

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

555 Walnut Street, 5th Floor, Forum Place
Harrisburg, Pennsylvania 17101-1923
(717) 783-5048
800-684-6560

 @pa_oca

 /pennoca

FAX (717) 783-7152
consumer@paoca.org

March 16, 2020

Via Electronic Mail Only

The Honorable Katrina L. Dunderdale
Office of Administrative Law Judge
Pennsylvania Public Utility Commission
Piatt Place
301 Fifth Avenue
Suite 220
Pittsburgh, PA 15222

Re: Tanya J. McCloskey, Acting Consumer Advocate
v.
Hidden Valley Utility Services, L.P.
Water and Wastewater
Docket Nos. C-2014-2447138
C-2014-2447169

Dear Judge Dunderdale:

Enclosed please find a Notice to Plead and the Motion of the Office of Consumer Advocate to Dismiss Objections and to Compel Hidden Valley Utility Services, L.P. – Water to Answer Interrogatories (OCA Set IX, questions 3 through 7) in the above-referenced proceedings. The OCA has attached the verification of Terry L. Fought, Professional Engineer, pursuant to the requirements of 52 Pa. Code section 1.36.

The original has been electronically filed with the Secretary's Office and the parties have been served as evidenced by the attached Certificate of Service.

Respectfully submitted,

/s/ Erin L. Gannon

Erin L. Gannon

Senior Assistant Consumer Advocate

PA Attorney I.D. # 83487

E-Mail: EGannon@paoca.org

Enclosures:

cc: Rosemary Chiavetta, PUC Secretary
Certificate of Service

*285298

CERTIFICATE OF SERVICE

Tanya J. McCloskey, Acting Consumer Advocate :
v. : Docket Nos. C-2014-2447138 (W)
Hidden Valley Utility Services, L.P. – : C-2014-2447169 (WW)
Water and Wastewater :

I hereby certify that I have this day served a true copy of the following document, a Notice to Plead and the Motion of the Office of Consumer Advocate to Dismiss Objections and to Compel Hidden Valley Utility Services, L.P. – Water to Answer Interrogatories (OCA Set IX, questions 3 through 7), upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 16th day of March 2020.

SERVICE BY E-MAIL ONLY

Allison C. Kaster, Esquire
Bureau of Investigation & Enforcement
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Jonathan P. Nase, Esquire
David P. Zambito, Esquire
Cozen O'Connor
17 North Second Street, Suite 1410
Harrisburg, PA 17101

Robert J. Kollar
Kellie A. Kuhleman
1374 Langport Drive
Pittsburgh, PA 1524

James Kettler, President
Hidden Valley Utility Services, L.P.
811 Russell Avenue
Suite F
Gaithersburg, MD 20879

Sharon Howards-Fieri
1174 Grist Mill Court
P.O. Box 4126
Hidden Valley, PA 15502

/s/ Erin L. Gannon

Erin L. Gannon
Senior Assistant Consumer Advocate
PA Attorney I.D. # 83487
E-Mail: EGannon@paoca.org

Christine Maloni Hoover
Senior Assistant Consumer Advocate
PA Attorney I.D. # 50026
E-Mail: CHoover@paoca.org

Counsel for:
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
Phone: (717) 783-5048
Fax: (717) 783-7152
Dated: March 16, 2020
*285288

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Tanya J. McCloskey, Acting Consumer Advocate	:	
	:	
v.	:	Docket Nos. C-2014-2447138
	:	C-2014-2447169
Hidden Valley Utility Services, L.P. –	:	
Water and Wastewater	:	

NOTICE TO PLEAD

You are hereby advised that, pursuant to 52 Pa. Code § 5.342(g)(1), as modified by the Prehearing Order issued on March 11, 2020 in this proceeding, you may file a reply to the enclosed Motion to Compel within three (3) calendar days after the date of service of the attached Motion to Compel. Your reply should be filed with the Secretary of the Pennsylvania Public Utility Commission, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120. A copy should also be served on the undersigned counsel, the Presiding Officers and all other parties.

Respectfully submitted,



Erin L. Gannon
Senior Assistant Consumer Advocate
Pa. Attorney No. 83487
EGannon@paoca.org

Counsel for:
Tanya J. McCloskey
Acting Consumer Advocate
Office of Consumer Advocate
555 Walnut Street 5th Floor, Forum Place
Harrisburg, PA 17101-1923
(717) 783-5048

Christine Maloni Hoover
Senior Assistant Consumer Advocate
Pa. Attorney No. 50026
CHoover@paoca.org

Dated: March 16, 2020
285223

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Tanya J. McCloskey, Acting Consumer Advocate	:	
	:	
v.	:	Docket Nos. C-2014-2447138
	:	C-2014-2447169
Hidden Valley Utility Services, L.P. –	:	
Water and Wastewater	:	

MOTION OF THE OFFICE OF CONSUMER ADVOCATE
TO DISMISS OBJECTIONS AND TO COMPEL
HIDDEN VALLEY UTILITY SERVICES, L.P. - WATER
TO ANSWER INTERROGATORIES

I. INTRODUCTION

Pursuant to 52 Pa. Code §§ 5.103, 5.331, and 5.342(g) and the discovery modifications adopted in the Prehearing Order issued by Administrative Law Judge Katrina L. Dunderdale on March 11, 2020, the Office of Consumer Advocate (OCA) hereby moves that the Presiding Officer dismiss the objections of Hidden Valley Utility Services, LP (HVUS or Company) and compel HVUS to provide the full and complete information requested in OCA Set IX, questions 3 through 7. In support thereof, the OCA states as follows:

II. BACKGROUND

1. The most recent Public Utility Commission (Commission) Order in this proceeding was entered on January 17, 2019 (January 2019 Order).¹ In the January 2019 Order, the Commission denied the Petition for Amendment (Second Petition) filed by HVUS. In the Second Petition,

¹The OCA incorporates by reference the extensive discussion of the background of this proceeding as set forth in the Commission’s Order of January 17, 2019.

HVUS sought an amendment to deadlines contained in the Commission's May 3, 2018 Order (May 2018 Order) on reconsideration.²

2. The Company filed a Petition for Review of the January 2019 Order with the Commonwealth Court. The Commission filed a Motion to Quash the Petition for Review. The Motion was granted in an unreported Memorandum Opinion of the Commonwealth Court. Hidden Valley Utility Services, L.P. v. Pa. P.U.C., 187 C.D. 2019 (May 15, 2019).

