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*"The difficult legal challenges we  
complete immediately; the impossible  
ones take a little longer."*

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January 3, 2022

Pennsylvania Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**RE: 600 Scranton, LLC v. PA American Water  
Revised Motion to Compel**

Dear To Whom it May Concern:

Please find enclosed herein, 600 Scranton, LLC's Revised Motion to Compel that was originally filed on December 31, 2021 but rejected for having an incorrect docket number. The error has been corrected and we are presenting the same for filing.

If you have any questions or concerns, please do not hesitate to contact me. Thanking you for your attention hereto and trusting you will be guided accordingly, I am,

Very truly yours,  
**THOMAS J. JONES, JR. P.C.**



Thoma J. Jones Jr., Esquire

TJJ/rf

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

|                   |   |                |
|-------------------|---|----------------|
| 600 SCRANTON, LLC | : |                |
| Complainant       | : |                |
|                   | : |                |
| v.                | : | C-2021-3024207 |
|                   | : |                |
| PA AMERICAN WATER | : |                |
| Respondent        | : |                |

**REVISED MOTION TO COMPEL ANSWERS TO  
INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS**

Pursuant to 52 Pa. Code §§ 5.342 and 5.321 (c), 600 Scranton, LLC, ("Complainant" or "600 Scranton") by and through its attorney, Thomas J. Jones, Jr., Esq., hereby respectfully requests that the Pennsylvania Public Utility Commission (the "Commission") Compel Pennsylvania American Water Company ("PAWC") to fully respond to and file complete responses to Complainant's 1st Set of Interrogatories (the "Interrogatories") and the Motion to Produce Documents as propounded upon PAWC and set forth herein.

These interrogatories were propounded in large part to ascertain whether or not pursuant to 66 Pa. C.S. §1501, PAWC did "furnish and maintain adequate, efficient, safe and reasonable" water service to the property of 600 Scranton LLC.

**INTERROGATORIES**

REQUEST No. 2

Identify any and all PAWC customer complaints concerning the PAWC division and/or adjacent divisions servicing the Property for water line pressure issues for commercial and/or residential properties located in Lackawanna County, Pennsylvania, within a two

(2) mile radius of the subject Property between **November 1, 2019, and January 31, 2020, and also December 1, 2020, through April 30, 2021.** If this includes adjacent service divisions, please indicate so. To protect the confidentiality of the customer, please indicate only the name of the street and the block number where the complaint was made (i.e., 100 block of Smith Street).

**This information is requested because it is relevant to the Notice Issue. Further, if there were similar Leaks in the Area it goes to the Issue of Causation. Additionally, Customer Complaints in the area likely confirm major leaks placing Pa. Water on Notice to be more assertive in notifying Customers of Leaking Pipes.**

REQUEST No. 3

Did any PAWC customers make complaints concerning low water pressure within the division that services the Property between November 1, 2019, and April 30, 2021? To protect the confidentiality of the customer, please indicate only the name of the street and the block number where the complaint was made.

**WITHDRAWN**

REQUEST No. 8

What Records does PAWC have for opening or closing valves closest to the Property in all Lines in all directions between **December 1, 2019, and January 31, 2020, also December 1, 2020, and April 30, 2021?**

**Open and closing Valves can increase Pressure on the Water System, the larger the Water Line the greater Pressure. If a Valve is opened too fast or closed too fast it can create hydraulic gradients or a pressure wave sometime referred to as a water hammer causing a substantial water leak.**

REQUEST No. 9

Please list those pipes and locations where PAWC pipes and infrastructures have failed and needed repair and/or replacement in the division covering the Property and

adjacent thereto within **one (1) mile** of the Property between **November 1, 2019 to January 31, 2020 and November 1, 2020 to April 30, 2021.**

**This information is relevant to the Issue of whether a pressure wave effected other Service Pipes in the area during the Time Period of the Water Leaks at the property of 600 Scranton LLC.**

REQUEST No. 10

During the **November 1, 2019-January 31, 2021, and the December 1, 2020 to April 30, 2021** time frame:

a) Did PAWC personnel open and/or close valves within the division that services the property and/or adjacent divisions within a 1-mile radius of the meter pit located at 600 Scranton/Carbondale Highway?

**The opening and closing of such valves may have caused pressure changes in the water service delivery systems to the meter pit located at 600 Scranton/Carbondale Highway and would be a basis for the Opinion of the Expert Witness Testimony. The Bold Print in the Interrogatory is an amendment to the Original to eliminate the claimed overbroad request.**

#### MOTION FOR PRODUCTION OF DOCUMENTS

1. Respondent, Pa. American Water Co. will provide a List of all Commercial Customers from Lackawanna and ~~Luzerne~~ Luzerne County who have had a subsurface water line leak of 250,000 gallons or more from November 1, 2019, until April 30, 2021.

**250,000 Gallons is a substantial Water Leak and finding the Records is not overbroad or burdensome and relevant to the issue of the Water Company awareness of aging water lines and actions taken and timeliness.**

6. Respondent, Pa. American Water Co. will provide Reports, Studies, ~~other~~ Analyses and related Documents for the Water System that includes any area within one mile from the location of the Property over the last **10** years.

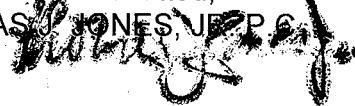
**The Motion to Produce was overbroad and burdensome and has been modified to be reasonably capable of being provided.**

7. Respondent, Pa. American Water Co. will provide ~~Inspections, Reports and related Documents~~ **Reports of Water Leaks** over the last five-year period within one mile of the Property for all Users and/or Customers.

**The Motion to Produce was overbroad and burdensome and has been modified to be reasonably capable of being provided.**

8. Respondent, Pa. American Water Co. will provide Meeting Minutes, Notes or other correspondence over the last five years that include information on the two Leaks on Complainants Property as well as any other Leaks within one mile of the Subject Property. **This Motion to Produce was Not overbroad and burdensome and the Information is reasonably capable of being provided. Further, it is directly relevant to the Water Pressure Issues, the Notice of Leak Issues, and the quality-of-Service Issues.**

WHEREFORE it is respectfully requested that the Claimant's Motion to Compel Answers to Interrogatories and Production of Documents be granted and Respondent, Pa. American Water Co., be ordered to Answer the Interrogatories and Produce the Documents set forth in the Motion.

Respectfully submitted,  
THOMAS J. JONES, JR. P.C.  
  
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Thomas J. Jones, Jr., Esquire  
Attorney for 600 Scranton, LLC

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

600 SCRANTON, LLC

Complainant

v.

PA AMERICAN WATER

Respondent

C-2021-3024207


CERTIFICATE OF SERVICE

I, Thomas J. Jones, Jr., Esquire, hereby certify that I have served the foregoing REVISED Motion to Compel upon the individuals electronically at the addresses set forth below.

Michael Gruin, Esquire  
Stevens and Lee  
Harrisburg Market Square  
17<sup>th</sup> North Second Street  
16<sup>th</sup> Floor  
Harrisburg, PA 17101  
michael.gruin@stevenslee.com

January 3, 2022


Thomas J. Jones, Jr., P.C.

  
Thomas J. Jones, Jr., Esquire  
Attorney for Complainant  
600 Scranton, LLC

**ATTORNEY VERIFICATION**

I, Thomas J. Jones, Jr., Esquire hereby verify that the facts set forth in the foregoing revised Motion to Compel are true and correct to the best of my knowledge, information and belief. I understand that false statements herein made are subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.

Dated: January 3, 2022

  
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Thomas J. Jones, Jr., Esquire