

Donald C. Osinski
331 Camp Stead Circle
PO Box 514
Blakeslee, PA 18610
dosinski1075@gmail.com

February 20, 2022

Your Honor,

My exception complaint begins with the following;

1. Aqua PA Wastewater (APW) has erroneously classified my development as “UNMETERED” by tying us in with the rest of the Tobyhanna Township Division, line 31, Zone 4, at the bottom of Table IV (See Exhibit H). We have had a community well and centralized water system, including a water meter in our pump house since 1974! Our private development, Camp Stead Property Owners’ Association, has 48 lots and a clubhouse. The association is made up of privately owned mobile homes, small cabins, and campers on mostly 50’ X 100’ lots. Our well water is licensed and regulated by the Pennsylvania DEP and therefore tested monthly. This is a **MAJOR** point of contention I have with Aqua PA Wastewater! In Aqua PA Wastewater’s application attempt to get the PA PUC to approve the acquisition of certain wastewater system assets of Tobyhanna Township, they claimed that “...everyone has a privately owned water well except Keswick Point Development...” (See Exhibit J, **PAPUC Order 3-16-2017**, page 3). This information provided by APW to the PAPUC is obviously not correct, which has allowed APW to push for “unjustified” excessive rate hikes under the umbrella of “UNMETERED” to the “METERED” customers of Camp Stead.
2. How much water is passing from our community well through our community water meter? To find out, my neighbor Ray Martin (one of my witnesses today) has been taking photos of our water meter every month since July 2021 (See Exhibits A, B, C, D, and E). He also took a photo of how the water meter is installed in our pump house (see Exhibit F). Like I have mentioned before, our development has 48 lot owners plus a clubhouse. However, two of our members own two lots

with only one house between them, so therefore, including the clubhouse, we have 47 “billable” customers in our association. Therefore, according to my calculations our residents are using an **average of 1,080 gallons of water per month** (See Exhibit G).

3. According to their (APW’s) own chart, ***Table IV, Residential Average Monthly Bill Comparison*** (See Exhibit H) from Docket No. R-2018-3003561, line 16, *CS Sewer Division (Masthope)* uses **1,300 gallons per month** “METERED” and pays **\$40.94 a month**. Line 5, *Twin Hills Division* uses **4,200 gallons** per month “METERED” and pays **\$101.90 a month**, and line 17, *Peddlers View Division* uses **4,100 gallons** per month “METERED” and pays **\$100.95 a month**, both much closer to our “UNMETERED” cost of **\$100.00 per month** “FLAT RATE” that is being charged to the residents of my Camp Stead development. The two “METERED” 4,000 plus gallons divisions and “UNMETERED” *Tobyhanna Township Division* are all Zone 4 customers as well, so we are comparing apples to apples. One can therefore conclude, based on their own chart, that Aqua PA Wastewater is “ASSUMING” that our Camp Stead development “MUST” be using over 4,000 gallons of wastewater per month, per resident in order to justify their \$100.00 “flat rate.” Based on the fact that we do now know how much wastewater we are using as a community and how much APW charges for wastewater based on their own table, Camp Stead residents should be charged **\$40.00 a month and NOT \$100.00 a month!** This is my case and point! Currently, each resident of Camp Stead is actually paying for 3,000 gallons of wastewater per month that we are clearly not using! As a community, we are paying for 141,000 gallons a month more than we use! This is OUTRAGEOUS! Bottom line is, **My private “METERED” community is being WOEFULLY over charged as an “UNMETERED” APW customer!**
4. I am not the only Camp Stead resident who is upset with APW billing practices. I have two members present who are my witnesses, Ray Martin Sr. and Scott Goodale who are willing to testify against APW. Finally we were able to get over half of Camp Stead residents to sign a petition against APW’s billing practices (See Exhibit Q). Some of our members are from out of state and/or vacationers so it difficult for me to catch them since I do have a full-time job.

