



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH KEYSTONE BUILDING  
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF  
INVESTIGATION  
&  
ENFORCEMENT

August 19, 2020

**Via Electronic Filing**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

Re: Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement, v.  
Deer Haven, LLP  
Docket No. C-2020-  
**Formal Complaint**

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Bureau of Investigation and Enforcement's Formal Complaint in the above-referenced proceeding. Copies have been served on the parties of record in accordance with the Certificate of Service.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris M. Andreoli", written in a cursive style.

Christopher M. Andreoli  
Prosecutor  
PA Attorney ID No. 85676  
(717) 772-8582  
chandreoli@pa.gov

CMA/jfm  
Enclosures

cc: Per Certificate of Service

## NOTICE

A. **You must file an Answer within 20 days of the date of service of this Complaint.**

The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code §1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Christopher M. Andreoli, Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17210

Or, emailed to Mr. Andreoli at: [chandreoli@pa.gov](mailto:chandreoli@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the requested relief.

C. You may elect not to contest this Complaint by paying the past due assessment and civil penalty within 20 days. Send only a certified check or money order made payable to the "Commonwealth of Pennsylvania," with the docket number indicated, and mail to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the requested relief set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2020-
	:	
Deer Haven, LLP,	:	
Respondent	:	

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**FORMAL COMPLAINT**

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**NOW COMES** the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”), by its prosecuting attorneys, and files this Complaint against Deer Haven, LLP (“Respondent”), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

**Parties and Jurisdiction**

1. The Pennsylvania Public Utility Commission, with a mailing address of 400 North Street, Harrisburg, PA 17120, 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.*

2. Complainant is the Commission’s Bureau of Investigation and Enforcement and is the entity established by statute 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 (Order entered August 11, 2011) at 5 (transferring authority to prosecute assessment cases to I&E).

3. Complainant is represented by:

Christopher M. Andreoli  
Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120  
(717) 772-8582  
[chandreoli@pa.gov](mailto:chandreoli@pa.gov)

Kourtney L. Myers  
Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120  
(717) 705-4366  
[komyers@pa.gov](mailto:komyers@pa.gov)

Michael L. Swindler  
Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120

4. Respondent is Deer Haven, LLP and maintains its principal place of business at 865 Route 507, Greentown, PA 18426, Attention: Sam Shahar.

5. Respondent is a “public utility” as that term is defined at 66 Pa.C.S. § 102, as it is engaged in wastewater collection, treatment, or disposal for the public in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a Certificate of Public Convenience on or about March 25, 2010, at A-230106, for wastewater authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission to, *inter alia*, hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations. Section 3301(a)-(b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)-(b), allows for the imposition of a separate civil penalty for each violation and each day's continuance of such violation(s).

10. Respondent, in collecting, treating, or disposing of wastewater for the public for compensation is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

## **Factual Background**

### **PRIOR ASSESSMENT-RELATED COMPLAINTS**

12. On August 14, 2015, I&E filed a Complaint against Respondent at Docket No. C-2015-2498095,<sup>1</sup> alleging that Respondent violated Sections 510(b)-(c) of the Public Utility Code, 66 Pa. C.S. §§ 510(b)-(c), by failing to file an assessment report for the 2013 calendar year (“2013 Assessment Report”) and satisfy its assessment for the July 1, 2014 to June 30, 2015 Fiscal Year (“2014-2015 Fiscal Year Assessment”) in the amount of \$134.

13. Regarding relief, I&E requested that Respondent pay its 2014-2015 Fiscal Year Assessment and a total civil penalty of \$1,550. I&E also requested that if payment of the assessment and civil penalty was not made, that the Commission cancel Respondent’s Certificate of Public Convenience and refer the matter to the Pennsylvania Office of Attorney General (“OAG”) for appropriate action.

14. On February 19, 2016, I&E filed a Motion for Default Judgment.

15. On October 26, 2017, the Commission entered an Opinion and Order (“*October 26 Order*”) granting I&E’s Motion for Default Judgment, as modified by the *October 26 Order* and sustaining I&E’s Complaint, consistent with the *October 26 Order*.

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<sup>1</sup> I&E understands that under the Commission’s current formula for assessing civil penalties in assessment-related cases, I&E’s Complaint at Docket No. C-2015-2498095 would normally fall outside the three (3) year time period used by the Commission to determine Respondent’s compliance history. However, I&E believes that because the Order was not entered until October 26, 2017 and Respondent failed to comply with the *October 26 Order* by not paying the outstanding assessment and civil penalty, that it is reasonable for the Commission to consider this prior complaint when determining whether or not Respondent has an acceptable compliance history with the Commission.

16. The Commission granted I&E's request that Respondent pay its outstanding assessment and a civil penalty for Respondent's failure to file its 2013 Assessment Report and pay its 2014-2015 Fiscal Year Assessment. However, the Commission reduced the civil penalty for the assessment report violation from \$1,500 to \$500 and increased the civil penalty for the unpaid assessment violation from \$50 to \$100.

17. The Commission denied I&E's requested relief related to the revocation of Respondent's Certificate of Public Convenience because there was no record developed in the proceeding to indicate whether any other entity could provide adequate service to Respondent's existing customers.

18. To date, Respondent has not paid its outstanding assessment related to the 2014-2015 Fiscal Year or the civil penalty as directed by the Commission in its *October 26 Order*.