3. On March 11, 2020, the Presiding Officer issued a Prehearing Order, which modified the discovery procedures for the case and provided, in relevant part, as follows:

- B. Objections to interrogatories shall be communicated orally within three (3) calendar days of service of interrogatories. Unresolved objections shall be served to the Administrative Law Judge in writing within five (5) calendar days of service of interrogatories.
- C. Motions to dismiss objections and/or direct the answering of interrogatories shall be filed within three (3) calendar days of service of such objections.
- D. Answers to motions to dismiss objections and/or answering of interrogatories shall be filed within three (3) calendar days of service of such motions.
- E. Ruling over such motions shall be issued, if possible, within seven (7) calendar days of the filing of the motion.

4. On March 6, 2020, the OCA served HVUS with Set IX (water). A copy of this discovery is attached hereto as Attachment 1.

5. In accordance with the modified discovery timeframes, counsel for HVUS contacted counsel for the OCA to orally object to Set IX, questions 3 through 7. Counsel were unable to resolve the dispute.

6. On March 11, 2020, HVUS filed its written objections to Set IX. A copy of this filing is attached as Attachment 2.

² The Commission entered an Order on January 18, 2018 (January 2018 Order) sustaining in part the OCA's complaints against HVUS. HVUS filed a Petition for Clarification, Reconsideration, and Amendment (First Petition). The Commission addressed that Petition in its May 2018 Order.

III. LEGAL STANDARD

7. Under the Commission's regulations, a party may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action.³ 52 Pa. Code § 5.321(c). It is not ground for objection that the information sought will be inadmissible at hearing if the information sought appears reasonably calculated to lead to the discovery of admissible evidence. *Id.* The Commission applies the relevancy test liberally. See Pa. P.U.C. v. The Peoples Natural Gas Co., 62 PaPUC 56 (Aug. 26, 1986). Further, any doubts are to be resolved in favor of relevancy and permitting discovery. Petition of the Borough of Cornwall for a Declaratory Order, Docket No. P-2015-2476211, Order (Sept. 11, 2015).⁴ The burden is placed on the party objecting to discovery to establish that the information requested is not relevant or discoverable. *Id.*

IV. MOTION TO COMPEL

8. Ordering Paragraphs 6 and 7 of the Commission's January 2018 Order required an engineering report on the HVUS water system.⁵

6. That Hidden Valley Utility Services, L.P., shall obtain and file with the Commission a written report from an independent or third-party Pennsylvania licensed water and wastewater engineer concerning the adequacy of its water distribution system and water source; and said report shall contain

³ Section 5.321 outlines the scope of discovery as follows:

(c) *Scope.* Subject to this subchapter, a party may obtain discovery regarding **any matter**, not privileged, which is **relevant to the subject matter** involved in the pending action, whether it relates to the claim or defense of the party seeking discovery or to the **claim or defense of another party**, including the **existence**, description, nature, content, custody, condition and location of any books, **documents**, or other tangible things and the identity and location of persons having knowledge of a discoverable matter. It is not ground for objection that the information sought will be inadmissible at hearing if the information sought appears reasonably calculated to lead to the discovery of admissible evidence.

52 Pa. Code § 5.321(c) (emphasis added).

⁴ Citing Koken v. One Beacon Ins. Co., 911 A.2d 1021, 1025 (Pa. Commw. 2006).

⁵ These Ordering Paragraphs are identical to Ordering Paragraphs 6 and 7 contained in the Commission's May 2018 Order.

recommendations and a cost analysis to correct any found deficiencies including a remedy to eliminate the rust or brown-colored water provided to customers in order to ensure that customers shall receive adequate service from the improved water facilities, and with said report, to include an evaluation and proposed remedy to reassess the need, size and cost of the treatment plant to permanently solve the problems caused by iron and manganese, as well as alternative sources of water supply such as the Quemahoning River, within ninety (90) days from the date of entry of this Opinion and Order in this proceeding. In addition to estimating costs, the study will include an implementation schedule for completion of the design, repairs or improvements, obtaining permits, obtaining bids, awarding contracts, and completion of construction/start of operation. Additionally, the engineering report will include a schedule to replace and/or test customer meters in accordance with Section 65.8(b) that results in compliance by April 30, 2019. Hidden Valley Utility Services, L.P., will implement the replacement and testing schedule.

7. That Hidden Valley Utility Services, L.P., shall provide a copy of the engineer's report and any amendments or supplements thereto, to the Office of Consumer Advocate and to the Commission's Bureau of Technical Utility Services, in writing, not later than fourteen (14) days from the date of the expert report and each amendment or supplement thereto.

January 2018 Order at 61-62.

9. On April 18, 2018, the Company filed an engineer's report identifying four options to address the issues caused by iron and manganese in the water.

10. According to HVUS, the Company purchased a water treatment plant to address the iron and manganese in its water and, on November 27, 2019, submitted an application to the Department of Environmental Protection (DEP) for a permit to construct the plant. HVUS also states that, on February 21, 2020, the Company submitted additional information to DEP in response to a technical deficiency letter. See HVUS 60-Day Status Reports (Sept. 16, 2019 and Jan. 14, 2020); HVUS Prehearing Conference Memorandum (Feb. 24, 2020) at 4-5.

11. On March 6, 2020, prior to 12 p.m., the OCA served Set IX discovery to HVUS.

12. HVUS objects to OCA Set IX, questions 3 through 7, on the ground that the requested information about the water system is not relevant to the issues being addressed in this proceeding.⁶

⁶ Specifically, the Company contends that the only matters at issue are: the propriety of the

Objections at 3-5. For questions 3, 4, 5 and 7, the Company objects on the additional ground that the interrogatories request information that is unreasonably burdensome because it requests information “long before the period in question in this proceeding,” which HVUS defines as 2018 to present. Id.

13. Interrogatory OCA-IX-3 states:

3. Provide the Company’s percentage of unaccounted water for the calendar years 2016, 2017, 2018 and 2019. Show how all percentages were calculated. If estimates are used, please provide the calculation and basis for each estimate. Explain all assumptions used in the calculations.

14. Interrogatory OCA-IX-4 states:

4. Identify all actions taken between January 1, 2016 to the present used to reduce unaccounted for water levels.

15. As discussed during the February 25, 2020 Prehearing Conference, the issues to be addressed in this proceeding include the propriety of the options and proposed time schedules contained in the April 2018 engineer’s report. See Objections at 2. Questions 3 and 4 relate to the propriety of the options identified in the April 2018 engineer’s report. Specifically, information regarding unaccounted for water will assist the OCA to determine if the proposed treatment plant has adequate capacity to provide maximum day demand in addition to distribution system leakage and flushing.

