



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

IN REPLY PLEASE
REFER TO OUR FILE
Bp8 2644592

November 28, 2018

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Pennsylvania Public Utility Commission, Bureau of Investigation
and Enforcement v. Winola Water Company
Docket No. C-2018-2644592
Petition for the Issuance of an *Ex Parte* Emergency Order

Dear Secretary Chiavetta:

Enclosed please find the Petition of the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission for the Issuance of an *Ex Parte* Emergency Order Regarding Winola Water Company.

Should you have any questions, please feel free to contact me.

Sincerely,

Bradley R. Gorter
Prosecutor
PA Attorney ID No. 312666

cc: Chairman Gladys M. Brown
Vice Chairman Andrew G. Place
Commissioner John F. Coleman
Commissioner David W. Sweet
Commissioner Norman J. Kennard
Jan H. Freeman, Executive Director
Bodhan Pankiw, Chief Counsel
As per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:
Bureau of Investigation and Enforcement,	:
Petitioner	:
	:
v.	: Docket No. C-2018-2644592
	:
Winola Water Company,	:
Respondent	:
	:

**PETITION OF THE BUREAU OF INVESTIGATION AND ENFORCEMENT
OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION
FOR THE ISSUANCE OF AN *EX PARTE* EMERGENCY ORDER**

AND NOW, comes the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”), pursuant to 52 Pa. Code § 3.2, and petitions the Commission for the issuance of an *ex parte* emergency order requiring:

1) that a proceeding under 66 Pa.C.S. § 529 be initiated; 2) that a competent water utility be appointed as receiver for Winola Water Company’s (“Winola”) system under 66 Pa.C.S. § 529(g); and, 3) that the utility appointed receiver under 66 Pa.C.S. § 529(g) shall provide an alternative source of drinking water within twenty four (24) hours of the entry of an emergency order. In support of this Petition, I&E avers as follows:

I. INTRODUCTION

1. On or about January 26, 2018, I&E filed a formal complaint at this docket against Winola alleging violations of the Public Utility Code and applicable Commission regulations including, but not limited to, violations of 66 Pa.C.S. § 1501 for failure to furnish and maintain adequate, efficient, safe, and reasonable service and facilities, and

shall make all such repairs, changes, alterations, substitutions, extensions, and improvements in, or to such service and facilities as shall be necessary or proper for the accommodation, convenience and safety of its patrons, employees and the public. See Formal Complaint, 1/26/18, Docket No. C-2018-2644592.¹

2. Winola provides water service to approximately ten (10) year-round customers and approximately twenty-five (25) seasonal customers around Lake Winola in Overfield Township, Wyoming County, Pennsylvania.

3. The Pennsylvania Department of Environmental Protection (“DEP”) conducted contaminant testing of Winola’s system on October 1, 2018, October 4, 2018, and October 9, 2018 (“DEP Testing”).

4. Per DEP regulations, cadmium levels in potable water must not exceed 0.005 mg/L. See 25 Pa. Code § 109.202(a) (adopting by reference 40 CFR § 141.62).

5. DEP Testing revealed cadmium levels of 0.0105 mg/L, exceeding the maximum allowable levels in drinking water per DEP regulations.

6. Per DEP regulations, lead levels in potable water must not exceed 0.015 mg/L. See 25 Pa. Code § 109.202(a) (adopting by reference 40 CFR § 141.80(c)(1)).

7. DEP Testing revealed lead levels of 0.150 mg/L, .0454 mg/L, and 0.0359 mg/L, all exceeding the maximum allowable levels in drinking water per DEP regulations.

¹ Respondent’s acceptance of service of I&E’s Formal Complaint was not memorialized until September 26, 2018. To date, Winola has not filed any answer to I&E’s Formal Complaint, and the matter has not yet been referred to the Commission’s Office of Administrative Law Judge.

8. On October 5, 2018, DEP issued a Field Order (“Do Not Consume Order”) directing Winola to issue a public notification advising its customers that the water Winola is supplying is not safe for consumption. A copy of the Do Not Consume Order is attached hereto as Exhibit “A.”