19. On March 14, 2018, I&E filed a Complaint against Respondent at Docket No. C-2018-3000456, alleging that Respondent violated Sections 510(b)-(c) of the Public Utility Code, 66 Pa. C.S. §§ 510(b)-(c), by failing to file an assessment report for the 2015 calendar year ("2015 Assessment Report") and satisfy its assessment for the July 1, 2016 to June 30, 2017 Fiscal Year ("2016 -2017 Fiscal Year Assessment") in the amount of \$146.

20. Regarding relief, I&E requested that Respondent pay its 2016-2017 Fiscal year Assessment and a total civil penalty of \$600. I&E also requested that if payment of the assessment and civil penalty was not made, that the Commission cancel Respondent's Certificate of Public Convenience and refer the matter to OAG for appropriate action.

21. On March 5, 2019, I&E filed a Motion for Default Judgment.

22. On May 9, 2019, the Commission entered an Opinion and Order ("*May 9 Order*") granting I&E's Motion for Default Judgment, as modified by the *May 9 Order* and sustaining I&E's Complaint, consistent with the *May 9 Order*.

23. The Commission granted I&E's request that Respondent pay its outstanding assessment and a civil penalty for Respondent's failure to file its 2015 Assessment Report and pay its 2016-2017 Fiscal Year Assessment.

24. The Commission denied I&E's requested relief related to the revocation of Respondent's Certificate of Public Convenience because there was no record developed in the proceeding to indicate whether any other entity could provide adequate service to Respondent's existing customers.

25. To date, Respondent has not paid its outstanding assessment related to the 2016-2017 Fiscal Year or the civil penalty as directed by the Commission in its *May 9 Order*.

## 2018-2019 FISCAL YEAR

26. On or about February 9, 2018, the Commission mailed to Respondent an assessment report for Respondent to report its gross intrastate operating revenues for the 2017 calendar year.

27. The assessment report was accompanied by instructions, which notified Respondent that the report was to be completed and returned to the Commission on or before March 31, 2018. A copy of the assessment report and instructions are attached as Exhibit 1.

28. Respondent failed to file an assessment report stating its 2017 calendar year revenues.

29. On or about September 20, 2018, the Commission mailed to Respondent, by first class mail, an assessment invoice for the July 1, 2018 to June 30, 2019 Fiscal Year (“2018-2019 Fiscal Year”) that was based, in part, on Respondent’s estimated revenues for the 2017 calendar year. Respondent’s assessment was \$216. A copy of the assessment invoice is attached as Exhibit 2.

30. Accompanying the assessment invoice was a notice of assessment that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days or file objections within fifteen (15) days. A copy of the notice of assessment is attached as Exhibit 3.

31. While there is no record that the assessment invoice and notice of assessment were returned in the mail to the Commission as being undeliverable, on or about November 29, 2018, the Commission re-mailed to Respondent, by certified mail,

the assessment invoice and notice of assessment since Respondent did not pay the amount listed on the assessment invoice within thirty (30) days or file objections within fifteen (15) days.

32. The assessment invoice and notice of assessment were mailed to Respondent at 865 Route 507, Greentown, PA 18426.

33. On December 11, 2018, Respondent provided an electronic signature to the United States Postal Service (“USPS”) for the certified mailing, which indicated that it received the assessment invoice and notice of assessment for the 2018-2019 Fiscal Year. A copy of the USPS tracking history for the certified mailing is attached as Exhibit 4.

34. The Commission received no objections from Respondent to the assessment amount set forth in the 2018-2019 Fiscal Year Assessment Invoice.

35. On or about June 25, 2019, the Commission’s Bureau of Administration (“ADM”) sent Respondent a letter warning Respondent that if it did not pay its 2018-2019 Fiscal Year Assessment, then ADM would refer the matter to I&E for prosecution.

36. Respondent failed to pay the amount of the 2018-2019 Fiscal Year Assessment Invoice.

37. The outstanding assessment balance for Respondent related to the 2018-2019 Fiscal Year is \$216.

## Violations

### COUNT 1

38. That Respondent failed to report its gross intrastate operating revenues for the 2017 calendar year in that it did not file an assessment report for that year. If proven, this is a violation of Section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.<sup>2</sup> This civil penalty, consistent with past Commission decisions,<sup>3</sup> is based on Respondent's unacceptable history of compliance with the Public Utility Code and Commission's regulations,<sup>4</sup> the amount of Respondent's outstanding assessment balance related to the 2018-2019 Fiscal Year, and the need to deter future violations of the Public Utility Code and the Commission's regulations pursuant to 52 Pa. Code § 69.1201.<sup>5</sup>

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<sup>2</sup> I&E anticipates that this level of penalty will provide a sufficient deterrent against future violations by Respondent.

<sup>3</sup> See *Pa. Pub. Util. Comm'n v. Juan Genet Enter., LLC t/a Safe Destinations*, Docket No. C-2014-2450660 (Order entered August 3, 2017); *Pa. Pub. Util. Comm'n v. Leo Movers & Storage, Inc.*, Docket No. C-2015-2494528 (Order entered August 3, 2017); *Pa. Pub. Util. Comm'n v. Hoffman Landscaping & Trucking, LLP*, Docket No. C-2015-2495061 (Order entered September 21, 2017); *Pa. Pub. Util. Comm'n v. Deer Haven, LLP*, Docket No. C-2015-2498095 (Order entered October 26, 2017); *Pa. Pub. Util. Comm'n v. Reach for the Stars Limousine Serv. Inc.*, Docket No. C-2015-2499276 (Order entered October 26, 2017).

