

John and Donna Hersca  
110 Sagamore Road  
Shohola, PA 18458

July 30, 2020

SENT VIA ELECTRONIC FILING  
Honorable Rosemary Chiavetta  
Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

RE: John & Donna Hersca v. Twin Lakes Utilities, Inc.  
Customer/Complainant Docket No.: C-2020-3020883  
Response of Customer/Complainant, John and Donna Hersca, to Answer of Twin Lakes Utilities, Inc.

Dear Secretary Chiavetta,

Donna and John Hersca, Complainants and customers of Twin Lakes Utilities, Inc., hereby submit their Response to the Answer of Twin Lakes Utilities, Inc. filed in the above-referenced docket number. In response, Complainants respond to Numbers 4 and 5 of Twin Lakes Utilities' Answer as follows:

**Response of Complainants to Answer Nos. 4 and 5 of Twin Lakes Utilities, Inc.**

4. Denied. Twin Lakes Utilities Answer has no basis in valid law since it is relying on the March 26, 2020 approval by the PUC of Complainants' water rate increase, which approval resulted in an error of law as it was in direct violation of Pennsylvania Code Title 66 – Public Utilities, Chapter 13, Section 1301 – Rates to Be Just and Reasonable (see attached statute), to wit, the water rate of Complainants prior to March 26, 2020 was *already* unreasonable and unjust due to the rate being too high (see attached bill in the amount of \$323.20) as described in Complainants' Formal Complaint, and then on March 26, 2020 said water rate of Complainants was made ***even more*** egregiously unreasonable and unjust (see attached \$600.00 prorated bill) in continued direct violation of Pennsylvania code Title 66 – Public Utilities, Chapter 13, Section 1301. All of which is to the financial detriment of Complainants and in particular Complainant, Donna Hersca, who additionally suffered and continues to suffer from a loss of work during the COVID-19 pandemic which was when the new higher unjust, unreasonable rate took effect. Complainants respectfully reserve the right to supplement their responses up to the time of hearing.

5. Denied. Twin Lakes Utilities Answer has no basis in valid law since it is relying on the March 26, 2020 approval by the PUC of Complainants' water rate increase, which approval resulted in an error of law as it was in direct violation of Pennsylvania Code Title 66 – Public Utilities, Chapter 13, Section 1301 – Rates to Be Just and Reasonable (see attached statute), to wit, the water rate of Complainants prior to March 26, 2020 was *already* unreasonable and unjust due to the rate being too high (see attached bill in the amount of \$323.20) as described in Complainants' Formal Complaint, and then on March 26, 2020 said

water rate of Complainants was made **even more** egregiously unreasonable and unjust (see attached \$600.00 prorated bill) in continued direct violation of Pennsylvania code Title 66 – Public Utilities, Chapter 13, Section 1301. All of which is to the financial detriment of Complainants and in particular Complainant, Donna Hersca, who additionally suffered and continues to suffer from a loss of work during the COVID-19 pandemic which was when the new higher unjust, unreasonable rate took effect. This additionally justifies a post hoc reversal of the final Commission rate order to, in part, make Complainants whole again as they were prior to their water rates being raised to an unreasonable and unjust rate. Complainants respectfully reserve the right to supplement their responses up to the time of hearing.

### **Conclusion**

For the above reasons and those set forth in Complainants' Formal Complaint, Complainants respectfully submit that the Answer of Twin Lakes Utilities, Inc. has no valid basis in law and is wholly without merit. Accordingly, Complainants, John and Donna Hersca, request that the Commission dismiss the Answer of Twin Lakes Utilities, Inc. with prejudice and grant the relief requested in Complainants' Formal Complaint and Response herein, to wit: (1) Twin Lakes Utilities immediately reduce Complainants', John and Donna Hersca's, current prorated \$600.00 quarterly water bill down to a reasonable and just rate of \$40.00 per month and Twin Lakes Utilities be immediately ordered by the Commission to do so and mandate that Complainants' water bill does not exceed the national and statewide average water bill in Pennsylvania of \$40.00 per month, as required by Pennsylvania code Title 66 – Public Utilities, Chapter 13, Section 1301 – Rates to Be Just and Reasonable; and (2) Complainants further request that Twin Lakes Utilities reimburse Complainants for all past monies that Complainants have overpaid from the September, 2016 date of inception from which Twin Lakes Utilities began overcharging Complainants an unreasonable and unjust rate through the present, which amount to date totals approximately \$4,647.00. Complainants respectfully reserve the right to supplement their responses up to the time of hearing.

Respectfully submitted,

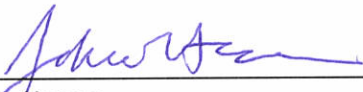


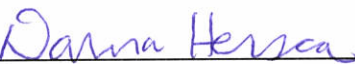
John & Donna Hersca, Complainants/Customers

cc: Jay L. Kooper, Secretary at Twin Lakes Utilities, Inc. (Defendant) via email

**VERIFICATION**

We, John Hersca and Donna Hersca, Complainants and Customers, hereby state that the facts set forth in the foregoing Response to the Answer of Twin Lakes Utilities, Inc. are true and correct to the best of our knowledge, information and belief. We understand that the statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 (relating to unsworn falsification to authorities).