5. Another issue I have with APW is what is the “REAL” reason for the requested increase? According to the **PAPUC Order 3-16-2017** (See Exhibit J, page 11), the Tobyhanna Township system had an estimated annual revenue of \$664,000 minus an estimated annual operation and maintenance expenses to be \$210,000, leaving a **NET ANNUAL OPERATING REVENUE OF \$454,000!** Finally, 2014 and 2015 financial statements reached annual revenues of \$745,042 and \$763,631, respectfully! In other words, the Tobyhanna Township’s Sewer System is a VERY profitable sewer system BEFORE the 2018 rate hike! At the bottom of page 13, it states the Tobyhanna Township’s Blakeslee wastewater system is a stand-alone system! If that isn’t enough to make your head scratch for APW’s need for such a HUGE (50%) increase in revenues, Camp Stead is only 1.4 miles away from the treatment facility (See Exhibit L). Finally, there is the reports in the newspapers at that time about HUGE rate hikes across the state, and the comment in the Philadelphia Inquirer that the combined rates would raise APW’s ANNUAL REVENUE BY \$98 MILLION, when APW had already a **\$188 MILLION NET INCOME on a \$509 million of operating revenue** (See Exhibit K)! In the same article they claim they have 1.1 billion for upgrades, but the article also shows APW wants to buy Delaware and Chester Counties Water Authority for \$410 million! To me and others, they are using their trapped customers’ revenue for expanding their company’s monopoly rather than maintaining existing systems, like they want us to believe. Another question I have with APW’s billing practices is, if the last increase was suppose to cover maintenance costs, why does additional fees then appear later on the bill after the 50% increase such as the \$3.00 monthly “*Distribution System Improvement Charge*” that I mentioned before? To me, this is another dishonest attempt to collect additional revenue from their customers.
6. I tried speaking with Aqua PA Wastewater directly and got nowhere. I issued a formal complaint with the PAPUC, which lead first to an informal meeting with an attorney representing APW, Mary Hopper, and then a second meeting with Mary Hopper and a mediator from the PUC which also went nowhere. The ink hasn’t even dried on the last rate hike and they are already proposing another \$25.00 rate increase which would total at \$125.00 per month! It is sad that an APW customer has to go all the way to the PAPUC Court to try to get a utility monopoly to do the right thing and only charge us for what we use. I responded with

another formal complaint against the new rate hike proposal (See Exhibit M), and currently participating in that hearing process. There seems to be no end to APW's attempts to raise their rates against their customers, especially the "UNMETERED" ones. "UNMETERED" customers is APW's playground, no one knows what the usage is, and they have no problem taking full advantage of those customers as our community water meter demonstrates in Camp Stead.

SIMPLE CONCLUSION. We are being **WOEFULLY over charged** by Aqua's unjustified "flat rate!" So far, the APW's response to me is that we are complying with the "approved rates" granted by the PAPUC, but what they FAIL to understand is that they did NOT correctly recognize our private community's "METERED" water system in their application process to PAPUC, and therefore should admit their mistake and correct it like any other reputable business in this country would. The job of the Public Utilities Commission (PUC) is to ensure large utilities like APW, do not OVER CHARGE their customers. Being charged for 3,000 gallons of wastewater per resident, per month or as a community 141,000 gallons per month that we are not using is clearly ABUSIVE and UNETHICAL. This needs to be corrected immediately! Thank you Your Honor.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Donald C. Osinski". The signature is written in dark ink and is positioned below the typed name.

Donald C. Osinski
C-2021-3029413

EXHIBIT REFERENCE GUIDE

EXHIBIT	DESCRIPTION	REMARKS
A	METER READ PHOTO	7-18-21
B	METER READ PHOTO	8-18-21
C	METER READ PHOTO	9-18-21
D	METER READ PHOTO	10-18-21
E	METER READ PHOTO	11-18-21
F	WATER METER PHOTO	LOCATED IN PUMP HOUSE
G	METER READ LOG	AVERAGE 1,080 GALLONS A MONTH
H	TABLE IV	RESIDENTIAL AVERAGE MONTHLY BILL COMPARISON (DOCKET NO. R-2018-30035610)
I	RESCHEDULED HEARING NOTICE	12-3-2021 (REFERENCE: C-2021-3026391)
J	PA PUC ORDER (3-16-2017)	APPLICATION OF AQUA PA WASTEWATER TO BUY AND OPERATE
K	NEWSPAPER ARTICLES	RAISE REVENUE \$98 MILLION, MADE NET INCOME \$188 MILLION ON \$509 MILLION
L	GOOGLE MAP	1.4 MILE DRIVE FROM CAMP STEAD TO TREATMENT PLANT
M	FORMAL COMPLAINT	
N	MAP OF THE CAMP STEAD (1972)	
O	1ST TOBYHANNA TWSP SEWER BILL	START DATE: 5-6-17
P	SETTLEMENT STATEMENT	PURCHASED LOT: 5-5-2017
Q	CAMP STEAD PETITION	