16. The information requested in Questions 3 and 4 may also be relevant to the appropriate timing for completing construction of the new treatment plant, obtaining an operating permit,

recommendations, proposed time schedules and financing plans for the recommendations contained in the April 2018 engineer’s report pertaining to the Company’s water system; the sufficiency of the report; and the sufficiency of the previously ordered one-year compliance deadline and whether the Commission should grant the request of HVUS to extend the compliance deadlines proposed in the 2018 engineer’s report. Objections at 2.

removing sediment containing iron and manganese from the bottom of the 250,000 tank and the distribution piping.

17. The OCA submits that it would not be unduly burdensome to provide information regarding unaccounted for water levels, which is information the Company is required to provide in its annual reports to the Commission. Further, nothing in HVUS's objection establishes how much time and expense would be incurred to produce this information.

18. The OCA submits that four years is a reasonable period. The OCA last conducted discovery in this proceeding in early 2015. Also, for question 3, information for multiple years is necessary to determine an average, representative level of unaccounted for water.

19. Further, the Company's contention regarding the period in question (2018 to present) should be rejected. That is the period of time the Company has challenged the one-year deadline, but it has no bearing on the investigation of the propriety of the alternatives in the engineer's report or the schedule for implementation.

20. Based on the foregoing, OCA to HVUS Set IX-3 and 4 are relevant, are reasonably calculated to lead to the discovery of admissible evidence and are not unduly burdensome.

21. Notwithstanding, in an effort to resolve HVUS's objection, the OCA would be willing to limit the period of question 3 and 4 to 2018 and 2019. This compromise also recognizes that the OCA has conducted discovery on unaccounted for water in another proceeding, HVUS's 2018 base rate filing. The record of that proceeding has not been made part of the record in this proceeding, however, the OCA may subsequently make that request.

22. Interrogatory OCA-IX-5 states:

5. Please provide a list of all customer complaints received by the Company from January 1, 2014 to the present. The computer file should be provided in electronic, sortable format and should contain the following information

regarding the complaint: date, address, nature, and action taken by the Company.

23. As discussed during the February 25, 2020 Prehearing Conference, the issues to be addressed in this proceeding include the propriety of the options and proposed time schedules contained in the April 2018 engineer's report. See Objections at 2. Question 5 relates to the propriety of the options contained in the April 2018 engineer's report. Specifically, information regarding customer complaints will assist the OCA to investigate whether the proposed treatment plant will serve to "ensure that customers shall receive adequate service." For example, have the frequency of rusty/brown water complaints increased? Will other types of complaints be addressed by the proposed new treatment plant and processes?

24. The information requested in Question 5 may also be relevant to the proposed timing for completing construction of the new treatment plant and consideration of the previously ordered one-year compliance deadline. As stated by the Commission in its January 2018 Order, "customers have been suffering from poor water quality and unreasonable service for years. Any subsequent delays in failing to remediate the problems due to the failure to meet compliance deadlines would be unacceptable." January 2018 Order at 31.

25. The OCA submits that it would not be unduly burdensome to provide information regarding customer complaints, which is information the Company is required to maintain. 52 Pa. Code § 65.3(b) ("A public utility shall preserve for a period of at least 5 years, written service complaints showing the name and address of the complainant, the date and character of the complaint and the final disposition of the complaint.") Further, nothing in HVUS's objection establishes how much time and expense would be incurred to produce this information.

26. The OCA submits that four years is a reasonable period. The OCA last conducted discovery in this proceeding in early 2015.

27. Further, the Company's contention regarding the period in question (2018 to present) should be rejected. That is the period of time the Company has challenged the one-year deadline, but it has no bearing on the investigation of the propriety of the alternatives in the engineer's report or the schedule for implementation.

28. Based on the foregoing, OCA to HVUS Set IX-5 is relevant, is reasonably calculated to lead to the discovery of admissible evidence and is not unduly burdensome.

29. Notwithstanding, in an effort to resolve HVUS's objection, the OCA would be willing to limit the period of question 5 to 2018 and 2019. This compromise also recognizes that the OCA has conducted discovery on customer complaints in another proceeding, HVUS's 2018 base rate filing at Docket Nos. R-2018-3001306, R-2018-3001307. The record of that proceeding has not been made part of the record in this proceeding, however, the OCA may subsequently make that request.

30. Interrogatory OCA-IX-6 states:

6. Please provide the following information on the inspection of the inside of the 250,000-gallon storage tank:
 - a. When was it last inspected?
 - b. Who inspected the inside of the tank?
 - c. Was the tank inspected by an underwater diver or was the tank drained prior to inspection.
 - d. Did the inspection include an evaluation of the tank's interior paint system?
 - e. Was an inspection report prepared? If yes, please submit a copy.
 - f. Was the sediment on the bottom of the tank removed as part of the inspection procedure?

31. As discussed during the February 25, 2020 Prehearing Conference, the issues to be addressed in this proceeding include the propriety of the options and proposed time schedules contained in the April 2018 engineer's report. See Objections at 2. Question 6 relates to the propriety of the options contained in the April 2018 engineer's report. Specifically, the condition

of the storage tank impacts the operation of the distribution system and the effectiveness of the new treatment process.

32. The information requested in Question 6 may also be relevant to the proposed timing for starting operation of the new treatment plant, if repairs, repainting and/or sediment removal are needed. Also the costs of necessary actions for the storage tank, may raise issues regarding financing.

33. Based on the foregoing, OCA to HVUS Set IX-6 is relevant, is reasonably calculated to lead to the discovery of admissible evidence and is not unduly burdensome.

34. Notwithstanding, in an effort to resolve HVUS's objection, the OCA would be willing to narrow the question as follows:

If the 250,000-gallon storage tank has been inspected since July 17, 2011, please provide the following information on the inspection of the inside of the 250,000-gallon storage tank:

This compromise recognizes that the OCA has already obtained a copy of a report for an inspection conducted in 2011. If that is the most recent report, it would be sufficient for the Company to so indicate.

35. Interrogatory OCA-IX-7 states:

7. Please provide the following information for each of the calendar years 2016, 2017, 2018 and 2019:
 - a. Average daily volume of water pumped from each well.
 - b. Average daily water depth readings in the 250,000 gallon tank.
 - c. All contractor's invoices for repairing leaks.
 - d. All invoices for renting equipment used to repair leaks.
 - e. Dates that the distribution system was flushed.
 - f. Dates that water overflowed the 250,000 gallon tank.
 - g. Employee time sheets for the dates that leaks were repaired.

