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June 15, 2021

VIA ELECTRONIC MAIL

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

**RE: 600 Scranton, LLC v. Pennsylvania-American Water Company
Docket No. C-2021-3024207**

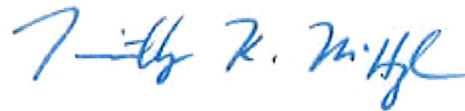
Dear Secretary Chiavetta:

Enclosed for filing on behalf of Pennsylvania-American Water Company is its Prehearing Conference Memorandum in the above-referenced matter. A copy of the Memorandum has been served in accordance with the attached Certificate of Service.

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

Best Regards,

STEVENS & LEE



Timothy K. McHugh

Enclosure

cc: Administrative Law Judge Dennis J. Buckley
Certificate of Service

Allentown • Bergen County • Bala Cynwyd • Cleveland • Fort Lauderdale • Harrisburg • Lancaster • New York
Philadelphia • Princeton • Reading • Rochester • Scranton • Valley Forge • Wilkes-Barre • Wilmington
A PROFESSIONAL CORPORATION

the Complainant's allegations and that the Complainant is entitled to the relief requested in the Complaint.

On June 7, 2021, the presiding Administrative Law Judge issued the Initial Prehearing Order setting an Initial Prehearing Conference beginning at 10 a.m. on June 16, 2021.

II. ISSUES AND WITNESSES

Issues

PAWC believes the sole issues involved in this proceeding are:

1) whether the Complainant is liable for the water usage at the Complainant's property at 600 Scranton Carbondale Highway, Eynon, PA 18403 ("the Property") that was caused by a leak on the Complainant's service pipe; and

2) whether PAWC is permitted to terminate water service to the Property.

With respect to Issue No. 1, it is PAWC's position that there is a verified service pipe leak at the Property. This service pipe leak is on the customer's side of the meter. As a result of the leak, the Complainant's water usage has increased dramatically, and at this point the unpaid balance on the Complainant's account exceeds \$500,000. Rule 4.9 of the Company's Commission-approved tariff establishes that the customer has full responsibility for the installation, repair, replacement, and maintenance of all service pipes, including full responsibility for metered water usage attributable to a leak in the service pipe. As such, it is PAWC's position that the Complainant is fully responsible for repairing the service line leak and for the water usage caused by the leak. However, upon verification that the leak has been repaired, the Complainant is eligible for a one-time bill adjustment equal to forty percent (40%) of that portion of one month's consumption that exceeds the average monthly usage, based on the prior twelve-month period pursuant to Tariff Rule 4.9.

With respect to Issue No. 2, it is PAWC's position that if the leak is not repaired and/or payment is not made on the balance on the account, PAWC is permitted to terminate water service to

the Property pursuant to Tariff Rule 12.1, which permits termination of service for willful or indifferent waste of water due to any cause, and for non-payment of water service when due. There also may be grounds for termination of service immediately for violating tariff provisions on file with the Commission so as to endanger the safety of a person or the integrity of the Company's delivery system, under Tariff Rule 12.2.

It is PAWC's understanding that water service at the Property is currently off as a result of damage to another building at or near the Property that was caused by the leak in the Complainant's service pipe.

PAWC may identify other issues of concern that arise as the proceeding develops, and reserves the right to address such issues as they arise.

Witnesses

PAWC expects to elicit the Testimony of the following witnesses, both of whom work for Pennsylvania-American Water Company:

1. Anthony Pachick, PAWC's Senior Supervisor, Commercial Department. Mr. Pachick is expected to testify confirming the existence of the Complainant's service pipe leak and the potential impact it may have on PAWC's water distribution system. Mr. Pachick's business address and phone number is as follows:

2699 Stafford Avenue
Scranton, PA 18505
(570) 335-0117

2. Todd Haslup, PAWC'S Senior Compliance Analyst. Mr. Haslup is expected to testify regarding the Complainant's water usage, billing, and payment history. Mr. Haslup is also expected to testify regarding the Company's business records, such as customer communication records and service orders, relating to the Complainant's account for water service with the Company. Where applicable, Mr. Haslup will testify regarding the

Company's Public Utility Commission approved tariff provisions. Mr. Haslup's business address and phone number is as follows:

852 Wesley Drive
Mechanicsburg, PA 17055
(717) 550-1563

PAWC reserves the right to identify and present the testimony of additional witnesses, as necessary, depending on, in part, the additional issues raised by the Complainant.

Evidence

PAWC intends to introduce the following evidence at a hearing for this matter:

1. Account Statement for Account Number 220020027827, in support of PAWC's position on the current balance due for water service to the Property.
2. Customer Communication Records for Account Number 220020027827, in support of PAWC's position regarding the balance due and the existence of a service line leak.
3. Service Orders for Account Number 220020027827, in support of PAWC's position regarding the confirmation of the service line leak.
4. Tariff Rule 4.9, in support of PAWC's position with respect to Issues 1 and 2.
5. Tariff Rule 12.1, in support of PAWC's position with respect to Issues 1 and 2.
6. Tariff Rule 12.2, in support of PAWC's position with respect to Issues 1 and 2.
7. Tariff Rule 15.1, in support of PAWC's position with respect to Issues 1 and 2.

III. SERVICE OF DOCUMENTS

PAWC's attorneys in this proceeding are:

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PAWC's attorneys are authorized to receive all notices and communications regarding this proceeding.

IV. PROPOSED PROCEDURAL SCHEDULE

PAWC believes that the evidentiary hearing in this matter will require one day. PAWC proposes to hold the evidentiary hearing on July 7, 2021 or July 8, 2021 subject to the presiding Administrative Law Judge's availability.

V. DISCOVERY

PAWC will confer with the other party on any proposed modifications to the Commission's procedural rules regarding discovery. PAWC has no proposed modifications at this time.

Respectfully submitted,



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June 15, 2021

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

600 SCRANTON, LLC	:	
Complainant	:	
	:	
v.	:	Docket No. C-2021-3024207
	:	
PENNSYLVANIA-AMERICAN	:	
WATER COMPANY	:	
Respondent	:	

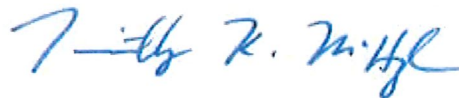
CERTIFICATE OF SERVICE

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

VIA ELECTRONIC MAIL

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Scranton, PA 18503
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Timothy K. McHugh

DATE: June 15, 2021