

DOCKET NO.: C-20026976  
RESPONDENT OR APPLICANT: TRUSTEES OF CONNEAUT LAKE PARK  
PARTY OR COMPLAINANT: HOHMAN, MARK F.

ENTRY TYPE	DATE	BUREAU	PERSONNEL
1 N	01/22/02	SEC	SMITH
FORMAL COMPLAINT OF MARK HOHMAN VS. CONNEAUT LAKE PARK WATER CO			
2 N	03/01/02	SEC	SMITH
NOTICE OF COMPLAINT SERVED TO RESPONDENT FOR ANSWER IN 20 DAYS			
3 N	05/28/02	ALJ	PORTERFIELD
INITIAL TELEPHONIC HEARING OF 5/24/02 HAS BEEN CANCELLED			
4 N	03/19/02	SEC	MOTTER
RESPONDENT FILED ANSWER & NEW MATTER TO COMPLAINT WITH CERTIFICATE OF SERVICE			
5 N	04/09/02	SEC	FRISCIA
ALJ PORTERFIELD PREHRG ORDER ISSUED-COMPLY W/CERTAIN RQMTS BEFORE 5/24/02 HRG			
6 N	05/22/02	SEC	FRISCIA
COMPLAINANT FILED LETTER WITHDRAWING COMPLAINT (FAX) (COPY)			
7 N	06/27/02	SEC	FRISCIA
CALJ MEMO ACKNOWLEDGING WITHDRAWAL & CLOSING IN 10 DAYS			
8 N	07/18/02	SEC	FRISCIA
SEC LETTER ADVISING COMMISSION HAS MARKED THE PROCEEDING CLOSED			

## CAPTION SHEET

## CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00 :  
2. BUREAU: ALJ :  
3. SECTION(S): : 4. PUBLIC MEETING DATE:  
5. APPROVED BY: : 00/00/00  
DIRECTOR: :  
SUPERVISOR: :  
6. PERSON IN CHARGE: : 7. DATE FILED: 01/22/02  
8. DOCKET NO: C-20026976 : 9. EFFECTIVE DATE: 00/00/00

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PARTY/COMPLAINANT: HOHMAN, MARK F.

RESPONDENT/APPLICANT: TRUSTEES OF CONNEAUT LAKE PARK

COMP/APP COUNTY: MERCER

UTILITY CODE: 210096

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## ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT WATER RATES FOR HIS COTTAGE AT CONNEAUT LAKE WERE RAISED FROM \$150 TO \$600 PER YEAR, LATER LOWERED TO \$300 BUT HE STILL CONSIDERS THIS EXCESSIVE. HE BELIEVES THEY ARE TRYING TO SUBSIDIZE THE SEWER SYSTEM OR WATER SERVICE TO OTHER AREAS.

- DOCUMENT  
FOLDER

**DOCKETED**  
MAR 01 2002

**ORIGINAL**

C-200269

210096

Formal Complaint Form  
Pennsylvania Public Utility Commission

SECRETARY'S BUREAU

2002 JAN 14

1000000000

Please print (you may also type your answers directly onto the form as it appears on your screen).

1 Your name, mailing address and telephone number:

Name Mark F Hohman  
Street/P.O. Box 3666 Marylane Drive Apt # \_\_\_\_\_  
City Hermitage State PA Zip 16148  
County Mercer Area Code/Home Phone 724-981-4563  
Area Code/Work Phone 724-656-5372

2 Name of company your complaint concerns: Conneaut Lake Park Water Company

3 What is your complaint? (Use additional paper if need more space)

Re: Docket # A - 210096. Complaint regards rates for water service to cottage at 12645 Comstock Street, Conneaut Lake, PA. In 1997 Conneaut Lake Park Water (CLPW) attempted to raise rates for water service from \$150 per year to \$600 per year. While CLPW has since reduced request to \$300 per year, this rate still appears excessive given limited water use for the cottage. Communications with CLPW have led to concerns that CLPW may be setting rates arbitrarily and potentially subsidizing costs associated with the Conneaut Lake Park amusement park, hotel, and concessions by the residential rate payers. Communications have also lead to concerns that CLPW may be cross subsidizing sewer service costs (re Docket # A - 230089) with proposed water service rates. (We pay directly to the Conneaut Lake Joint Municipal Authority for sewer service). Please refer to the attached correspondence for additional details and our efforts to resolve.