EXHIBIT A

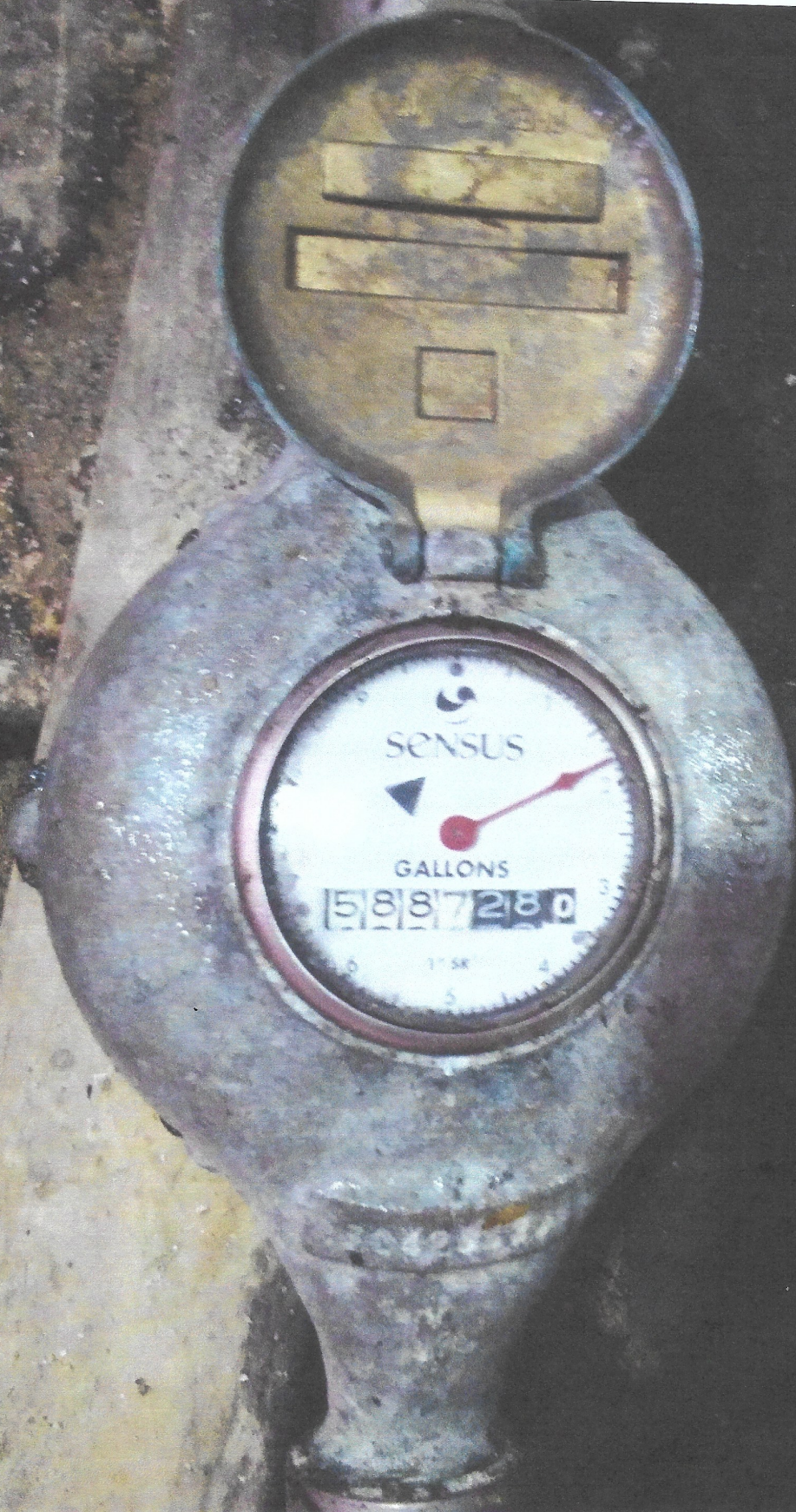


EXHIBIT B



EXHIBIT C



EXHIBIT D

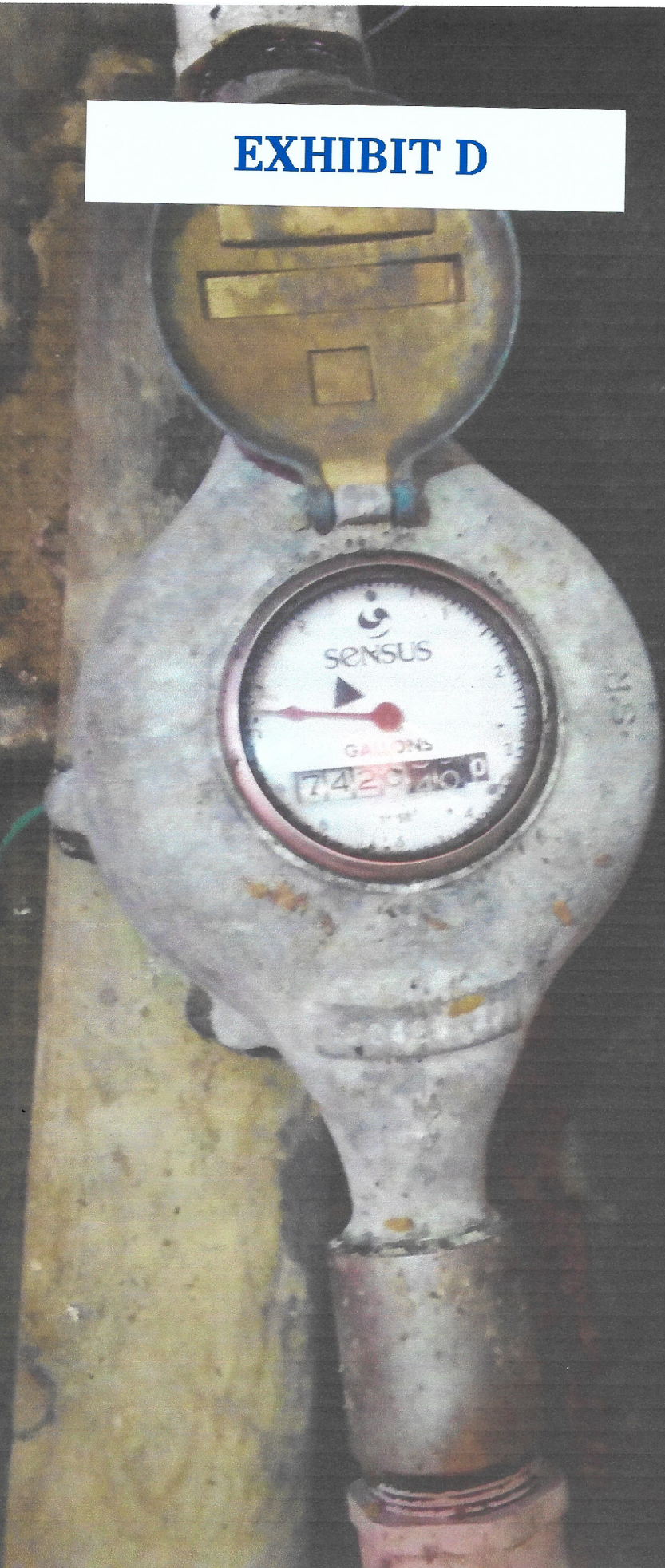


EXHIBIT E

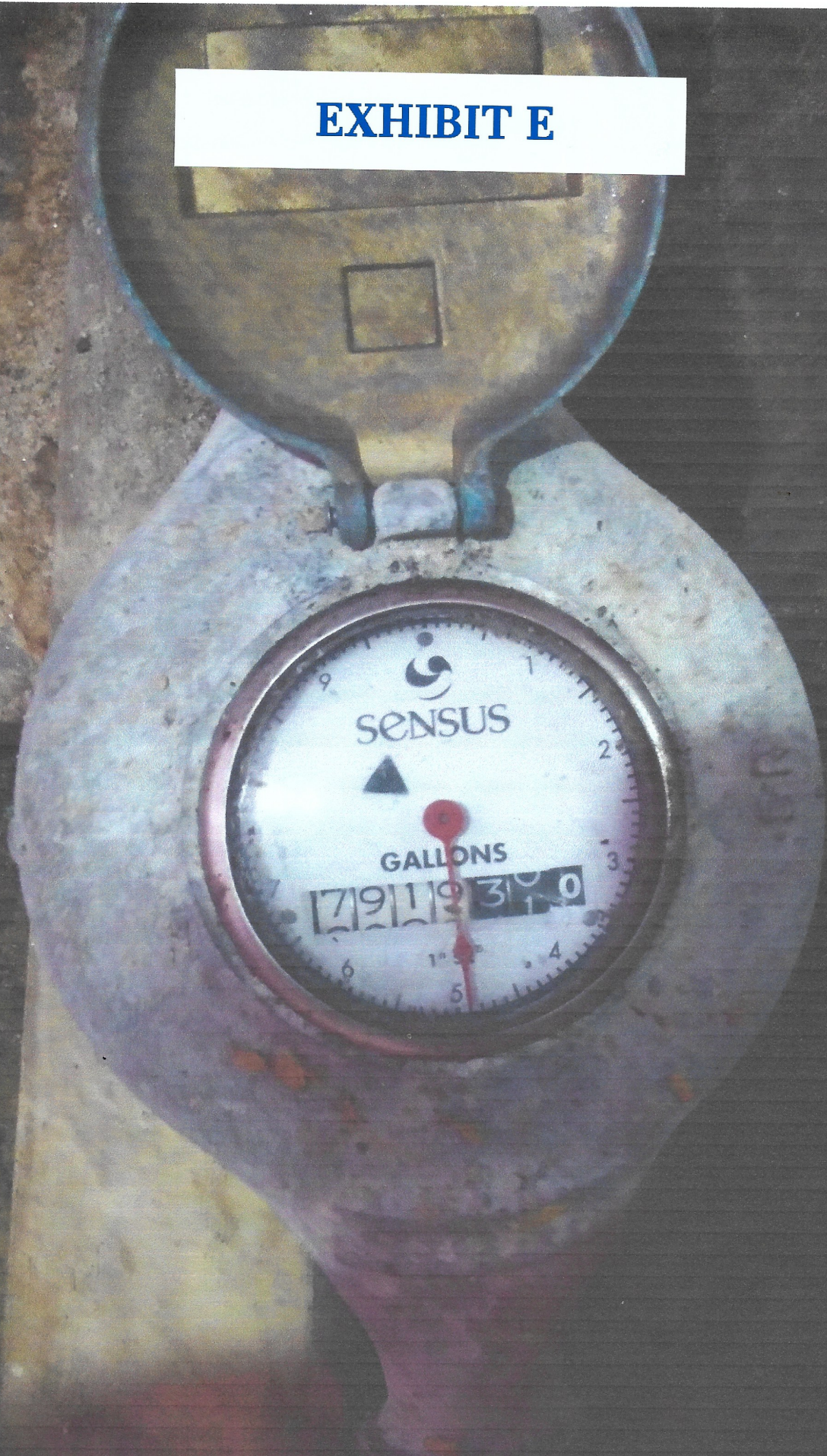


EXHIBIT F



EXHIBIT G

CAMP STEAD PROPERTY OWNERS' ASSOCIATION COMMUNITY WATER

METER READ DATE	NEW METER READ	LAST METER READ	TOTAL GALLONS METERED	DIVIDED BY 47 CUSTOMERS	AVERAGE MONTHLY WASTE WATER USAGE PER CUSTOMER
7-18-21	588728				
8-18-21	639359	588728	50,631	1,077.3	1,077.3 Gallons
9-18-21	690017	639359	50,658	1,077.8	1,077.8 Gallons
10-18-21	742040	690017	52,023	1,106.9	1,106.9 Gallons
11-18-21	791931	742040	49,891	1,061.5	1,061.5 Gallons

EXHIBIT H

TABLE IV
Aqua Pennsylvania Wastewater, Inc.
Residential Average Monthly Bill Comparison - Wastewater
Docket No. R-2018-3003561