<sup>4</sup> A review of the Commission's records for a period of three (3) years prior to the date of the filing of this Complaint demonstrates that Respondent has an unacceptable compliance history with the Commission. See *supra* ¶¶ 12-25.

<sup>5</sup> The Commission promulgated a Policy Statement at 52 Pa. Code § 69.1201 as a guideline that sets forth ten factors that are to be considered when evaluating whether and to what extent a civil penalty for violating a Commission order, regulation, or statute is warranted. Among these factors are the compliance history of the regulated entity that committed the violation, the amount of the civil penalty necessary to deter future violations, and past Commission decisions in similar situations. 52 Pa. Code §§ 69.1201(c)(6), (8), and (9).

## COUNT 2

39. That Respondent failed to satisfy its 2018-2019 Fiscal Year Assessment in that it did not pay the amount due within thirty (30) days of receipt of the invoice. If proven, this is a violation of Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is 25% of the outstanding assessment balance or a minimum of \$100, whichever is greater. Therefore, I&E's proposed civil penalty for this violation is \$100.<sup>6</sup> This civil penalty, consistent with past Commission decisions,<sup>7</sup> is based on Respondent's unacceptable history of compliance with the Public Utility Code and Commission's regulations,<sup>8</sup> the amount of Respondent's outstanding assessment balance related to the 2018-2019 Fiscal Year, and the need to deter future violations of the Public Utility Code and the Commission's regulations pursuant to 52 Pa. Code § 69.1201.

**WHEREFORE**, for all the foregoing reasons, the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement respectfully requests that:

- (a) Respondent be ordered to pay a total of \$816, which consists of its outstanding assessment balance of \$216 and a total civil penalty of \$600 for the above described violations. Said payment should be made by certified check or money order, made payable to the "Commonwealth of Pennsylvania" with the docket number of this proceeding listed, and mailed to the Secretary's Bureau of the Commission;
- (b) Respondent be directed to file assessment reports on a going-forward basis; and

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<sup>6</sup> I&E anticipates that this level of penalty will provide a sufficient deterrent against future violations by Respondent.

<sup>7</sup> *See supra* note 3.

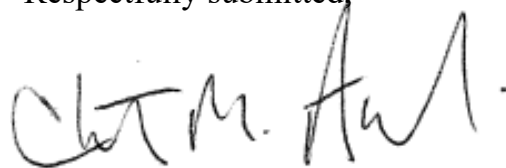
<sup>8</sup> *See supra* note 4.

(c) If payment of the assessment and civil penalty is not made, the Bureau of Investigation and Enforcement requests that:

(1) the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent; and

(2) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris M. Andreoli". The signature is fluid and cursive, with a horizontal line extending from the end.

Christopher M. Andreoli  
Prosecutor  
PA Attorney ID No. 85676

Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
(717) 772-8582  
[chandreoli@pa.gov](mailto:chandreoli@pa.gov)

Date: August 19, 2020

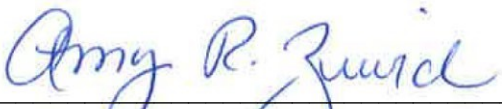
**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2020-
	:	
Deer Haven, LLP,	:	
Respondent	:	

**VERIFICATION**

I, Amy Zuvich, Chief of Finance and Assessments, Bureau of Administration, Finance and Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any 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.

Date: August 19, 2020

  
\_\_\_\_\_  
Amy Zuvich, Chief of Finance and Assessments  
Finance and Assessment Section  
Bureau of Administration  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

# **EXHIBIT 1**

INSTRUCTIONS FOR PREPARING ASSESSMENT REPORT - FORM GAO-17  
FOR GENERAL REGULATORY ASSESSMENT PURPOSES

**TO ALL ELECTRIC, GAS, TELEPHONE, STEAM HEAT AND WATER/WASTEWATER UTILITIES**

The Assessment Report, **Form GAO-17** is enclosed for your convenience to be used to submit your **gross intrastate (jurisdictional) operating revenues** for calendar year 2017.

**Section 1:** Please verify that all the preprinted address information on the enclosed form is correct. If the address is not correct, cross out and print the correct information. If the preprinted name or utility code is incorrect, please contact the assessment section prior to completion at (717) 265-7548.

**Section 2:** Please enter intrastate (jurisdictional) operating revenues. **For all utilities other than Steam Heat, the Assessment Report (Form GAO-17) is tied to the Annual Report to be filed with the Commission. This will help to specifically identify assessable revenue and create a high level of filing consistency among the companies within each utility type. The following is a listing, per utility type, of amounts that must be transferred to the Assessment Report, Section 2 from the Annual Reports:**

1. Electric Utilities — Schedule 400, Column C, Line 8
2. Gas Utilities — Schedule 400, Column C, Line 15
3. Telephone —
  - a. CLECs and ILECs — Income Statement, Column B, Line 7
  - b. Interexchange Toll Resellers (IXC), Competitive Access Providers (CAP), Interexchange Toll Facilities-Based Carriers (Toll) — Total Intrastate Gross Revenue from Annual Report Letter
  - c. Your utility's gross intrastate operating revenue that is listed on the Annual Assessment Report and on line 7 of the Annual Report that is filed with the Pennsylvania Public Utility Commission must be equal to the amount of gross Intrastate operating revenue listed on line (a) of the PA USF Development of Assessment Data Request Form.
4. Water Utilities — Schedule 401, Column C, Line 28
5. Wastewater Utilities — Schedule 401, Column C, Line 35
6. Steam Heat — Total Gross Intrastate Revenue

**Gross intrastate (jurisdictional) operating revenues** are generated from your public utility operations only within Pennsylvania and **without** deductions for expenses of any kind.