4 What do you want the Public Utility Commission to do about your complaint? (Use additional paper if need more space)

Assure that residential rates set for water service are fair and do not subsidize either the CLP sewer system or the costs associated with water service use by the amusement park, hotel, concessions or other non-residential uses. Ideally would like to see any rate increase above the \$150 rate which was in effect prior to 1997, not become effective until the actual date of approval. Assure that any overcharges, which may have been paid, are properly refunded and that reasonable payment terms are agreed upon for payment of any under-payments that may have occurred due to the failure of CLPW to properly file with the PUC and resolve this issue in an expedient manner

5 You must sign and date your complaint below.

The information I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.

Mark F. Hohman \_\_\_\_\_ 1/19/02  
Signature Date

Continued on next page

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6. If you are represented by a lawyer you must provide your lawyer's name, address and telephone number.

Lawyer's Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Area Code/Phone Number \_\_\_\_\_

Mail to:  
Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

For more information, please contact the Secretary's Bureau at 717-772-7777.

Summary  
 Conneaut Lake Park Water Company  
 Service for Cottage at 12645 Comstock Street  
 Prepared by Mark F. Hohman, PE (co-owner of above residence)

prior 1997 Annual water rate was \$150 per residence

04/??/97 Receive invoice from Park Water Company for 1997 water

- Invoice is for "maintenance fee" at \$50 per month = \$150 for Jan - Mar 1997
  - Under name of Bob Morrow, Water Works Manager
  - Separate cover letter - s for maintenance of lines & tower and EPA tests
  - Letter is under name of Bob Morrow, Maintenance Supervisor
- (note: no prior notice was received relative to this 300% rate increase)

04/14/97 My reply to Park Water Company questioning rate increase and authority.

04/??/97 PWC revised billing for seasonal use to \$25 turn on, \$25 shutoff, \$75 per month used

04/28/97 Reply from Bob Morrow on CLP letterhead

- Park Water Company established by the new owners (of CLP)
- Not registered with PUC and not required to be.
- Licensed by PA DER.
- Acknowledges increase is large, claims is to recapture costs to operate system.
- Cites tower renovation @ \$24,000, annual electric at \$5,000, EPA tests at \$1,000
- Cites two (required by state) licensed water plant operators
- Claims park subsidized residents in past "not even recapturing half the cost"

05/10/97 My reply to Park Water Company questioning rationale for rate

- Water system serves Conneaut Lake Park amusement park, hotel, and club
- Conneaut Lake Park would be bulk of water usage v cottages
- Bulk of facilities and costs (including the "operators" and testing) required for CLP
- Appears residents may be subsidizing the amusement park.

05/06/97 PWC letter advising meeting on May 26, 1997 (letter received after 5/10/97)

- Letter under name "Park Water Company Management"
- Mr. Garry Harris and Mr. Bob Morrow to represent PWC at the meeting

05/26/97 Extract from my notes of the meeting between PWC and residents

- Representing PWC Garry Harris CLP & PWC owner, Bob Morrow PWC manager
- Also representing CLP/PWC attorney Dana Watson
- PUC says cannot sell water as they are not a licensed utility
- Have until June 9 to file for license from PUC
- Water system serves 150 residences plus Conneaut Lake Park
- Cost is approx \$60,000 per year to run water system (including CLP facilities)
- (note \$60,000/150 = \$400 per cottage - at \$600 residents more than subsidize CLP)
- Claims paid \$700,000 to buy water company from CLP (Harris also owns CLP)
- Original \$600 per year rate may have included sewers
- Many residents (including us) pay sewer to Conneaut Lake Joint Sewer Authority
- Looking at replacing pipes in water system
- Looking at using meters
- Will not shutoff pending resolution of dispute
- PWC to review rates v. costs and report PWC to complete PUC application.