36. As discussed during the February 25, 2020 Prehearing Conference, the issues to be addressed in this proceeding include the propriety of the options and proposed time schedules

contained in the April 2018 engineer's report. See Objections at 2. Question 7 relates to the propriety of the options contained in the April 2018 engineer's report. Specifically, information regarding the condition and operation of the water system will help to develop the record on which to determine whether the new treatment plant will serve to "ensure that customers shall receive adequate service." In particular, the information requested in subsections a., b., e. and f. may bear on the operation of the new treatment plant with the storage tank.

37. The OCA submits that it would not be unduly burdensome to provide the information requested, which is information the Company should already be recording and maintaining in the course of operating its system. Information related to well withdrawals and flushing frequency and volumes, for example, is provided in the DEP Annual Water Supply Reports, which are a required attachment to the annual reports filed with the Commission. Further, nothing in HVUS's objection establishes how much time and expense would be incurred to produce this information.

38. The OCA submits that four years is a reasonable period. The OCA last conducted discovery in this proceeding in early 2015.

39. Further, the Company's contention regarding the period in question (2018 to present) should be rejected. That is the period of time the Company has challenged the one-year deadline, but it has no bearing on the investigation of the propriety of the alternatives in the engineer's report or the schedule for implementation.

40. Based on the foregoing, OCA to HVUS Set IX-7 is relevant, is reasonably calculated to lead to the discovery of admissible evidence and is not unduly burdensome.

41. Notwithstanding, in an effort to resolve HVUS's objection, the OCA would be willing to (1) limit the period of question 7 to 2018 and 2019 and (2) withdraw subparts c., d. and g. This compromise also recognizes that the OCA has conducted discovery on flushing and leak repair in

another proceeding, HVUS's 2018 base rate filing at Docket Nos. R-2018-3001306, R-2018-3001307. The record of that proceeding has not been made part of the record in this proceeding, however, the OCA may subsequently make that request.

V. CERTIFICATION

42. The undersigned counsel for OCA certifies that, on March 11, 2019, she contacted HVUS's counsel in a further attempt to resolve the Company's objections. Counsel were unable to resolve the dispute at that time.

VI. CONCLUSION

For the foregoing reasons, the OCA's requests for information in OCA Set IX, Questions 3 through 7 are relevant and reasonable. The OCA respectfully requests that the Presiding Officer grant this Motion to Dismiss Objections and Compel Responses to Discovery and direct Hidden Valley Utility Services, LP to answer fully OCA Set IX, questions 3 through 7, as described above, within three calendar (3) days from the date of the order.

Respectfully submitted,



Erin L. Gannon
Senior Assistant Consumer Advocate
Pa. Attorney No. 83487
EGannon@paoca.org

Christine Maloni Hoover
Senior Assistant Consumer Advocate
Pa. Attorney No. 50026
CHoover@paoca.org

Counsel for:
Tanya J. McCloskey
Acting Consumer Advocate

Office of Consumer Advocate
555 Walnut Street 5th Floor, Forum Place
Harrisburg, PA 17101-1923
(717) 783-5048

Dated: March 16, 2020
285203

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

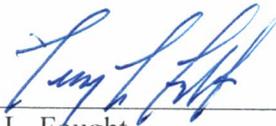
Tanya J. McCloskey, Acting Consumer Advocate :
v. : Docket Nos. C-2014-2447138
Hidden Valley Utility Services, L.P. - : C-2014-2447169
Water and Wastewater Division :

VERIFICATION

I, Terry L. Fought, hereby state that the facts set forth in the attached pleading 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).

Dated: March 16, 2020

Signature:



Terry L. Fought

780 Cardinal Drive
Harrisburg, PA 17111

285270

Attachment 1
OCA Set IX (water) to HVUS

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

555 Walnut Street, 5th Floor, Forum Place
Harrisburg, Pennsylvania 17101-1923
(717) 783-5048
800-684-6560

 @pa_oca

 /pennoca

FAX (717) 783-7152
consumer@paoca.org

March 6, 2020

Jonathan P. Nase, Esquire
David P. Zambito, Esquire
Cozen O'Connor
17 North Second Street
Suite 1410
Harrisburg, PA 17101

Re: Office of Consumer Advocate
v.
Hidden Valley Utility Services, L.P. –
Water Division
Docket No. C-2014-2447138

Dear Counsel:

Enclosed you will find two copies of Interrogatories of the Office of Consumer Advocate, Set IX, in the above-referenced proceeding.

In accordance with the Commission's Rules of Practice and Procedure, we request that the Company provide verified answers to these inquiries within ten (10) days of service. Also, please forward the verified answers as they are completed, rather than waiting until the responses to the full set are completed. We would appreciate it if you would communicate any objections you may have to these interrogatories as soon as possible.

We also request that you send a copy of the answers directly to our consultant, as listed below:

Terry L. Fought
780 Cardinal Drive
Harrisburg, PA 17111
E-Mail: tlfengr@aol.com

Jonathan P. Nase, Esquire
David P. Zambito, Esquire
March 6, 2020
Page 2

If you have any questions, please call us. By copy of this letter, copies of these interrogatories have been served upon all parties. A certificate of service showing service of these interrogatories on all parties has been filed with Secretary Chiavetta of the Pennsylvania Public Utility Commission as required by 52 Pa. Code § 5.341(b).

Sincerely,

/s/ Erin L. Gannon
Erin L. Gannon
Senior Assistant Consumer Advocate
PA Attorney I.D. # 83487
E-Mail: EGannon@paoca.org

Enclosures:

cc: PUC Secretary Rosemary Chiavetta, (Letter and Certificate of Service only)
Certificate of Service

*284893

CERTIFICATE OF SERVICE

Office of Consumer Advocate	:	
	:	
v.	:	Docket No. C-2014-2447138
	:	
Hidden Valley Utility Services, L.P. –	:	
Water Division	:	

I hereby certify that I have this day served a true copy of the following document, the Office of Consumer Advocate’s Interrogatories to Hidden Valley Utility Services, L.P. – Water Division, Set IX, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 6th day of March 2020.

