

Kevin C. Spearing
2504 Broadway Ave
Hatboro PA 19040

March 6, 2021

Rosemary Chiavette, Esquire
Secretary
PA Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

Re: Docket No C-2021-30223999
Kevin C. Spearing v. Aqua Pennsylvania, Inc.
Response to Objections

Dear Secretary Chavetta,

I have reviewed the responses authored by Margaret Morris and I understand their objections. I am a little confused by the differences between the original complaint and the NEW MATTER identified as a separate filing.

This response is an appeal to maintain this complaint and to move forward with my filing status as an individual.


Kevin C. Spearing



Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
 Harrisburg, PA 17105-3265
EFILING - FILING DETAIL

Date Created	Filing Number
2/24/2021	2041679

Your filing has been electronically received. Upon review of the filing for conformity with the Commission's filing requirements, a notice will be issued acknowledging acceptance or rejection (with reason) of the filing. The matter will receive the attention of the Commission and you will be advised if any further action is required on your part.

The date filed on will be the current day if the filing occurs on a business day before or at 4:30 p.m. (EST). It will be the next business day if the filing occurs after 4:30 p.m. (EST) or on weekends or holidays.

Docket Number: C-2021-3023999
Case Description: Kevin C. Spearing v. Aqua Pennsylvania, Inc.
Transmission Date: 2/24/2021 3:28 PM
Filed On: 2/24/2021 3:28 PM
eFiling Confirmation Number: 2041679

File Name	Document Type	Upload Date
SpearingANM.pdf	Answer to Formal Complaint	2/24/2021 3:26:49 PM

For filings exceeding 250 pages, the PUC is requiring that filers submit one paper copy to the Secretary's Bureau within three business days of submitting the electronic filing online. Please mail the paper copy along with copy of this confirmation page to Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg PA 17120 a copy of the filing confirmation page or reference the filing confirmation number on the first page of the paper copy.

No paper submission is necessary for filings under 250 pages.

You can view a record of this filing and previous filings you have submitted to the PUC by using the links in the Filings menu at the top of the page. Filings that have been submitted within the last 30 days can be viewed by using the Recent Filings link. Older filings can be viewed by using the search options available in the Filing History link.



Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
Harrisburg, PA 17105-3265
EFILING - FILING DETAIL

Date Created	Filing Number
2/24/2021	2041682

Your filing has been electronically received. Upon review of the filing for conformity with the Commission's filing requirements, a notice will be issued acknowledging acceptance or rejection (with reason) of the filing. The matter will receive the attention of the Commission and you will be advised if any further action is required on your part.

The date filed on will be the current day if the filing occurs on a business day before or at 4:30 p.m. (EST). It will be the next business day if the filing occurs after 4:30 p.m. (EST) or on weekends or holidays.

Docket Number: C-2021-3023999

Case Description: Kevin C. Spearing v. Aqua Pennsylvania, Inc.

Transmission Date: 2/24/2021 3:30 PM

Filed On: 2/24/2021 3:30 PM

eFiling Confirmation Number: 2041682

File Name	Document Type	Upload Date
SpearingPO.pdf	Answer to Preliminary Objection	2/24/2021 3:28:51 PM

For filings exceeding 250 pages, the PUC is requiring that filers submit one paper copy to the Secretary's Bureau within three business days of submitting the electronic filing online. Please mail the paper copy along with copy of this confirmation page to Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg PA 17120 a copy of the filing confirmation page or reference the filing confirmation number on the first page of the paper copy.

No paper submission is necessary for filings under 250 pages.

You can view a record of this filing and previous filings you have submitted to the PUC by using the links in the Filings menu at the top of the page. Filings that have been submitted within the last 30 days can be viewed by using the Recent Filings link. Older filings can be viewed by using the search options available in the Filing History link.

Kevin C. Spearing
2504 Broadway Ave
Hatboro PA 19040

March 6, 2021

Rosemary Chiavette, Esquire
Secretary
PA Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

Re: Docket No C-2021-30223999
Kevin C. Spearing v. Aqua Pennsylvania, Inc.
Response to Objections

This complaint was filed as the president of the board, and it clearly indicates that my filing as individual is associated with me also being an employee of Aqua Pennsylvania. In addition to these positions, I also happen to be a stock holder with Aqua and a customer.

As an employee I maintain a DEP Distribution license that holds me responsible for actions that I am involved with as an individual and as an agent for the company. One of the first things we learn during our training is that it is an egregious offense to make false statements. "*Aqua does not typically install sample stations in residential areas*", is a false statement. The suggested location is identical to at least 3 other locations in Upper Moreland Township; publicly owned property adjacent to residential neighborhoods. The requested parcel happens to be the exact same park property that was requested by Aqua originally; Pileggi Park.

Continuation of the conversation regarding the requested location would have been acceptable. However, once a false statement was submitted to the township it was obvious that future discussions with Aqua could not be trusted. It is a commonly known fact that a reduced water quality could be anticipated at dead end mains usually found in cul-de-sacs. This is why the DEP recommends flushing of these "dead end" mains once a year; a service that Aqua refuses to provide. The request by the township identified that installing a sample station at Butternut Drive would give a better representation of the quality of service being provided to the customers in the area. There are several "dead end mains" like this in the area of Butternut Dr.

Core Values

Aqua maintains strict compliance with their core values of: Respect, Integrity, and the pursuit of Excellence. I have embraced these principles and included them in many e-mails and messages within our organization. Making a false statement about the selection of the sample station is unethical and it also contradicts the principals identified in our core values.

Safety First

Aqua has invested in a very comprehensive program of safety and empowered each employee with the responsibility of safety with every task performed. The request for an alternate location commented on the Shoemaker Rd site as a busy connector road that deals with multiple complaints about aggressive driving. This comment was completely ignored and not included in any response to the township. As I investigated some of the other locations that have been selected it is obvious to me that the safety of the employee gathering the sample was not carefully considered with the placement of some of these sample stations.

Status as an Individual

This complaint was filed as an individual appealing to the PUC to analyze all the aspects of this complaint and to move it forward. This submission was not authorized by the board of commissioners and none of this material was reviewed by any attorney or any representative of the township. When I serve as the president of the board, I do so with the knowledge and experience as a construction foreman with 40 years of maintenance and installation of watermains and services. While I perform my job as a construction foreman, I bring a keen understanding of the important relationship between the municipalities that we serve and Aqua. On a regular basis I offer suggestions for more efficient operations and cooperative projects.

I am disappointed that Aqua has chosen to handle this complaint in this manner instead of suggesting some amicable discussion about this request. All the supporting documents that are referenced regarding similar situations will probably support the denial of this complaint because of the jurisdictional objections mentioned; I read none of them. However, the characteristics that I have included about me as an individual, most likely do not have precedent cases that closely resemble the details of this unique situation. This is not a simple dispute between the township and Aqua; this an individual complaint that was submitted by the president of the board, an employee, a stockholder, a customer of Aqua, and the holder of a DEP water operator's license. These combined traits differentiate this submission from typical other submissions by municipalities or board members.

Incidentally, I was informed on Thursday, February 24, that some one from Aqua made a point to mention this PUC complaint to the union leadership who represent me as an Aqua employee. This seems like an unethical practice to bring this up with these parties. This makes me feel a little bit threatened about my job and it is important that it is mentioned here.


Kevin C. Spearing

cc: Margaret A. Morris, Esquire