	Current Division	New Rate Zone	Avg Consumption	Present Rates	Settlement Rates	\$ Change	% Change
1	Pinecrest Division	2	Unmetered	\$44.28	\$68.40	\$24.12	54.48%
2	Willistown Woods Division	3	3,100	\$54.92	\$72.35	\$17.43	31.74%
3	Links at Gettysburg Division	3	2,700	\$63.58	\$68.95	\$5.37	8.45%
4	East Bradford Division	5	5,400	\$108.43	\$125.34	\$16.91	18.24%
5	Twin Hills Division	4	4,200	\$70.15	\$101.90	\$31.75	45.26%
6	Plumsock Division	5	5,300	\$107.12	\$124.88	\$17.76	16.58%
7	Media Division	1	4,200	\$42.15	\$62.92	\$20.77	49.13%
9	White Haven Division	2	2,900	\$47.07	\$59.49	\$12.42	26.39%
9	Bridlewood Division	1	4,100	\$43.04	\$67.48	\$24.44	56.79%
10	Eagle Rock Division	2	1,900	\$39.67	\$43.14	\$3.47	8.74%
11	Thornhurst Division	2	2,600	\$52.38	\$68.10	\$15.72	30.06%
12	Rivercrest Division	2	3,200	\$45.22	\$61.92	\$16.70	36.93%
13	Little Washington Division	5	3,400	\$98.05	\$106.64	\$8.59	8.76%
14	Laurel Lakes Division	3	4,200	\$51.49	\$91.70	\$40.21	78.07%
15	Deerfield Knoll Division	3	3,000	\$57.87	\$71.50	\$13.63	23.55%
16	CS Sewer Division (Masthope)	6	1,300	\$28.99	\$40.94	\$11.95	41.22%
17	Peddlers View Division	4	4,100	\$76.44	\$100.95	\$24.51	32.07%
18	The Greens at Penn Oaks Division	5	3,500	\$106.38	\$107.60	\$1.22	1.15%
19	Newlin Green Division	5*	6,500	\$108.75	\$108.75	\$0.00	0.00%
20	Woodloch Springs Division	3	2,000	\$51.87	\$63.00	\$11.13	21.46%
21	Stony Creek Division	3	2,500	\$54.86	\$67.25	\$12.39	22.58%
22	New Daleville Division	4	Unmetered	\$74.17	\$100.00	\$25.83	34.83%
24	Beech Mountain Lakes Division	2	Unmetered	\$58.04	\$80.00	\$23.96	41.28%
25	Lake Harmony Division	2	Unmetered	\$65.63	\$100.00	\$34.37	52.37%
26	Treasure Lake Division	3	3,000	\$40.52	\$49.90	\$9.38	23.15%
27	Penn Township Division	1B	3,400	\$40.70	\$55.00	\$14.30	35.14%
28	Bunker Hill Subdivision	1A	Unmetered	\$31.92	\$56.20	\$24.28	76.07%
29	Honeycroft Village Division	4	Unmetered	\$66.67	\$100.00	\$33.33	49.99%
30	Eminton Borough Division	2	Unmetered	\$45.00	\$68.40	\$23.40	52.00%
31	Tobychanna Township Division	4	Unmetered	\$66.67	\$100.00	\$33.33	49.99%
33	Sage Hill	5*	Unmetered	\$180.00	\$180.00	\$0.00	0.00%

1000+ Gallons = \$40+

Zone 4 Examples
 4000+ Gallons = \$100+

5* - Special Charges have been assigned to these divisions within Rate Zone 5.

All Residential Customers are charged a customer charge on an EDU basis with the exception of the Media and Treasure Lake Divisions, which are charged a customer charge based on the appropriate meter size of the applicable Rate Zone. Media and Treasure Lake rates above represent a 5/8" meter.

Pinecrest Division's Present Rate is based on the weighted average of the present rates of all customers both inside Pinecrest and outside Pinecrest.

Bridlewood Division's Average Consumption and Present Rate are based on the weighted average of both townhome and single family home customers.

As per the Asset Purchase Agreement, the Tobychanna Division rate increase will not become effective until January 1, 2020.

EXHIBIT J

comprises only a portion of Tobyhanna Township in the area known as the Village of Blakeslee.

APW's requested wastewater service territory is generally located along the north side of Interstate 80 in the southwest portion of Tobyhanna Township, Monroe County. A part of the requested territory's southwestern border aligns with Tobyhanna Creek which is also the boundary between Carbon and Monroe Counties in this area. The requested territory extends in a northeasterly direction from Tobyhanna Creek, mostly following State Route 940 and then Spur Road; and narrows before terminating at the intersection of Spur and Locust Ridge Roads.

According to the Application, Tobyhanna Township is reserving and will maintain a part of its wastewater service territory situated on the eastside of Interstate 380 as well as its assets situated within. This portion of the Tobyhanna Township's wastewater service territory, known as "Sewer District No. 1," and its associated assets, serve the Kalahari Water Park Resort (KWPR). Tobyhanna Township's Blakeslee wastewater system does not collect or treat the flows from KWPR. Instead wastewater from KWPR is conveyed via pump station to Pocono Township for treatment. The remainder of Tobyhanna Township is served by on-lot septic and private wastewater treatment systems.

According to supplemental information provided by APW, potable water service for residential customers within the Application's requested territory is provided by

privately owned water wells except in the Keswick Point Planned Residential

Development (Keswick Point PRD). The Keswick Point PRD is served by a centralized water system owned by a developer identified as Hannig Development LLC.