SERVICE BY E-MAIL AND FIRST CLASS MAIL, POSTAGE PREPAID

Jonathan P. Nase, Esquire
David P. Zambito, Esquire
Cozen O’Connor
17 North Second Street, Suite 1410
Harrisburg, PA 17101

Sharon Howards-Fieri
1174 Grist Mill Court
P.O. Box 4126
Hidden Valley, PA 15502

James Kettler, President
Hidden Valley Utility Services, L.P.
811 Russell Avenue, Suite F
Gaithersburg, MD 20879

Robert J. Kollar
Kellie A. Kuhleman
1374 Langport Drive
Pittsburgh, PA 1524

/s/ Erin L. Gannon
Erin L. Gannon
Senior Assistant Consumer Advocate
PA Attorney I.D. # 83487
E-Mail: EGannon@paoca.org

Counsel for:
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
Phone: (717) 783-5048
Fax: (717) 783-7152
Dated: March 6, 2020
*284895

Christine Maloni Hoover
Senior Assistant Consumer Advocate
PA Attorney I.D. # 50026
E-Mail: CHoover@paoca.org

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Re: Office of Consumer Advocate :
 :
 v. : Docket No. C-2014-2447138
 :
 Hidden Valley Utility Services, L.P. :
 – Water Division :

INTERROGATORIES OF THE
OFFICE OF CONSUMER ADVOCATE
SET IX

Pursuant to 52 Pa. Code §5.341, the Office of Consumer Advocate hereby propounds the following Interrogatories to Hidden Valley Utility Services, L.P. - Water Division to be answered by those officers, employees, agents, or contractors who have knowledge of the requested facts and who are authorized to answer on behalf of the Company. Each interrogatory is to be verified by the responding witness in accordance with 52 Pa. Code §5.342(a)(6).

DATED: March 6, 2020

Instructions

- 1) These interrogatories shall be construed as a continuing request. The Respondent is obliged to change, supplement and correct all answers to interrogatories to conform to available information, including such information as first becomes available to the Respondent after the answers hereto are filed.
- 2) Restate the interrogatory immediately preceding each response.
- 3) Identify the name, title, and business address of each person(s) providing each response.
- 4) Provide the date on which the response was created.
- 5) Divulge all information that is within the knowledge, possession, control, or custody of Respondent or may be reasonably ascertained thereby. The term "Hidden Valley Utility Services, L.P. - Water," "Hidden Valley Utility Services," "Hidden Valley," or "you," as used herein includes Hidden Valley Utility Services, L.P. - Water, its attorneys, agents, employees, contractors, or other representatives, to the extent that the Company has the right to compel the action requested therein.
- 6) Provide a verification by the responsible witness that all facts contained in the response are true and correct to the best of the witness' knowledge, information and belief.
- 7) As used herein, but only to the extent not protected by 52 Pa. Code Section 5.323, the word "document" or "workpaper" includes, but is not limited to, the original and all copies in whatever form, stored or contained in or on whatever media or medium including computerized memory, magnetic, electronic, or optical media, regardless of origin and whether or not including additional writing thereon or attached thereto, and may consist of:
 - a) notations of any sort concerning conversations, telephone calls, meetings or other communications;
 - b) bulletins, transcripts, diaries, analyses, summaries, correspondence and enclosures, circulars, opinions, studies, investigations, questionnaires and surveys;
 - c) worksheets, and all drafts, preliminary versions, alterations, modifications, revisions, changes, amendments and written comments concerning the foregoing.

Office of Consumer Advocate
v.
Hidden Valley Utility Services, L.P. – Water
Docket No. C-2014-2447138

Interrogatories of the Office of Consumer Advocate
Set IX

1. Reference: Hidden Valley Utility Services, L.P ("HVUS") 60-Day Status Report Compliance Timeline per Ordering Paragraph 17 of the January 18, 2018 PUC Order in Docket Nos. C-2014-2447138 and C-2014-2447169 (September 16, 2019 update). Please provide the following information on the water treatment plant purchased to address the iron and manganese in the water.
 - a. What is the manufacturer's name?
 - b. What is the model number?
 - c. What is the capacity?
 - d. Was the treatment plant used or new?
 - e. If used, where was it previously installed?
 - f. If used, when was it placed into service and when was it removed from service?
 - g. If used, when was it removed from its installation location?
 - h. If used, does it include all the accessory controls and equipment?
 - i. If used, what maintenance and repairs have been performed on the treatment plant, accessory controls and equipment?
 - j. What did the treatment plant cost?
2. Reference: Hidden Valley Utility Services, L.P ("HVUS") 60-Day Status Report Compliance Timeline per Ordering Paragraph 17 of the January 18, 2018 PUC Order in Docket Nos. C-2014-2447138 and C-2014-2447169 (September 16, 2019 update). Please provide a copy of all communications between HVUS (including its engineers) and the Pennsylvania Department of Environmental Protection regarding the options identified in the April 2018 engineer's report to address iron and manganese in the water. Include a copy of all related Applications submitted to DEP.
3. Provide the Company's percentage of unaccounted water for the calendar years 2016, 2017, 2018 and 2019. Show how all percentages were calculated. If estimates are used, please provide the calculation and basis for each estimate. Explain all assumptions used in the calculations.
4. Identify all actions taken between January 1, 2016 to the present used to reduce unaccounted for water levels.
5. Please provide a list of all customer complaints received by the Company from January 1, 2014 to the present. The computer file should be provided in electronic, sortable format and should contain the following information regarding the complaint: date, address, nature, and action taken by the Company.

Office of Consumer Advocate
v.
Hidden Valley Utility Services, L.P. – Water
Docket No. C-2014-2447138

Interrogatories of the Office of Consumer Advocate
Set IX

6. Please provide the following information on the inspection of the inside of the 250,000-gallon storage tank:
 - a. When was it last inspected?
 - b. Who inspected the inside of the tank?
 - c. Was the tank inspected by an underwater diver or was the tank drained prior to inspection.
 - d. Did the inspection include an evaluation of the tank's interior paint system?
 - e. Was an inspection report prepared? If yes, please submit a copy.
 - f. Was the sediment on the bottom of the tank removed as part of the inspection procedure?

7. Please provide the following information for each of the calendar years 2016, 2017, 2018 and 2019:
 - a. Average daily volume of water pumped from each well.
 - b. Average daily water depth readings in the 250,000 gallon tank.
 - c. All contractor's invoices for repairing leaks.
 - d. All invoices for renting equipment used to repair leaks.
 - e. Dates that the distribution system was flushed.
 - f. Dates that water overflowed the 250,000 gallon tank.
 - g. Employee time sheets for the dates that leaks were repaired.