**Section 3:** Assessment Report (Form GAO-17) must be completed in its entirety in order to be accepted as final.

**Section 4:** The Authorization of Release for Tax Records should be completed in its entirety.

**This report form may not be modified.** Please be sure to include a valid telephone number for the person preparing this report to answer question, if necessary. The following are addresses for the Assessment Section of the PUC:

**FIRST CLASS MAIL:**  
Pennsylvania Public Utility Commission  
Bureau of Administrative Services  
Assessment Section  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**CERTIFIED OR EXPRESS MAIL:**  
Pennsylvania Public Utility Commission  
Assessment Section Room N-303  
400 North Street  
Harrisburg, PA 17120

Contact: Assessment Section

Ph: (717) 265-7548

Fax: (717) 783-8052



COMMONWEALTH OF PENNSYLVANIA  
**PENNSYLVANIA PUBLIC UTILITY COMMISSION**  
P.O. BOX 3265  
HARRISBURG, PA 17105-3265  
**2017 ASSESSMENT REPORT**

This Report **MUST BE FILED** not later than **April 2, 2018**. Failure to file by this deadline may result in fines up to \$1,000 for each day a violation continues (66 Pa. C.S. § 3301).

**SECTION 1**

TRADE OR CORPORATE NAME OF UTILITY: «UtilityName»	UTILITY CODE: «UtilityCode»
CONTACT NAME: «ContactName»	EMAIL: «Email»
ADDRESS 1: «Address1»	ADDRESS 2 (Floor, Suite, etc): «Address2»
CITY, STATE, ZIP: «CityStateZip»	PHONE NO : «Phone»

**SECTION 2**

**OPERATING REVENUES FOR CALENDAR YEAR 2017**  
(January 1, 2017-December 31, 2017)

AMOUNT (Whole Numbers Only.) <b>DO NOT USE \$ SYMBOL</b>
2017 INTRASTATE (JURISDICTIONAL) OPERATING REVENUES: (Please see instructions for details.)

**SECTION 3**

<p align="center"><b>AFFIDAVIT</b></p> <p>I affirm that the information reported herein is complete, true and correct.</p> <p>_____</p> <p align="center">(Signature of Individual or Officer)</p> <p>_____</p> <p align="center">(Date)</p> <p>READABLE (PRINT OR TYPE) NAME OF INDIVIDUAL or OFFICER ABOVE:</p> <p>_____</p> <p>TELEPHONE NO.:</p> <p>Office</p> <p>Other</p> <p>Other</p>	<p align="center"><b>NOTARIZATION</b></p> <p align="center">(Required)</p> <p>Subscribed and sworn to before me this</p> <p>_____ day of _____ 2018</p> <p>_____ NOTARY SIGNATURE</p> <p>_____ OFFICIAL TITLE</p> <p>_____ (Date My Commission Expires)</p> <p align="right">OFFICIAL SEAL</p>
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**SECTION 4**

**AUTHORIZATION FOR RELEASE OF STATE TAX RECORDS**

In accordance with Sections 505 and 506 of the Public Utility Code, as a means to verify the accuracy of financial information supplied to the Public Utility Commission, I hereby authorize the Pennsylvania Department of Revenue to release to the Public Utility Commission, any tax records filed or compiled with regard to the listed utility and/or individual.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Printed)

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

<b>Internal Use Only</b>	<input type="checkbox"/> A-1 <input type="checkbox"/> C-1	«AddressType»
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# **EXHIBIT 2**



Commonwealth of Pennsylvania  
**Pennsylvania Public Utility Commission**

Harrisburg, PA 17105-3265

**GENERAL ASSESSMENTS INVOICE**

Invoice Date	Invoice Number
9/20/2018	18-230106
Fiscal Year	
July 1, 2018 to June 30, 2019	

DEER HAVEN LLP  
SAM SHAHAR  
865 RT 507  
GREENTOWN PA 18426

- Read carefully Notice of Assessment
- Use return envelope provided
- Make check payable to:  
**Commonwealth of Pennsylvania**

PUC Assessment	\$164.00
Consumer Advocate Assessment	\$46.00
SBA Assessment	\$6.00
<b>PAY THIS AMOUNT WITHIN 30 DAYS</b>	<b>\$216.00</b>

TO RECEIVE PROPER CREDIT FOR YOUR PAYMENT, REMOVE THE BOTTOM PART OF THIS INVOICE AT THE PERFORATION AND RETURN WITH YOUR REMITTANCE