9. Additionally, in its Do Not Consume Order, DEP ordered Winola to provide an alternative source of potable water within eight (8) hours of receipt of the Do Not Consume Order. See Ex. A at 3. I&E has no evidence that Winola complied with this directive.²

10. On or about October 31, 2018, DEP informed I&E of the results of the DEP Testing and the related cadmium and lead exceedances.

11. To date, Winola’s system is still subject to the Do Not Consume Order, and Winola’s customers do not have access to safe drinking water, despite DEP’s order to Winola to provide an alternate source of potable water.

12. Accordingly, due to Winola’s continued failure to provide safe drinking water to its customers, I&E is compelled to bring this Petition for Issuance of an *Ex Parte* Emergency Order requesting that the Commission issue an order directing: 1) that a proceeding under 66 Pa.C.S. § 529 be initiated; 2) that a competent water utility be appointed as receiver for Winola’s system under 66 Pa.C.S. § 529(g); and, 3) that the utility appointed receiver under 66 Pa.C.S. § 529(g) shall provide an alternative source of

² I&E believes that PAWC, after communicating with relevant Commission bureaus, provided bottled potable water to Winola’s customers on at least one occasion in October 2018. I&E lacks information regarding whether PAWC or any other entity has provided additional potable water.

drinking water to Winola's year-round customers within twenty four (24) hours of the entry of an emergency order.

II. PARTIES

13. The Pennsylvania Public Utility Commission, with a mailing address of P.O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, *et seq.*

14. Petitioner is the Commission's Bureau of Investigation and Enforcement and is the entity established to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11); *See also Implementation of Act 129 of 2008; Organization of Bureaus and Offices*, Docket No. M-2008-2071852 (August 11, 2011) (delegating authority to initiate proceedings that are prosecutorial in nature to I&E).

15. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102,³ as it is engaged in providing water service to the public pursuant to a certificate of public convenience issued by the Commission at Docket No. A-210106, on April 13, 2007.

16. Aqua Pennsylvania, Inc. ("Aqua"), is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in providing water service to the public pursuant to a certificate of public convenience issued by the Commission. Aqua is a

³ At 66 Pa. C.S. § 102, "Public utility" is defined under that term at subsection (1)(vii) as:

(1) Any person or corporation now or hereafter owning or operating in this Commonwealth equipment or facilities for:

...

(ii) Diverting, developing, pumping, impounding, distributing, or furnishing water to or for the public for compensation.

potential candidate to be appointed receiver for Winola as it provides water service and maintains facilities at various locations in Wyoming County where Winola's system is located.

17. Pennsylvania American Water Company ("PAWC"), is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in providing water service to the public pursuant to a certificate of public convenience issued by the Commission. PAWC is a potential candidate to be appointed receiver for Winola as it provides water service and maintains facilities in Lackawanna County, Pennsylvania, near where Winola's system is located.

III. JURISDICTION

18. The Commission has jurisdiction over this matter pursuant to 66 Pa.C.S. § 501, which provides in pertinent part: "In addition to any powers expressly enumerated in this part, the commission shall have full power and authority, **and it shall be its duty to enforce, execute and carry out, by its regulations, orders, or otherwise, all and singular, the provisions of this part, and the full intent thereof . . .**" (emphasis added).

19. Section 1501 of the Public Utility Code states that every public utility shall furnish and maintain adequate, efficient, safe, and reasonable service and facilities and that such service shall be reasonably continuous and without unreasonable interruptions or delay. 66 Pa.C.S § 1501. *See also*, 66 Pa.C.S § 1505.

IV. STANDARD FOR ISSUANCE OF AN EMERGENCY ORDER

20. Section 3.2 of the Commission's regulations, 52 Pa. Code § 3.2, permits a petition to the Commission for the issuance of an *ex parte* emergency order where supported by a verified statement of facts which establishes the existence of an emergency. The petition must establish facts to demonstrate that:

1. The Petitioner's right to relief is clear.
2. The need for relief is immediate.
3. The injury would be irreparable if relief is not granted.
4. The relief requested is not injurious to the public interest.