  
\_\_\_\_\_  
John Hersca

  
\_\_\_\_\_  
Donna Hersca

Date: July 30, 2020

## CERTIFICATE OF SERVICE

We, John Hersca and Donna Hersca, Complainants and Customers, hereby certify that we have this day served a true copy of the Response to the Answer of Twin Lakes Utilities, Inc. upon the authorized agent/party of Twin Lakes Utilities, Inc. listed below by electronic mail in accordance with the requirements set forth by the Pennsylvania Public Utility Commission as follows:

VIA ELECTRONIC MAIL

Jay L. Kooper  
Secretary  
Twin Lakes Utilities, Inc.  
485C Route One South, Suite 400  
Iselin, NJ 08830  
E-Mail: [jkooper@middlesexwater.com](mailto:jkooper@middlesexwater.com)

Date: July 30, 2020

# JUSTIA

View the 2017 Pennsylvania Consolidated Statutes | View Previous Versions of the  
Pennsylvania Consolidated Statutes

## 2010 Pennsylvania Code Title 66 - PUBLIC UTILITIES Chapter 13 - Rates and Rate Making 1301 - Rates to be just and reasonable.

### CHAPTER 13

#### RATES AND RATE MAKING

##### Sec.

1301. Rates to be just and reasonable.
1302. Tariffs; filing and inspection.
1303. Adherence to tariffs.
1304. Discrimination in rates.
1305. Advance payment of rates; interest on deposits.
1306. Apportionment of joint rates.
1307. Sliding scale of rates; adjustments.
1308. Voluntary changes in rates.
1309. Rates fixed on complaint; investigation of costs of production.
1310. Temporary rates.
1311. Valuation of and return on the property of a public utility.
1312. Refunds.
1313. Price upon resale of public utility services.
1314. Limitation on prices paid for property and fuel.
1315. Limitation on consideration of certain costs for electric utilities.
1316. Recovery of advertising expenses.
- 1316.1. Recovery of club dues.

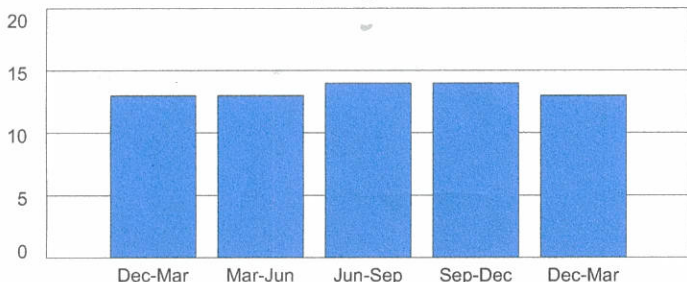
9-5 Mon-Fri.



**Twin Lakes Utilities, Inc.**  
**Customer Service Center**  
 485C Route 1 South, Suite 400 Iselin, New Jersey 08830  
 Telephone: 1-800-523-7224

**USAGE HISTORY**

Quarterly usage in hundred cubic feet



Next meter reading date: on or about 04/25/20

<b>Billing Date:</b>	<b>03/30/20</b>
<b>Account Number:</b>	<b>0737594252</b>
Previous Balance	\$334.12
Payment/Credit by 03/30/20 <i>THANK YOU</i>	\$334.12
Balance Forward	\$0.00
Current Charges	\$323.20
<b>DUE 04/21/2020</b>	<b>\$323.20</b>

*Paid in Full*  
*4/13/20 check 3908*

Service To: JOHN & DONNA HERSCA

Service Address: 110 SAGAMORE RD SHOHOLA PA

Meter Number	Service		Days of Service	Meter Reading		Usage	Unit of Measure	Reading Type	Rate
	From	To		Previous	Present				
82289999	12/29/19	03/28/20	90	143	156	13 <i>EQUIVALENT TO</i>	CCF 9,724 GALLONS	REGULAR	TLQ

FACILITIES CHARGE \$181.23	\$181.23	PAYMENT	\$334.12 CR
WTR CHRG (\$14.60 PER 1,000 GAL)	\$141.97	TOTAL CREDITS	\$334.12 CR
<b>TOTAL CURRENT CHARGES</b>	<b>\$323.20</b>		