284877

Attachment 2
HVUS Objections to OCA Set IX (water)



March 11, 2020

VIA E-MAIL AND FIRST CLASS MAIL

Jonathan P. Nase

Direct Phone 717-773-4191

Direct Fax 215-372-2340

jnase@cozen.com

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

Re: Tanya J. McCloskey, Acting Consumer Advocate v. Hidden Valley Utility Services, L.P. -- Water and Tanya J. McCloskey, Acting Consumer Advocate v. Hidden Valley Utility Services, L.P. -- Wastewater; Docket Nos. C-2014-2447138 and C-2014-2447169

Objections of Hidden Valley Utility Services, L.P., to Certain Interrogatories Propounded by the Office of Consumer Advocate – Set IX

Dear Ms. Hoover:

Enclosed please find the Objections of Hidden Valley Utility Services, L.P., to Certain Interrogatories Propounded by the Office of Consumer Advocate – Set IX. Copies have been served in accordance with the attached Certificate of Service.

Please contact me if you have any questions regarding these Objections.

Sincerely,

COZEN O'CONNOR

By: Jonathan P. Nase
Counsel for *Hidden Valley Utility Services, L.P.*

JPN

cc: Rosemary Chiavetta, Secretary (*cover letter and certificate of service only*)
Per Certificate of Service
James M. Kettler, President, Hidden Valley Utility Services, L.P.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Tanya J. McCloskey, Acting Consumer Advocate	:	
	:	
v.	:	Docket No. C-2014-2447138
	:	
Hidden Valley Utility Services, L.P. – Water	:	
	:	
and	:	
	:	
Tanya J. McCloskey, Acting Consumer Advocate	:	
	:	
v.	:	Docket No. C-2014-2447169
	:	
Hidden Valley Utility Services, L.P. – Wastewater	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing **Objections of Hidden Valley Utility Services, L.P. to Certain Interrogatories Propounded by the Office of Consumer Advocate – Set IX**, upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

VIA E-MAIL AND FIRST CLASS MAIL:

Christine Maloni Hoover, Esq.
Erin L. Gannon, Esq.
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923
Counsel for *Office of Consumer Advocate*

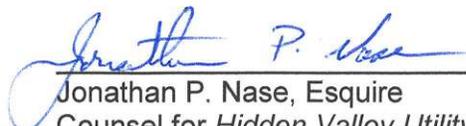
Sharon Howard-Frieri
P.O. Box 4126
Gristmill Court
Hidden Valley, PA 15502

Robert J. Kollar, CPA and
Kellie A. Kuhleman
1374 Langport Dr.
Pittsburgh, PA 15241

Allison Kaster, Esq.
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17120
Counsel for *Bureau of Investigation and Enforcement*

Terry L. Fought
780 Cardinal Drive
Harrisburg, PA 17111
Consultant for *Office of Consumer Advocate*

DATED: March 11, 2020



Jonathan P. Nase, Esquire
Counsel for *Hidden Valley Utility Services, L.P.*

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**ADMINISTRATIVE LAW JUDGE
KATRINA L. DUNDERDALE**

Tanya J. McCloskey, Acting Consumer Advocate :
v. : Docket No. C-2014-2447138
Hidden Valley Utility Services, L.P. – Water :

and

Tanya J. McCloskey, Acting Consumer Advocate :
v. : Docket No. C-2014-2447169
Hidden Valley Utility Services, L.P. – Wastewater :

**OBJECTIONS OF HIDDEN VALLEY UTILITY SERVICES, L.P.
TO CERTAIN INTERROGATORIES PROPOUNDED BY
THE OFFICE OF CONSUMER ADVOCATE – SET IX**

AND NOW COMES Hidden Valley Utility Services, L.P. (“HVUS”), pursuant to 52 Pa. Code § 5.342(c) and the Parties’ agreement¹ following the Prehearing Conference held before Administrative Law Judge Katrina L. Dunderdale (the “ALJ”) on February 25, 2020, to file these Objections (“Objections”) to Certain Interrogatories Propounded by the Office of Consumer Advocate (“OCA”) - Set IX (“Set IX”). In support whereof, HVUS states as follows:

¹ The Parties have been complying with this agreement, although a formal order modifying the Commission’s discovery rules has not been issued.

I. Background

1. This proceeding is being held pursuant to the Memorandum Opinion of the Commonwealth Court of Pennsylvania, dated May 15, 2019 and the Opinion and Order of the Pennsylvania Public Utility Commission (“Commission”) entered January 17, 2019, which denied the Petition of HVUS for an Amendment of the Opinion and Order entered May 3, 2018.

2. At the Prehearing Conference, the ALJ ruled that the only issues in this proceeding are:

a. The propriety of the recommendations, proposed time schedules and financing plans for the recommendations contained in the engineer’s report of HVUS from April 18, 2018 pertaining to HVUS’s water system;

b. The sufficiency of the report of the engineer of HVUS from April 18, 2018;

c. The sufficiency of the previously ordered one-year compliance deadline; and

d. Whether the Commission should grant the request of HVUS to extend the compliance deadlines proposed in the engineer’s report from April 18, 2018.

3. The OCA served Set IX on HVUS before noon on Friday, March 6, 2020. A copy is attached as **Exhibit 1**.

4. Counsel for HVUS contacted counsel for the OCA on Monday, March 9, 2020 to orally object to Interrogatories 3-7. They were unable to resolve the discovery dispute.

II. Objections

5. 52 Pa. Code § 5.342(c) permits a party to object to discovery requests.

6. 52 Pa. Code § 5.321(c) states:

(c) Scope. Subject to this subchapter, a party may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action, whether it relates to the claim or defense of the party seeking discovery or to the claim or defense of another party, including the existence, description, nature, content, custody, condition and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of a discoverable matter. It is not ground for objection that the information sought will be

inadmissible at hearing if the information sought appears reasonably calculated to lead to the discovery of admissible evidence.

7. 52 Pa. Code § 5.361(a) states:

(a) Discovery or deposition is not permitted which:

(1) Is sought in bad faith.

(2) Would cause unreasonable annoyance, embarrassment, oppression, burden or expense to the deponent, a person or party.

(3) Relates to matter which is privileged.

(4) Would require the making of an unreasonable investigation by the deponent, a party or witness.

8. HVUS objects to Interrogatory IX-3, which states:

3. Provide the Company's percentage of unaccounted [for] water for the calendar years 2016, 2017, 2018 and 2019. Show how all percentages were calculated. If estimates are used, please provide the calculation and basis for each estimate. Explain all assumptions used in the calculations.

9. HVUS objects to this interrogatory on the grounds that it goes well beyond the limited scope of this proceeding. The interrogatory requests information long before the time period in question in this proceeding (2018 to present), which is unreasonably burdensome. Additionally, the requested information is not relevant to any of the narrow issues involved in this proceeding. The answers to this interrogatory will not be admissible in this proceeding, nor is this interrogatory reasonably calculated to lead to the discovery of admissible evidence.