52 Pa. Code § 3.2(b).

21. "Emergency" is defined in the Commission's regulations as "[a] situation which presents a clear and present danger to life or property or which is uncontested and requires action prior to the next scheduled meeting." 52 Pa. Code § 3.1 (emphasis added).

22. The person or entity seeking emergency relief bears the burden of proving that the facts and circumstances meet all four of the above requirements. 66 Pa.C.S. § 332; 52 Pa. Code § 3.2(b). The burden of proof must be carried by a preponderance of the evidence. *Samuel J. Lansberry, Inc. v. Pa. PUC*, 578 A.2d 600 (Pa. Cmwlth. Ct. 1990). The petitioner's evidence must be more convincing, by even the smallest amount, than that presented by the other party. *Se-Ling Hosiery v. Margulies*, 70 A.2d 854 (Pa. 1950).

23. The Chairperson, a Commissioner, the Commission's Director of Operations and the Commission's Secretary have the authority to issue an emergency

order. 52 Pa. Code § 3.3(a). An emergency order will be issued in writing. 52 Pa. Code § 3.3(b). An emergency order will be ratified, modified or rescinded by the Commission at the next scheduled public meeting after issuance of the order. 52 Pa. Code § 3.3(c). An emergency order will be served by the Secretary as expeditiously as practicable upon the persons directly affected by the decision with copies to the Commissioners and the Director of Operations. 52 Pa. Code § 3.3(d).

24. A person against whom an emergency order is issued *may* file a petition for an expedited hearing to be held before a presiding officer within 10 days of receipt of the petition by the Secretary. 52 Pa. Code § 3.4.

A. I&E's Right To Relief Is Clear

25. As a certificated public utility, Winola is subject to the jurisdiction of the Commission. As a public utility under the Commission's jurisdiction, Winola is obligated to provide adequate, efficient, safe, and reasonable service and facilities. See 66 Pa.C.S. § 1501. I&E's Safety Division is empowered to enforce the Commission's regulations and ensure that utilities meet their obligations under Section 1501 of the Public utility Code. 66 Pa.C.S. § 1501. It is not necessary to determine the merits of the controversy or dispute in order to find that a petitioner has satisfied the first prong of Section 3.2(b) of the Commission's regulations, 52 Pa. Code 3.2(b), by showing that the right to relief is clear. Rather, the Commission has found that if a petitioner raises "substantial legal questions," then a petitioner has established that its right to relief is clear. *Core Communications, Inc. v. Verizon Pennsylvania, Inc. and Verizon North LLC*, Docket No.

P-2011-2253650 (Order entered September 23, 2011); *Level 3 Communications, LLC v. Marianna & Scenery Hill Telephone Company*, Docket No. C-20028114 (Order entered August 8, 2002); *T.W. Phillips Gas and Oil Company v. The Peoples Natural Gas Company*, 492 A.2d 776 (Pa. Cmwlth. 1985).

26. I&E serves as the Commission's prosecutory bureau and enforces compliance with the Public Utility Code and Commission regulations. *Implementation of Act 129 of 2008; Organization of Bureaus and Offices*, Docket No. M-2008-2071852 (Order entered August 11, 2011), p. 5.

27. Section 1501 of the Public Utility Code states, in pertinent part, as follows:

Every public utility shall furnish and maintain adequate, efficient, safe, and reasonable service and facilities, and shall make all such repairs, changes, alterations, substitutions, extensions, and improvements in, or to such service and facilities as shall be necessary or proper for the accommodation, convenience and safety of its patrons, employees and the public. Such service also shall be reasonably continuous and without unreasonable interruptions or delay.

66 Pa.C.S § 1501.

28. On October 5, 2018, DEP issued the Do Not Consume Order directing Winola to issue a public notification advising customers of Winola that the water Winola is supplying is not safe for consumption.

29. Pursuant to the Do Not Consume Order, DEP ordered Winola to provide its customers with an alternative source of potable water. See Ex. A, at 3.

30. Based on its investigation to date, I&E believes, and therefore avers, that Winola has not provided an alternative source of water to its customers.⁴

31. Based on recent communications with Winola, I&E believes, and therefore avers, that Winola does not intend to provide an alternative source of water.

