETARY  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH KEYSTONE BLDG. - 2<sup>ND</sup> FLOOR  
400 NORTH ST  
HARRISBURG PA 17120