**MAIL PAYMENT TO:**  
PA DOR  
PO BOX 61380  
HARRISBURG, PA 17106-1380

FOLD AND CUT HERE

RETURN THIS PORTION WITH YOUR REMITTANCE

DEER HAVEN LLP  
SAM SHAHAR  
865 RT 507  
GREENTOWN PA 18426

Invoice Date	Invoice Number
9/20/2018	18-230106
Fiscal Year	
July 1, 2018 to June 30, 2019	

<b>PAY THIS AMOUNT WITHIN 30 DAYS</b>	<b>\$216.00</b>
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18000023010661 092018100000164002000000460030000000600 000000216001

# **EXHIBIT 3**

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265

NOTICE OF ASSESSMENT

EXPLANATION OF BILL FOR GENERAL ASSESSMENT  
FOR FISCAL YEAR JULY 1, 2018 TO JUNE 30, 2019

In Section 510 of the Public Utility Code, 66 Pa. C.S. §510, the Pennsylvania General Assembly has authorized the Pennsylvania Public Utility Commission to assess all public utilities a percentage of their gross intrastate operating revenues for the preceding calendar year. Under Section 510, each public utility is required, on or before March 31 of each year to file with the Commission a statement of the utility's gross intrastate operating revenues for the preceding calendar year. After receiving the utilities' statements of gross intrastate operating revenues, the Commission sends general assessment invoices to all public utilities to advise each utility of the amount of assessment that utility owes based upon that utility's activity (gross intrastate operating revenues) in the preceding year. The enclosed assessment is for your proportionate share of the estimated expenses of the Public Utility Commission for the Commission's Fiscal Year July 1, 2018 to June 30, 2019.

**YOU ARE REQUIRED TO PAY THIS BILL WITHIN THIRTY DAYS AFTER YOU RECEIVE IT.** Objections to the assessment must be made in writing within 15 days and shall set out in detail the grounds upon which you regard the assessment to be excessive, erroneous, unlawful, or invalid. Objections may be filed only by the person, partnership, or corporation assessed. Filing an objection, however, does not eliminate your obligation to pay the assessment while your objection is being considered. **FAILURE TO PAY THE ASSESSMENT WHEN PAYMENT IS DUE WILL SUBJECT YOU TO PENALTIES.**

Be sure that your personal check or money order is written out in the same amount as your assessment invoice, and make your remittance payable to, "Commonwealth of PA". **DO NOT SEND CASH.** If you have reason to correspond with the Commission regarding your assessment invoice, please make reference to your invoice number. A receipt for payment will not be issued. Please mail your payment with the return portion of your invoice in the enclosed self-addressed envelope. Please note that rounding of your assessment to the nearest dollar has occurred. Your assessment for the PUC, including the OCA and the OSBA where applicable, has been combined into one invoice; one payment for all applicable assessments is acceptable. **A TWENTY (\$20.00) FEE WILL BE CHARGED FOR ALL DISHONORED OR BAD CHECKS REMITTED AS PAYMENT OF ASSESSMENTS.**

Your assessment has been computed by multiplying your gross intrastate operating revenues for the calendar year 2017 by the assessment factor for the public utility group of which you are a member. Your gross intrastate operating revenues for 2017 have been taken from the Assessment Reports Form GAO-17, AR-17-RR or AR-17-MC which you have filed with the Commission, or have been estimated by the Commission if you failed to file a timely report. Gross operating revenue reported to the Commission on the Assessment Reports may have been revised by the Commission to accurately reflect assessable revenue. The assessment factors for the various public utility groups are set forth in Schedule B enclosed herewith.

The approved estimate of expenditures of the Commission for the period July 1, 2018 to June 30, 2019 payable as a General Assessment by the public utilities which the Commission regulates has been determined as follows:

Approved budget for the Commission for the Fiscal Year July 1, 2018 through June 30, 2019:	\$72,645,000
Deduct:	
Pipeline Operators per Act 127 of 2011	560,497
Various Fees Collected in FY 2017-18	261,812
UGWF Administration per Act 13 of 2012	425,750
Prior Year cost saving	6,500,000
UCR Collection for CY 2017	4,945,527
EGS/NGS fees per Act 155 of 2014	<u>7,222,556</u>
Total Deductions	<u>\$19,916,142</u>
General Assessment Total Amount	<b>\$52,728,858</b>

The way in which the total Public Utility Commission assessment of \$52,907,092 has been allocated to the various groups of public utilities as shown on Schedules A and B enclosed herewith.



Rosemary Chiavetta  
Secretary  
PA Public Utility Commission

**MAKE INQUIRIES TO:**

Pennsylvania Public Utility Commission  
Bureau of Administrative Services/Assess  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**FOR CERTIFIED AND EXPRESS CARRIERS**

Pennsylvania Public Utility Commission  
Bureau of Administrative Services/Assess  
400 North Street  
Harrisburg, PA 17120

**CONTACT INFORMATION:**

Assessment Section Information - Telephone 717-265-7548

Allocation of Expenses based on percent of prior year Public Utility Group workload  
Budget Fiscal Year 2018-19