32. Despite DEP's order to provide alternative access to water, Winola has failed to remedy both the cadmium and lead exceedances and to provide an alternative source of drinking water to its customers.

33. Further, as evidenced by Exhibits C and D to I&E's Complaint, Winola's facilities are in serious need of repair and maintenance which I&E avers Winola has no intention to address. See I&E Complaint at Exhibits C and D.

34. As such, I&E concludes that Winola does not meet its obligation under Section 1501 to provide adequate, efficient, safe, and reasonable service and facilities. 66 Pa.C.S. § 1501.

35. I&E further avers that, even if Winola intended to safely repair and/or maintain its facilities or to provide an alternative source of water to its customers, Winola lacks the resources and expertise to do so.

36. Aqua and PAWC, as large, experienced public utilities and providers of water service, have the resources to quickly provide alternative access to safe drinking water and determine the best course of action for Winola's distressed system.

⁴ See supra at n.1.

37. Aqua currently serves customers and maintains facilities approximately ten (10) miles from Winola's systems in Factoryville, PA, Wyoming County.

38. PAWC currently serves customers and maintains facilities approximately twelve (12) miles from Winola's systems in Clarks Summit, PA, Lackawanna County.

39. I&E believes that Aqua and PAWC are better suited to ensure safe, reliable drinking and sanitation water to Winola's customers.

B. The Need For Relief Is Immediate

40. The need for relief to Winola's customers is immediate. Winola's customers have been without safe drinking water since at least October 5, 2018, when DEP issued a public notification advising Winola's customers that the water was unsafe. It is Winola's obligation, pursuant to Section 315(c) of the Public Utility Code, 66 Pa.C.S. § 315, to establish that its water and facilities are adequate, safe and reasonable and not a safety hazard to the public.

41. Winola's customers currently lack access to safe drinking water. Even short periods of time without access to water can, and do, have serious health consequences for those lacking access to water.

C. The Injury From Respondents' Actions Will Be Irreparable If Relief Is Not Granted

42. By failing to provide potable water from its system, or alternative access to potable water, the safety of Winola's customers is jeopardized. Lack of access to water, or consumption of contaminated water, can have dire results, and the injuries resulting therefrom would most certainly be irreparable.

43. Section 529 of the Public Utility Code, 66 Pa.C.S. § 529, creates a process whereby the Commission can direct a “capable public utility” with 4,000 or more customer connections to acquire a water utility with 1,200 or fewer customer connections.

44. The Commission has exercised its authority under Section 529 in previous matters where a small utility demonstrates an inability to furnish and maintain adequate, efficient, safe and reasonable service and facilities to its customers. *See In re: North Heidelberg Sewer Company*, Docket No. M-2018-2645983; *see also Investigation Instituted into Whether the Commission Should Order a Capable Public Utility to Acquire Clean Treatment Sewage*, Docket No. I-2009-2109324.

45. Winola, by failing to repair and maintain its system to correct the cadmium and lead exceedances and by failing to provide potable water or an alternative source of potable water, has demonstrated that it cannot reasonably be expected to furnish and maintain adequate, efficient, safe and reasonable service and facilities to its customers. 66 Pa.C.S. § 529(a)(3).

D. The Relief Requested Is Not Injurious To The Public Interest

46. I&E seeks relief in the form of 529 proceeding, an appointed receiver for Winola’s system, and reliable alternative water sources for Winola’s customers.

47. The public interest is served by ensuring that ratepayers are provided with adequate, efficient, safe and reasonable service and facilities.

48. As such, I&E’s relief furthers the public interest.

49. The relief that I&E requests is certainly not injurious to the public interest. To the contrary, it is clear that it will be injurious to the public interest if the relief requested is *not* granted.