10. HVUS objects to Interrogatory IX-4, which states:

4. Identify all actions taken between January 1, 2016 to the present used to reduce unaccounted for water levels.

11. HVUS objects to this interrogatory on the grounds that it goes well beyond the limited scope of this proceeding. The interrogatory requests information long before the time period in question in this proceeding (2018 to present), which is unreasonably burdensome. Additionally, the requested information is not relevant to any of the narrow issues involved in

this proceeding. The answers to this interrogatory will not be admissible in this proceeding, nor is this interrogatory reasonably calculated to lead to the discovery of admissible evidence.

12. HVUS objects to Interrogatory IX-5, which states:

5. Please provide a list of all customer complaints received by the Company from January 1, 2014 to the present. The computer file should be provided in electronic, sortable format and should contain the following information regarding the complaint: date, address, nature, and action taken by the Company.

13. HVUS objects to this interrogatory on the grounds that it goes well beyond the limited scope of this proceeding. The interrogatory requests information long before the time period in question in this proceeding (2018 to present), which is unreasonably burdensome. Additionally, the requested information is not relevant to any of the narrow issues involved in this proceeding. The answers to this interrogatory will not be admissible in this proceeding, nor is this interrogatory reasonably calculated to lead to the discovery of admissible evidence.

14. HVUS objects to Interrogatory IX-6, which states:

6. Please provide the following information on the inspection of the inside of the 250,000-gallon storage tank:

- a. When was it last inspected?
- b. Who inspected the inside of the tank?
- c. Was the tank inspected by an underwater diver or was the tank drained prior to inspection.
- d. Did the inspection include an evaluation of the tank's interior paint system?
- e. Was an inspection report prepared? If yes, please submit a copy.
- f. Was the sediment on the bottom of the tank removed as part of the inspection procedure?

15. HVUS objects to this interrogatory on the grounds that it goes well beyond the limited scope of this proceeding. The interrogatory requests information that is not relevant to any of the narrow issues involved in this proceeding. The answers to this interrogatory will not

be admissible in this proceeding, nor is this interrogatory reasonably calculated to lead to the discovery of admissible evidence.

16. HVUS objects to Interrogatory IX-7, which states:

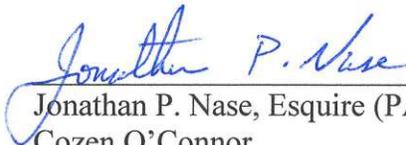
7. Please provide the following information for each of the calendar years 2016, 2017, 2018 and 2019:
 - a. Average daily volume of water pumped from each well.
 - b. Average daily water depth readings in the 250,000 gallon tank.
 - c. All contractor's invoices for repairing leaks.
 - d. All invoices for renting equipment used to repair leaks.
 - e. Dates that the distribution system was flushed.
 - f. Dates that water overflowed the 250,000 gallon tank.
 - g. Employee time sheets for the dates that leaks were repaired.

17. HVUS objects to this interrogatory on the grounds that it goes well beyond the limited scope of this proceeding. The interrogatory requests information long before the time period in question in this proceeding (2018 to present), which is unreasonably burdensome. Additionally, the requested information is not relevant to any of the narrow issues involved in this proceeding. The answers to this interrogatory will not be admissible in this proceeding, nor is this interrogatory reasonably calculated to lead to the discovery of admissible evidence.

III. CONCLUSION

WHEREFORE, for all of the reasons set forth above, HVUS respectfully requests that its objections be sustained, and that Interrogatories 3-7 in Set IX Propounded by the Office of Consumer Advocate be stricken.

Respectfully submitted,


Jonathan P. Nase, Esquire (PA ID No. 44003)
Cozen O'Connor
17 North Second Street
Suite 1410
Harrisburg, PA 17101
Phone: 717-773-4191
Fax: 215-372-2340
E-mail: jnase@cozen.com

Counsel for *Hidden Valley Utility Services, L.P.*

Date: March 11, 2020

EXHIBIT 1

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

555 Walnut Street, 5th Floor, Forum Place
Harrisburg, Pennsylvania 17101-1923
(717) 783-5048
800-684-6560

 @pa_oca

 /pennoca

FAX (717) 783-7152
consumer@paoca.org

March 6, 2020

Jonathan P. Nase, Esquire
David P. Zambito, Esquire
Cozen O'Connor
17 North Second Street
Suite 1410
Harrisburg, PA 17101

Re: Office of Consumer Advocate
v.
Hidden Valley Utility Services, L.P. –
Water Division
Docket No. C-2014-2447138

Dear Counsel:

Enclosed you will find two copies of Interrogatories of the Office of Consumer Advocate, Set IX, in the above-referenced proceeding.

In accordance with the Commission's Rules of Practice and Procedure, we request that the Company provide verified answers to these inquiries within ten (10) days of service. Also, please forward the verified answers as they are completed, rather than waiting until the responses to the full set are completed. We would appreciate it if you would communicate any objections you may have to these interrogatories as soon as possible.

We also request that you send a copy of the answers directly to our consultant, as listed below:

Terry L. Fought
780 Cardinal Drive
Harrisburg, PA 17111
E-Mail: tlfengr@aol.com

RECEIVED MAR - 9 2020

Jonathan P. Nase, Esquire
David P. Zambito, Esquire
March 6, 2020
Page 2

If you have any questions, please call us. By copy of this letter, copies of these interrogatories have been served upon all parties. A certificate of service showing service of these interrogatories on all parties has been filed with Secretary Chiavetta of the Pennsylvania Public Utility Commission as required by 52 Pa. Code § 5.341(b).

Sincerely,

/s/ Erin L. Gannon
Erin L. Gannon
Senior Assistant Consumer Advocate
PA Attorney I.D. # 83487
E-Mail: EGannon@paoca.org

Enclosures:

cc: PUC Secretary Rosemary Chiavetta, (Letter and Certificate of Service only)
Certificate of Service

*284893

CERTIFICATE OF SERVICE

Office of Consumer Advocate :
v. : Docket No. C-2014-2447138
Hidden Valley Utility Services, L.P. – :
Water Division :

I hereby certify that I have this day served a true copy of the following document, the Office of Consumer Advocate’s Interrogatories to Hidden Valley Utility Services, L.P. – Water Division, Set IX, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 6th day of March 2020.