**SCHEDULE A**

<b>Group</b>	<b>Total Expenditures per Utility Group Calendar Year 2017</b>	<b>Percentage Distribution</b>	<b>Estimated Expenditures Fiscal Year 2018- 2019 by Utility Group</b>
Electric	\$21,243,064	43.7501%	\$23,068,928
Gas	\$10,759,883	22.1600%	\$11,684,715
Pipeline	\$284,623	0.5862%	\$309,097
Steam Heat	\$342,752	0.7059%	\$372,213
Tele./Tele.	\$5,553,209	11.4368%	\$6,030,494
Water/Sewer	\$5,726,077	11.7928%	\$6,218,209
Transportation - Passenger	\$1,755,451	3.6153%	\$1,906,306
Transportation - Property	\$355,421	0.7320%	\$385,975
Transportation - Rail	\$2,535,046	5.2209%	\$2,752,921
<b>Total</b>	<b>\$48,555,526</b>	<b>100.00%</b>	<b>\$52,728,858</b>

**SCHEDULE B**

<b>Group</b>	<b>Estimated Expenditures Fiscal Year 2018- 2019 by Utility Group</b>	<b>Gross intrastate revenues by utility group Calendar Year 2017</b>	<b>General Assessment Factor by Utility Group (Col. (a) / by Col. (b))</b>
	(a)	(b)	(c)
Electric	\$23,068,928	\$7,682,001,780	0.003002983944
Gas	\$11,684,715	\$3,419,307,726	0.003417275056
Pipeline	\$309,097	\$45,222,778	0.006834984795
Steam Heat	\$372,213	\$91,219,298	0.004080419474
Tele./Tele.	\$6,030,494	\$1,918,144,584	0.003143920459
Water/Sewer	\$6,218,209	\$1,311,010,982	0.004743064006
Transportation - Passenger	\$1,906,306	\$425,728,559	0.004477749871
Transportation - Property	\$385,975	\$526,643,186	0.000732896599
Transportation - Rail	\$2,752,921	\$115,712,775	0.023790985913
<b>Total</b>	<b>\$52,728,858</b>	<b>\$15,534,991,668</b>	<b>0.003394199310</b>

**SUPPLEMENTAL SCHEDULE  
FEDERAL SHORTFALL RELATED TO GAS SAFETY APPLICABLE TO GAS PUBLIC UTILITIES  
ONLY**

	<b>Estimated Commission Federal Shortfall for Calendar Year 2017 and 6 Months of Calendar Year 2018</b>	<b>Actual Commission Federal Shortfall for Calendar Year 2017 and 6 Months of Calendar Year 2018</b>	<b>Estimated Commission Federal Shortfall for Calendar Year 2018 and 6 Months of Calendar Year 2019</b>
Gas	\$0	\$0	\$0
	<b>Net Estimated Commission Federal Shortfall for Fiscal Year 2018-19 Assessment</b>	<b>Reported Revenue for Gas Utility Group for Calendar Year 2017</b>	<b>Supplemental add- on Factor</b>
Gas	\$0	\$3,419,307,726	0.000000000000

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265

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OFFICE OF SMALL BUSINESS ADVOCATE  
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT  
NOTICE OF ASSESSMENT

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EXPLANATION OF BILL FOR GENERAL ASSESSMENT  
FOR FISCAL YEAR JULY 1, 2018 TO JUNE 30, 2019

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The Pennsylvania Public Utility Commission is mandated under Act 181 of 1988, to levy upon the public utilities the Commission regulates a yearly assessment to fund the Pennsylvania Office of Small Business Advocate (herein called Small Business Advocate). The Governor and the Appropriation Committees of the Pennsylvania House and Senate approved an estimated operating budget of \$1,855,000 for the Small Business Advocate for the Fiscal Year July 1, 2018 to June 30, 2019.

The enclosed assessment bill shows your proportionate share of the expenses of the Small Business Advocate for the Fiscal Year July 1, 2018 to June 30, 2019.

**YOU ARE REQUIRED TO PAY THIS BILL WITHIN THIRTY DAYS AFTER YOU RECEIVE IT.** Objections to the assessment must be made in writing within 15 days and shall set out in detail the grounds upon which you regard the assessment to be excessive, erroneous, unlawful, or invalid. Objections may be filed only by the person, partnership, or corporation assessed. **FAILURE TO PAY THE ASSESSMENT WHEN PAYMENT IS DUE WILL SUBJECT YOU TO PENALTIES.**

Be sure that your personal check or money order is written out in the same amount as your assessment invoice, and make your remittance payable to, "Commonwealth of PA". **DO NOT SEND CASH.** If you have reason to correspond with the Office of Small Business Advocate regarding your assessment invoice, please make reference to your invoice number. Please note that rounding of your assessment to the nearest dollar has occurred. Your assessment for the PUC, including the OCA and the OSBA where applicable, has been combined into one invoice; one payment for all applicable assessments is acceptable. **A TWENTY DOLLAR (\$20.00) FEE WILL BE CHARGED FOR ALL DISHONORED OR BAD CHECKS REMITTED AS PAYMENT OF ASSESSMENTS.**

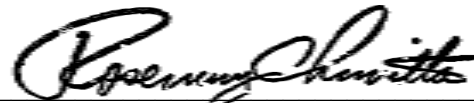
Your Small Business Advocate assessment has been computed by multiplying your gross intrastate operating revenues for the calendar year 2017 by the assessment factor for the public utility group of which you are a member. Your gross intrastate operating revenues for 2017 have been taken from the report on Form GAO-17 which you have filed with the Commission, or have been estimated by the Commission, if you failed to file a timely report. Gross operating revenue reported to the Commission on the Assessment Reports may have been revised by the Commission to accurately reflect assessable revenue. The assessment factors for the various public utility groups are set forth in Schedule B enclosed herewith.