Commercial properties within the requested territory also utilize private wells for potable water service except for the commercial development situated near the intersection of State Routes 940 and 115. This development is served by a centralized water system

EXHIBIT J

customer charge in terms of both quarterly and monthly rates. However, APW was non-committal as to whether it intends to bill quarterly or monthly after closing. The Commission will assume APW will bill quarterly as APW represented in its Application that it will continue charging Tobyhanna Township's rates in effect as of December 1, 2015. As such, the Commission will require that APW file a tariff supplement for the requested territory containing quarterly rates only along with Tobyhanna Township's EDU number assignment description for each customer classification and land use type.

APW estimated its annual revenue for providing wastewater service within the requested territory to be \$664,000 while it estimated its annual operation and maintenance expenses to be \$210,000. APW noted its estimated annual operation and maintenance expenses excluded depreciation. The estimated revenues and expenses will result in net annual operating revenue of \$454,000. Tobyhanna Township's 2014 and 2015 financial statements noted annual revenues of \$745,042 and \$763,631, respectively. APW avers that these past revenues were significantly higher than the projected revenue due to Tobyhanna Township's efforts to collect past due account balances.

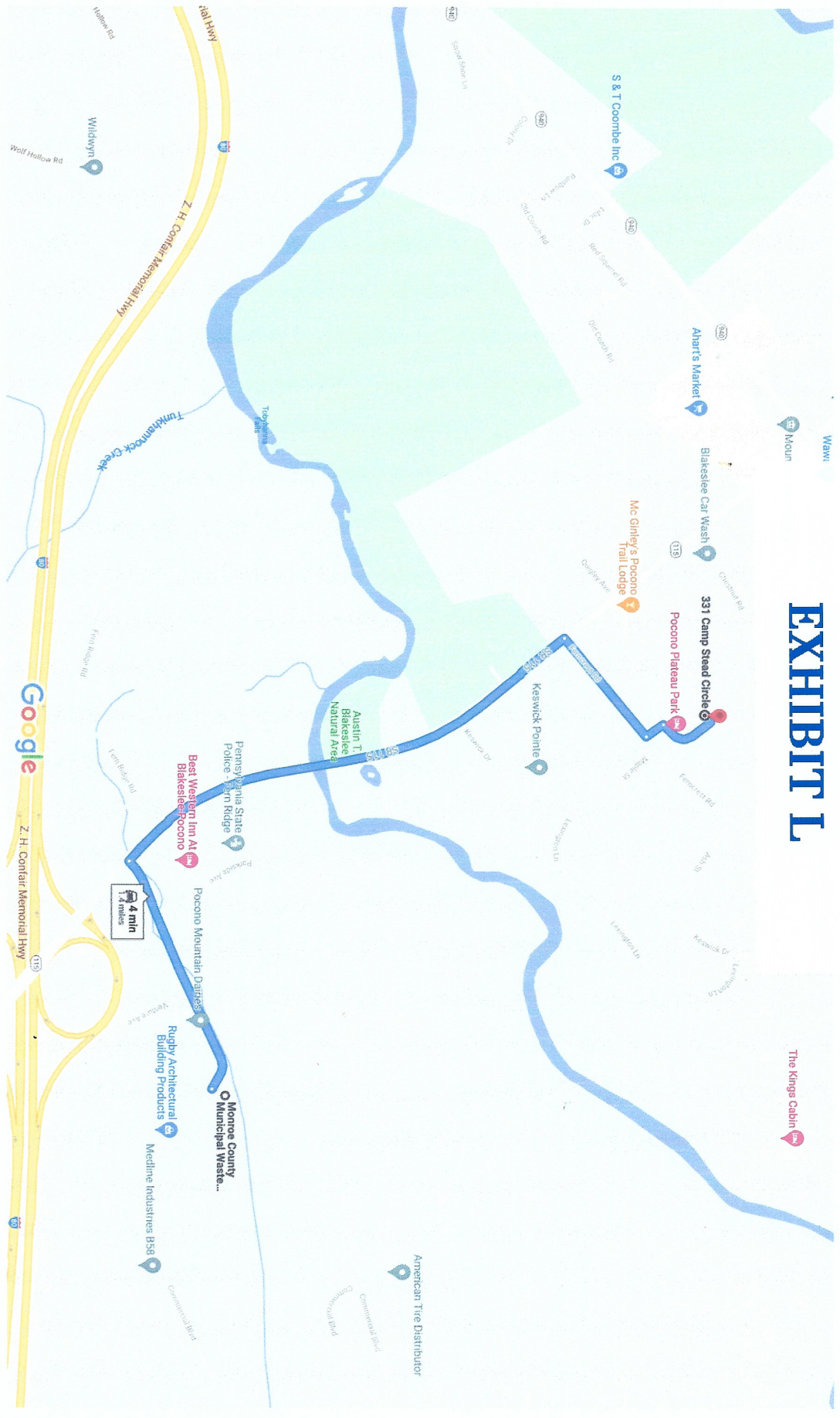
VII. OPERATIONS UNDER APW

An affiliate of APW, Aqua Resources, Inc. (ARI) currently operates and maintains Tobyhanna Township's Blakeslee wastewater system. The affiliation between APW and ARI was reviewed and approved by the Commission at Docket No. G-2012-2301704. In supplemental information, Aqua stated that APW, and not ARI, will operate the plant following the acquisition's closing.

According to the Application, APW will operate Tobyhanna Township's Blakeslee wastewater system as a stand-alone system through APW's Whitehaven Division. APW averred that the acquisition will easily fold into APW's existing wastewater operations as the Whitehaven Division office is located about 11 miles away from the Blakeslee wastewater treatment plant. The Application's Exhibit L contained a