SERVICE BY E-MAIL AND FIRST CLASS MAIL, POSTAGE PREPAID

Jonathan P. Nase, Esquire
David P. Zambito, Esquire
Cozen O’Connor
17 North Second Street, Suite 1410
Harrisburg, PA 17101

Sharon Howards-Fieri
1174 Grist Mill Court
P.O. Box 4126
Hidden Valley, PA 15502

James Kettler, President
Hidden Valley Utility Services, L.P.
811 Russell Avenue, Suite F
Gaithersburg, MD 20879

Robert J. Kollar
Kellie A. Kuhleman
1374 Langport Drive
Pittsburgh, PA 1524

/s/ Erin L. Gannon
Erin L. Gannon
Senior Assistant Consumer Advocate
PA Attorney I.D. # 83487
E-Mail: EGannon@paoca.org

Christine Maloni Hoover
Senior Assistant Consumer Advocate
PA Attorney I.D. # 50026
E-Mail: CHoover@paoca.org

Counsel for:
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
Phone: (717) 783-5048
Fax: (717) 783-7152
Dated: March 6, 2020
*284895

RECEIVED MAR - 9 2020

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Re: Office of Consumer Advocate :
 :
 v. : Docket No. C-2014-2447138
 :
 Hidden Valley Utility Services, L.P. :
 – Water Division :

INTERROGATORIES OF THE
OFFICE OF CONSUMER ADVOCATE
SET IX

Pursuant to 52 Pa. Code §5.341, the Office of Consumer Advocate hereby propounds the following Interrogatories to Hidden Valley Utility Services, L.P. - Water Division to be answered by those officers, employees, agents, or contractors who have knowledge of the requested facts and who are authorized to answer on behalf of the Company. Each interrogatory is to be verified by the responding witness in accordance with 52 Pa. Code §5.342(a)(6).

DATED: March 6, 2020

RECEIVED MAR - 9 2020

Instructions

- 1) These interrogatories shall be construed as a continuing request. The Respondent is obliged to change, supplement and correct all answers to interrogatories to conform to available information, including such information as first becomes available to the Respondent after the answers hereto are filed.
- 2) Restate the interrogatory immediately preceding each response.
- 3) Identify the name, title, and business address of each person(s) providing each response.
- 4) Provide the date on which the response was created.
- 5) Divulge all information that is within the knowledge, possession, control, or custody of Respondent or may be reasonably ascertained thereby. The term "Hidden Valley Utility Services, L.P. - Water," "Hidden Valley Utility Services," "Hidden Valley," or "you," as used herein includes Hidden Valley Utility Services, L.P. - Water, its attorneys, agents, employees, contractors, or other representatives, to the extent that the Company has the right to compel the action requested therein.
- 6) Provide a verification by the responsible witness that all facts contained in the response are true and correct to the best of the witness' knowledge, information and belief.
- 7) As used herein, but only to the extent not protected by 52 Pa. Code Section 5.323, the word "document" or "workpaper" includes, but is not limited to, the original and all copies in whatever form, stored or contained in or on whatever media or medium including computerized memory, magnetic, electronic, or optical media, regardless of origin and whether or not including additional writing thereon or attached thereto, and may consist of:
 - a) notations of any sort concerning conversations, telephone calls, meetings or other communications;
 - b) bulletins, transcripts, diaries, analyses, summaries, correspondence and enclosures, circulars, opinions, studies, investigations, questionnaires and surveys;
 - c) worksheets, and all drafts, preliminary versions, alterations, modifications, revisions, changes, amendments and written comments concerning the foregoing.

Office of Consumer Advocate
v.
Hidden Valley Utility Services, L.P. – Water
Docket No. C-2014-2447138

Interrogatories of the Office of Consumer Advocate
Set IX

1. Reference: Hidden Valley Utility Services, L.P ("HVUS") 60-Day Status Report Compliance Timeline per Ordering Paragraph 17 of the January 18, 2018 PUC Order in Docket Nos. C-2014-2447138 and C-2014-2447169 (September 16, 2019 update). Please provide the following information on the water treatment plant purchased to address the iron and manganese in the water.
 - a. What is the manufacturer's name?
 - b. What is the model number?
 - c. What is the capacity?
 - d. Was the treatment plant used or new?
 - e. If used, where was it previously installed?
 - f. If used, when was it placed into service and when was it removed from service?
 - g. If used, when was it removed from its installation location?
 - h. If used, does it include all the accessory controls and equipment?
 - i. If used, what maintenance and repairs have been performed on the treatment plant, accessory controls and equipment?
 - j. What did the treatment plant cost?
2. Reference: Hidden Valley Utility Services, L.P ("HVUS") 60-Day Status Report Compliance Timeline per Ordering Paragraph 17 of the January 18, 2018 PUC Order in Docket Nos. C-2014-2447138 and C-2014-2447169 (September 16, 2019 update). Please provide a copy of all communications between HVUS (including its engineers) and the Pennsylvania Department of Environmental Protection regarding the options identified in the April 2018 engineer's report to address iron and manganese in the water. Include a copy of all related Applications submitted to DEP.
3. Provide the Company's percentage of unaccounted water for the calendar years 2016, 2017, 2018 and 2019. Show how all percentages were calculated. If estimates are used, please provide the calculation and basis for each estimate. Explain all assumptions used in the calculations.
4. Identify all actions taken between January 1, 2016 to the present used to reduce unaccounted for water levels.
5. Please provide a list of all customer complaints received by the Company from January 1, 2014 to the present. The computer file should be provided in electronic, sortable format and should contain the following information regarding the complaint: date, address, nature, and action taken by the Company.

Office of Consumer Advocate
v.
Hidden Valley Utility Services, L.P. – Water
Docket No. C-2014-2447138

Interrogatories of the Office of Consumer Advocate
Set IX

6. Please provide the following information on the inspection of the inside of the 250,000-gallon storage tank:
 - a. When was it last inspected?
 - b. Who inspected the inside of the tank?
 - c. Was the tank inspected by an underwater diver or was the tank drained prior to inspection.
 - d. Did the inspection include an evaluation of the tank's interior paint system?
 - e. Was an inspection report prepared? If yes, please submit a copy.
 - f. Was the sediment on the bottom of the tank removed as part of the inspection procedure?

7. Please provide the following information for each of the calendar years 2016, 2017, 2018 and 2019:
 - a. Average daily volume of water pumped from each well.
 - b. Average daily water depth readings in the 250,000 gallon tank.
 - c. All contractor's invoices for repairing leaks.
 - d. All invoices for renting equipment used to repair leaks.
 - e. Dates that the distribution system was flushed.
 - f. Dates that water overflowed the 250,000 gallon tank.
 - g. Employee time sheets for the dates that leaks were repaired.

284877