Estimate of the expenditures of the Office of Small  
Business Advocate for the Fiscal Year July 1, 2018  
to June 30, 2019: \$1,855,000

Deduct:

Credit from previous fiscal years: 000,000  
Total Assessment \$1,855,000

The way in which the total Small Business Advocate assessment of \$1,855,000 has been allocated to the various groups of public utilities is shown on Schedule A and B enclosed herewith.



Rosemary Chiavetta  
Secretary  
PA Public Utility Commission

**MAKE INQUIRIES TO:**

Pennsylvania Public Utility Commission  
Bureau of Administrative Services/Assess  
P. O. Box 3265  
Harrisburg, PA 17105-3265

**FOR CERTIFIED AND EXPRESS CARRIERS**

Pennsylvania Public Utility Commission  
Bureau of Administrative Services/Assess  
400 North Street  
Harrisburg, PA 17120

**CONTACT PERSON:**

Assessment Section Information - Telephone 717-265-7548

## OFFICE OF SMALL BUSINESS ADVOCATE

Allocation of Expenses based on percent of prior year Public Utility Group workload  
Budget Fiscal Year 2018-19

### SCHEDULE A

Group	Total Expenditures per Utility Group Calendar Year 2017	Percentage Distribution	Estimated Expenditures Fiscal Year 2018-2019 by Utility Group
Electric	\$515,558	38.0000%	\$704,900
Gas	\$488,423	36.0000%	\$667,800
Steam Heat	\$13,567	1.0000%	\$18,550
Tele./Tele.	\$176,375	13.0000%	\$241,150
Water/Sewer	\$162,808	12.0000%	\$222,600
<b>Total</b>	<b>\$1,356,731</b>	<b>100.00%</b>	<b>\$1,855,000</b>

### SCHEDULE B

Group	Estimated Expenditures Fiscal Year 2018-2019 by Utility Group (a)	Gross intrastate revenues by utility group Calendar Year 2017 (b)	General Assessment Factor by Utility Group (Col. (a) / by Col. (b)) (c)
Electric	\$704,900	\$7,682,001,780	0.000091759937
Gas	\$667,800	\$3,419,307,726	0.000195302691
Steam Heat	\$18,550	\$91,219,298	0.000203356092
Tele./Tele.	\$241,150	\$1,918,144,584	0.000125720450
Water/Sewer	\$222,600	\$1,311,010,982	0.000169792628
<b>Total</b>	<b>\$1,855,000</b>	<b>\$14,421,684,370</b>	<b>0.000128625752</b>

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265

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OFFICE OF CONSUMER ADVOCATE  
NOTICE OF ASSESSMENT

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EXPLANATION OF BILL FOR GENERAL ASSESSMENT FOR PENNSYLVANIA  
OFFICE OF CONSUMER ADVOCATE, OFFICE OF ATTORNEY GENERAL  
FOR FISCAL YEAR JULY 1, 2018 TO JUNE 30, 2019

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The Pennsylvania Public Utility Commission is mandated under Act 15 of 1977, P.L. 19 as amended by Act 107 of 1978 and Act 25 of 1983, to levy upon the public utilities the Commission regulates a yearly assessment to fund the Pennsylvania Office of the Consumer Advocate (herein called Consumer Advocate), Office of the Attorney General. The Governor and the Appropriation Committees of the Pennsylvania House and Senate approved an estimated operating budget of \$5,850,000 for the Consumer Advocate for the Fiscal Year July 1, 2018 to June 30, 2019.

The enclosed assessment bill shows your proportionate share of the expenses of the Consumer Advocate for the Fiscal Year July 1, 2018 to June 30, 2019.

**YOU ARE REQUIRED TO PAY THIS BILL WITHIN THIRTY DAYS AFTER YOU RECEIVE IT.** Objections to the assessment must be made in writing within 15 days and shall set out in detail the grounds upon which you regard the assessment to be excessive, erroneous, unlawful, or invalid. Objections may be filed only by the person, partnership, or corporation assessed. **FAILURE TO PAY THE ASSESSMENT WHEN PAYMENT IS DUE WILL SUBJECT YOU TO PENALTIES.**

Be sure that your personal check or money order is written out in the same amount as your assessment invoice, and make your remittance payable to, "Commonwealth of PA". **DO NOT SEND CASH.** If you have reason to correspond with the Office of Consumer Advocate regarding your assessment invoice, please make reference to your invoice number. Please note that rounding of your assessment to the nearest dollar has occurred. Your assessment for the PUC, including the OCA and the OSBA where applicable, has been combined into one invoice; one payment for all applicable assessments is acceptable. **A TWENTY DOLLAR (\$20.00) FEE WILL BE CHARGED FOR ALL DISHONORED OR BAD CHECKS REMITTED AS PAYMENT OF ASSESSMENTS.**

Your Consumer Advocate assessment has been computed by multiplying your gross intrastate operating revenues for the calendar year 2017 by the assessment factor for the public utility group of which you are a member. Your gross intrastate operating revenues for 2017 have been taken from the report on Form GAO-17 which you have filed with the Commission, or have been estimated by the Commission, if you failed to file a timely report. Gross operating revenue reported to the Commission on the Assessment Reports may have been revised by the Commission to accurately reflect assessable revenue. The assessment factors for the various public utility groups are set forth in Schedule A and Schedule B enclosed herewith.