V. PRAYER FOR RELIEF

WHEREFORE, the Bureau of Investigation and Enforcement, Petitioner herein, respectfully requests that the Commission enter an Emergency Order directing that:

- 1) a proceeding under 66 Pa.C.S. § 529 be initiated;
- 2) that a competent water utility be appointed as receiver for Winola's system under 66 Pa.C.S. § 529(g);
- 3) that the utility appointed receiver under 66 Pa.C.S. § 529(g) shall provide an alternative source of potable water within twenty-four (24) hours of the entry of an emergency order; and,
- 4) any other such relief that the Commission deems appropriate.

Respectfully submitted,



Bradley R. Gorter
Prosecutor
PA Attorney ID No. 312666

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 783-6150

Date: November 28, 2018

I&E EXHIBIT A

FIELD ORDER

(PLEASE PRINT AND PRESS FIRMLY)

SYSTEM NAME Winola Water Company	PWS ID No. 2660004	CASE NUMBER 18-21-3229-011
LOCATION Urie Avenue., Lake Winola, PA 18414	MUNICIPALITY Overfield Township	COUNTY Wyoming
PERSON TO WHOM ORDER IS DIRECTED Winola Water Company, c/o Mr. Ralph Scartelli		TELEPHONE NUMBER 570-499-6063
MAILING ADDRESS 724 North Webster Avenue, Scranton, PA 18510		
NAME AND TITLE OF PERSON SERVED <i>Ralph Scartelli, Owner</i>		DATE ORDER SERVED <i>10/5/18</i>
The Commonwealth of Pennsylvania, the Department of Environmental Protection ("Department"), has made the following Findings of Fact:		
<ol style="list-style-type: none"> 1. The Department is the agency with authority to administer and enforce the Pennsylvania Safe Drinking Water Act, the Act of May 1, 1984, P.L. 206, No. 43, 35 P.S. §§721.1-721.19 ("SDWA"), and Section 1917-A of the Administrative Code, the Act of April 9, 1929, P.L. 177, as amended, 71 P.S. §510-17, and the regulations of the Environmental Quality Board adopted pursuant thereto. 2. The person named above to whom this order is directed ("Recipient") owns and/or operates a public water system at the location identified above. 3. The undersigned authorized representative of the Department conducted an inspection of the public water system identified above on <u>10/5/18</u>. 4. The operation of this water system with the violation(s) identified in this Order is a violation of the Sections of the Department's regulations cited herein and the SWDA and constitutes a public nuisance under Section 12 of the SDWA, 35 P.S. §721.12. 5. Section 13 of the SDWA, 35 P.S. §721.13, provides that the Department may assess a civil penalty of up to Five Thousand Dollars (\$5,000.00) per day for each violation of the SDWA. 		
Description of Violation: Circumstances exist which adversely affect the quality of the drinking water. Due to the unsanitary conditions of the reservoir that remain unaddressed since the issuance of Field Order 18-21-3229-009 on August 31, 2018, there is a high risk of contamination to the water being provided to the customers.		
Location of Violation: Winola Water Company, Urie Avenue, Lake Winola, PA 18414		
Provisions of Regulation, Statute or Permit Violated: Failure to operate and maintain as specified in 25 Pa. Code 109.4(3)		



COMMONWEALTH OF PENNSYLVANIA
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 BUREAU OF SAFE DRINKING WATER

FIELD ORDER (continuation)

(PLEASE PRINT AND PRESS FIRMLY)

SYSTEM NAME Winola Water Company	PWS ID No. 2660004	CASE NUMBER 18-21-3229-011
Description of Violation: Lab results show water samples analyzed on 10/4/18 exceed the action level for lead, which is 0.015 mg/L. The location and the results of the water samples are as follows: 200 Urie – 0.150 mg/l 197 Urie – 0.0454 mg/l 212 Urie – 0.0359 mg/l		
Location of Violation: Winola Water Company, Urie Avenue, Lake Winola, PA 18414		
Provisions of Regulation, Statute or Permit Violated: 25 Pa. Code 109.202(a)		
Description of Violation: Lab results show a water sample analyzed on 10/1/18 exceeds the maximum contaminant level for cadmium, which is 0.005 mg/L. The location and results of the water sample are as follows: DeMartino Residence (First-service connection) – 0.0105 mg/l		
Location of Violation Winola Water Company, Urie Avenue, Lake Winola, PA 18414		
Provisions of Regulation, Statute or Permit Violated: 25 Pa. Code Section 109.202(a)		

FIELD ORDER (continuation)

(PLEASE PRINT AND PRESS FIRMLY)

SYSTEM NAME Winola Water Company	PWS ID No. 2660004	CASE NUMBER 18-21-3229-011
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Pursuant to Sections 5, 10 and 12 of the SDWA, 35 P.S. §§721.5, 721.10 and 721.12; and Section 1917-A of the Administrative Code of 1929, 71 P.S. §510-17, it is hereby ordered that the owner shall perform the corrective actions listed below within the designated time.