Monroe County Municipal Waste Management Authority to 331 Camp Stead Cir, Blakeslee, PA 18610 Drive 1.4 miles, 4 min

EXHIBIT L



 via Commercial Blvd and PA-115 N 4 min
Fastest route 1.4 miles

CAMP STEAD RESIDENTS PETITION AGAINST PA AQUA WASTEWATER

BY SIGNING BELOW, I AGREE WITH THE FOLLOWING STATEMENTS:

1. I AM A CURRENT RESIDENT OF CAMP STEAD DEVELOPMENT.
2. I BELIEVE MY PA AQUA WASTEWATER BILL IS TOO HIGH FOR WHAT I USE.
3. I WANT MY WASTE WATER USAGE TO BE BILLED ACCORDING TO OUR COMMUNITY WATER METER.

LOT NO.	911 NO.	FULL NAME OF RESIDENT (PRINT)	SIGNATURE OF RESIDENT	DATE OF SIGNATURE
1	205	Susan Webster	<i>Susan Webster</i>	
2	422	Lana A Wexler	<i>Lana A. Wexler</i>	9-16-21
3	416			
4	412			
5	408			
6	404			
7	400			
8	396			
9	392	Susan Wilson	<i>Susan Wilson</i>	9/15/21
10	388	KATHALEEN BIEDRZYCKI	<i>Kathaleen Biedrzycki</i>	9-15-21
11	384			
12	380	William Gallagher	<i>William Gallagher</i>	
13	376	Patricia Pepper	<i>Patricia Pepper</i>	
14	368	DANTE SALDOTTI	<i>Dante Saldotti</i>	
15	368	DANTE SALDOTTI	<i>Dante Saldotti</i>	
16	364	John STEEN	<i>John Steen</i>	
17	360			
18	356	Linda Vincent	<i>Linda Vincent</i>	9-15-21
19	352	LEDD CARMODY	<i>Ledd Carmody</i>	9-15-21
20	348	Thomas A. Young	<i>Thomas A. Young</i>	9-29-2021
21	344	Raymond MARTIN	<i>Raymond Martin</i>	9-13-21
22	338	Jacqueline Garwood	<i>Jacqueline Garwood</i>	9-13-21
23	334	John Scott Goodale	<i>John Scott Goodale</i>	9/13/21
24	330			
25	326			
26	320			
27	316			
28	308			
29	204	Robert L. DeAngelis	<i>Robert L. DeAngelis</i>	9/17/2021
30	425			
31	421			
32	411			
33	399			
34	397			
35	395			
36	385			
37	375			
38	371			
39	367	James + Margaret McMunn	<i>Margaret McMunn</i>	9/14/21
40	363			
41	363			
42	333	RAYMOND MARTIN & MARGARET	<i>Raymond Martin</i>	
43	331	DONALD OSINSKI	<i>Donald Osinski</i>	9-10-2021
44	327	Glen Cross	<i>Glen Cross</i>	9-10-2021
45	321	PATTI BO... Benign	<i>Patti Benign</i>	9-10-21
46	315	TERESA GIBSON	<i>Teresa Gibson</i>	
47	311			
48	210			

EXHIBIT Q