Estimate of the expenditures of the Office of Consumer Advocate for the Fiscal Year July 1, 2018 to June 30, 2019	\$5,850,000
Deduct:	
Credit from previous fiscal year	000,000
Total OCA Assessment	<u>\$5,850,000</u>

The way in which the total Consumer Advocate assessment of \$5,850,000 has been allocated to the various groups of public utilities is shown on Schedule A enclosed herewith.

  
\_\_\_\_\_  
Rosemary Chiavetta  
Secretary  
PA Public Utility Commission

**MAKE INQUIRIES TO:**

Pennsylvania Public Utility Commission  
Bureau of Administrative Services/Assess  
P. O. Box 3265  
Harrisburg, PA 17105-3265

**FOR CERTIFIED AND EXPRESS CARRIERS**

Pennsylvania Public Utility Commission  
Bureau of Administrative Services/Assess  
400 North Street  
Harrisburg, PA 17120

**CONTACT PERSON:**

Assessment Section Information - Telephone 717-265-7548

OFFICE OF CONSUMER ADVOCATE

Allocation of Expenses based on percent of prior year Public Utility Group workload  
Budget Fiscal Year 2018-19

**SCHEDULE A**

<b>Group</b>	<b>Total Expenditures per Utility Group Calendar Year 2017</b>	<b>Percentage Distribution</b>	<b>Estimated Expenditures Fiscal Year 2018-2019 by Utility Group</b>
Electric	\$1,651,635	35.3533%	\$2,068,168
Gas	\$1,416,190	30.3135%	\$1,773,340
Steam Heat	\$35	0.0007%	\$41
Tele./Tele.	\$212,458	4.5477%	\$266,040
Water/Sewer	\$1,391,488	29.7848%	\$1,742,411
<b>Total</b>	<b>\$4,671,806</b>	<b>100.00%</b>	<b>\$5,850,000</b>

**SCHEDULE B**

<b>Group</b>	<b>Estimated Expenditures Fiscal Year 2018-2019 by Utility Group</b>	<b>Gross intrastate revenues by utility group Calendar Year 2017</b>	<b>General Assessment Factor by Utility Group (Col. (a) / by Col. (b))</b>
	(a)	(b)	(c)
Electric	\$2,068,168	\$7,682,001,780	0.000269222536
Gas	\$1,773,340	\$3,419,307,726	0.000518625448
Steam Heat	\$41	\$91,219,298	0.000000449466
Tele./Tele.	\$266,040	\$1,918,144,584	0.000138696531
Water/Sewer	\$1,742,411	\$1,311,010,982	0.001329059042
<b>Total</b>	<b>\$5,850,000</b>	<b>\$14,421,684,370</b>	<b>0.000405639165</b>

# **EXHIBIT 4**



FAQs >

Track Another Package +

Tracking Number: 9171969009350215385081

Remove X

Your item was delivered at 12:11 pm on December 11, 2018 in GREENTOWN, PA 18426.

**Delivered**

December 11, 2018 at 12:11 pm  
Delivered  
GREENTOWN, PA 18426

Get Updates v

Feedback

**Text & Email Updates**



**Return Receipt Electronic**



**Tracking History**



**December 11, 2018, 12:11 pm**

Delivered  
GREENTOWN, PA 18426

Your item was delivered at 12:11 pm on December 11, 2018 in GREENTOWN, PA 18426.

Reminder to Schedule Redelivery of your item

**December 1, 2018, 10:38 am**

Available for Pickup  
GREENTOWN, PA 18426

**December 1, 2018, 8:44 am**

Out for Delivery  
GREENTOWN, PA 18426

**December 1, 2018, 8:21 am**

Arrived at Unit  
GREENTOWN, PA 18426

**December 1, 2018, 7:52 am**

Departed USPS Regional Facility  
SCRANTON PA DISTRIBUTION CENTER

**November 30, 2018, 10:13 pm**

Arrived at USPS Regional Facility  
SCRANTON PA DISTRIBUTION CENTER

**November 30, 2018, 4:00 pm**

Arrived at USPS Regional Facility  
LEHIGH VALLEY PA DISTRIBUTION CENTER

**November 30, 2018**

In Transit to Next Facility

**November 29, 2018, 6:17 pm**

Arrived at USPS Regional Facility  
HARRISBURG PA DISTRIBUTION CENTER

**November 29, 2018, 5:02 pm**

Accepted at USPS Origin Facility  
HARRISBURG, PA 17120

**November 29, 2018**

Pre-Shipment Info Sent to USPS, USPS Awaiting Item

Feedback

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**Product Information**



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**See Less** ^

## Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

**FAQs**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2020-
	:	
Deer Haven, LLP,	:	
Respondent	:	

**CERTIFICATE OF SERVICE**

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

**Served via Certified Mail**

Deer Haven, LLP  
Attn: Sam Shahar  
865 Route 507  
Greentown, PA 18426  
Email:



\_\_\_\_\_  
Christopher M. Andreoli  
Prosecutor  
PA Attorney ID No. 85676

Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
(717) 772-8582  
[chandreoli@pa.gov](mailto:chandreoli@pa.gov)

Date: August 19, 2020