Corrective Action/Abatement Schedule Required:

1. As soon as possible, but no later than 24 hours after receipt of this order, the water supplier shall issue a Tier 1 public notification (PN) as required by 25 Pa. Code Section 109.408(a)(11). The Tier 1 PN shall be issued in accordance with the procedures outlined 25 Pa. Code Sections 109.408 and 109.411 and shall include a "Do Not Drink" advisory. Copies of the completed public notice, as well as the completed public notification certification form, must be submitted to Ms. Crystal Mickalowski, PADEP, 2 Public Square, Wilkes-Barre, PA 18701-1915, within ten (10) days of issuance.
2. The Drinking Water Warning shall remain in effect until the Department approves the lifting of the Drinking Water Warning.
3. If the Drinking Water Warning remains in effect for more than 30 days, the Tier 1 PN shall be reissued every 30 days for as long as the violations persist as required in 25 Pa. Code Section 109.408(b)(4).
4. As soon as possible, but no later than 8 hours after receipt of this order, the water supplier shall provide the population served with an alternate source of water for human consumption from a Department approved source until such time as the Department approves the lifting of the Drinking Water Warning.
5. As soon as possible, but no later than 96 hours after receipt of this order, water supplier shall collect samples from the location of the routine sample, the DeMartino residence, which is the first-service connection, to be analyzed for Cadmium.
6. The water supplier shall issue a "Problem Corrected" Tier 1 PN in accordance with 25 Pa. Code Section 109.408(b)(5) as soon as possible, but no later than 24 hours after the corrective actions have been completed and the notice is approved by the DEP.

NOTICE OF APPEAL RIGHTS

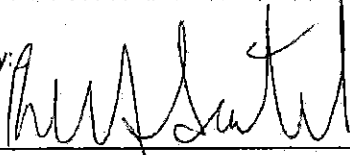
Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800-654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION.

The undersigned person hereby acknowledges receipt of this order and any attachment(s) hereto. This signature does not constitute an acknowledgement that any or all of the violations listed above have occurred or continue to occur.

Received by:

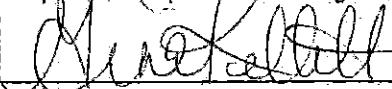


Department Representative (Name & Title - Please Print)

Gina Kellett - Sanitarian

Telephone Number: (570) 830-3096


Department Representative's Signature:



VERIFICATION

I, Sunil R. Patel, Fixed Utility Valuation Engineer III of the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement, hereby state that the information set forth above is true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Date: November 28 2018



Sunil R. Patel
Fixed Utility Valuation Engineer III
Bureau of Investigation and Enforcement
Safety Division

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:
Bureau of Investigation and Enforcement,	:
Complainant	:
	: Docket No. C-2018-2644592
v.	:
	:
Winola Water Company,	:
Respondent	:

CERTIFICATE OF SERVICE

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

Service by First Class Mail:

Ralph Scartelli
Winola Water Company
724 N Webster Ave
Scanton, PA 18510

Frances P. Orth
Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19010

Susan Simms Marsh
Pennsylvania American Water Company
800 West Hershey Park Drive
Hershey, PA 17033

Christine Hoover, Esq.
Office of Consumer Advocate
555 Walnut Street
5th Floor Forum Place
Harrisburg, PA 17101-1923



Bradley R. Gorter
Prosecutor
PA Attorney ID No. 312666
Bureau of Investigation and Enforcement

Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
Phone: 717-783-6150

Dated: November 28, 2018