SEE REVERSE SIDE FOR IMPORTANT ACCOUNT INFORMATION

**IMPORTANT MESSAGES**

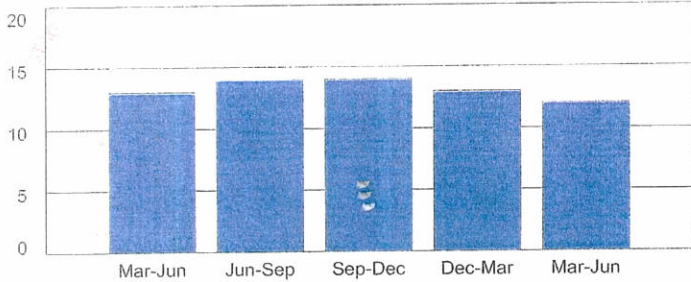
STARTING 7/1/2019 YOU CAN VIEW THE TWIN LAKES WATER COMPANY WATER QUALITY REPORT ONLINE AT:  
[HTTP://MIDDLESEXWATER.COM/WATERQUALITY/TL](http://MIDDLESEXWATER.COM/WATERQUALITY/TL)  
 THE REPORT CONTAINS INFORMATION ABOUT THE QUALITY OF YOUR DRINKING WATER. IF YOU PREFER A PAPER REPORT SENT TO YOUR HOME, PLEASE CALL (800) 523-7224.  
 If you use an online bill paying service to make your payments, please ensure that they have on file your correct account number as shown on this bill and that they mail the payment on your behalf to: P.O. Box 826538, Philadelphia, PA 19182-6538.



**Twin Lakes Utilities, Inc.**  
**Customer Service Center**  
 485C Route 1 South, Suite 400 Iselin, New Jersey 08830  
 Telephone: 1-800-523-7224

**USAGE HISTORY**

Quarterly usage in hundred cubic feet



Next meter reading date: on or about 07/25/20

**Billing Date:** 06/29/20  
**Account Number:** 0737594252

Previous Balance \$323.20  
 Payment/Credit by 06/29/20 *THANK YOU* \$323.20  
 Balance Forward \$0.00  
 Current Charges \$528.68  
**DUE 07/21/2020 \$528.68**

*\* This is total due with price increase starting in middle of Billing period - the actual bill amount is \$ 600.00 starting next bill cycle.*

Service To: JOHN & DONNA HERSCA

Service Address: 110 SAGAMORE RD SHOHOLA PA

Meter Number	Service		Days of Service	Meter Reading		Usage	Unit of Measure	Reading Type	Rate
	From	To		Previous	Present				
82289999	03/28/20	06/27/20	91	156	168	12 EQUIVALENT TO	CCF 8,976 GALLONS	REGULAR	TLQ

FACILITIES CHARGE \$181.23 (PRO	\$41.82	PAYMENT	\$323.20 CR
WTR CHR (\$14.60 PER 1,000 GAL	\$30.24	TOTAL CREDITS	\$323.20 CR
FACILITIES CHARGE \$344.52 (PRO	\$265.02		
WTR CHR (\$27.75 PER 1,000 GAL	\$191.60		
TOTAL CURRENT CHARGES	\$528.68		

SEE REVERSE SIDE FOR IMPORTANT ACCOUNT INFORMATION

**IMPORTANT MESSAGES**

The Pennsylvania PUC has approved a rate increase in base rates for services rendered on and after April 19, 2020 STARTING 7/1/2020 YOU CAN VIEW THE TWIN LAKES WATER COMPANY WATER QUALITY REPORT ONLINE AT: [HTTP://MIDDLESEXWATER.COM/WATERQUALITY/TL](http://MIDDLESEXWATER.COM/WATERQUALITY/TL) THE REPORT CONTAINS INFORMATION ABOUT THE QUALITY OF YOUR DRINKING WATER. IF YOU PREFER A PAPER REPORT SENT TO YOUR HOME, PLEASE CALL (800) 523-7224. If you use an online bill paying service to make your payments, please ensure that they have on file your correct account number as shown on this bill and that they mail the payment on your behalf to: P.O. Box 826538, Philadelphia, PA 19182-6538.

PLEASE DETACH HERE AND RETURN THE BOTTOM PORTION WITH YOUR PAYMENT IN THE RETURN ENVELOPE PROVIDED.

300 06292020  
300 06292020

Twin Lakes Utilities, Inc.  
 Customer Service Center  
 485C Route 1 South, Suite 400  
 Iselin, New Jersey 08830

Forwarding Service Requested

Service Address: 110 SAGAMORE RD  
 SHOHOLA PA

Please check this box if you have made any information changes on the reverse side.

**Account Number:** 0737594252

Balance Forward \$0.00

Current Charges \$528.68

**DUE 07/21/2020 \$528.68**

Please make payable to: Twin Lakes Utilities, Inc.

**Payment Amount Enclosed** \$ \_\_\_\_\_

000144



\*\*\*\*\*SINGLE-PIECE 144 T1:3 144 1 SP 0.500  
 JOHN & DONNA HERSCA  
 110 SAGAMORE RD  
 SHOHOLA PA 18458-4416



TWIN LAKES UTILITIES, INC.  
 PO BOX 826538  
 PHILADELPHIA PA 19182-6538

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