10/15/99 Letter and invoice from CLP, Park Utilities Dept signed by W. Stoney Jordan

(note: this is first communication or invoice received since 5/26/97 meeting)

- Invoice is for \$900 = \$300 per year seasonal x 3 years (1997, 1998, 1999)
- Neither invoice nor letter reference service address
- Reference date is date on invoice, letter is undated

11/23/99 My letter to W. Stoney Jordan at CLP, Park Utilities Dept.

- Request verification of invoice v. actual service address.
- Request confirmation of authority to invoice v. former Park Water Company
- Request confirmation of assumption of debts and obligations by CLP from PWC
- Briefly reviewed rate dispute currently pending
- Presented rough estimates for residential cost per customer of \$133

- Reviewed basis for contention bulk of system costs associated with park and hotel
- Reviewed concerns \$300 rate excessive & subsidizing park & hotel requirements
- Included as reference 52 PaCode § 65.1 Definition - Public utility
- Included as reference 52 PaCode § 65.7 Metered service
- Included as reference 25 PaCode § 109.1 Definitions - Public water system
- Request notification and justification of rates

11/23/99 Letter from CLP W. Stoney Jordan threatening legal action  
(note: this letter received after mailing of my 11/23/99 letter, likely passed in mail)

- 11/30/99 Letter from CLP W. Stoney Jordan
- Response to my letter of 11/23/99
  - Disclaims knowledge of 5/26/97 meeting as "hearsay"
  - Water system not operated as separate entity
  - Park Water Company only a name on a checking account
  - In 1997 "Trustees of Conneaut Lake Park Inc" obtained the deed
  - Deed is for Property on The Lake, Inc including as a "fixture" the park utilities
  - Has no record of attempt to obtain a Certificate of Convenience from PUC
  - Claims not reasonable to itemize the r expenses
  - Cites outstanding sewer bill of \$200,000  
(note: sewer not relevant to water rates as many do not use park sewer, see above)
  - Cites need to replace fire hydrants at \$2,500 each
  - Cites water lines need re-engineered and replaced - est \$500,000 to \$800,000
  - Estimates yearly maintenance of water lines at \$60,000
  - DEP & EPA demanding reduce sewer flows from park and residents
  - Estimates sewer repairs \$200,000  
(note: sewer not relevant to water rates as many do not use park sewer, see above)
  - As of 1999 Conneaut Lake Park was contacted by PUC
  - PUC recommended freezing rates while obtaining Certificate of Public Convenience
  - After review by PUC will determine if unjust billing and will refund

- 12/09/99 My letter to W. Stoney Jordan at CLP, Park Utilities Dept.
- Enclosed check for full amount (\$900) for 1997, 1998, 1999 as invoiced
  - Stated payment is based on clarifications and assurances in CLP 11/30/99 letter
  - Clarified correct service address
  - Clarified issue of sewers v. water for residents outside main park with water only
  - Requested information on PUC filing including copies of notices and docket number

Date unknown Annual Drinking Water Quality Report

- 03/15/01 Letter from Herbert Brill as Custodian of Conneaut Lake Community Park  
(note: this is first billing communication or invoice received since 11/30/99 CLP letter)
- Letter undated, 3/15/01 is postmark on envelope
  - Includes CLP invoice for \$600 = \$300 per year for 2000 and 2001 water
  - Letter is form letter addressed to Homeowner/Lessee
  - Letter references sewer and/or water  
(note: sewer not relevant to water rates as many do not use park sewer, see above)
  - Cites total of \$212,000 owed to the Park by delinquent homeowners
  - Indicates awareness of problem "created by the State of Pennsylvania" (PUC)
  - Is in process of correcting "technical paper work error" (PUC)
  - Indicates is in process of securing funds to renovate entire sewer system  
(note: no reference to funds for repairs to water system)
  - Working with George Crum, manager of Crawford County Joint Municipal Authority
  - Working with Gary Clark of Senator Robbins office
  - Working with Ann Ditullio of Gov. Ridge's office
  - At this time has no authority to require payment
  - Asking to "voluntarily pay your bill"
  - Threatens if obtains legal right to require payment will charge interest
  - Payment plan: -20% 30 days, -15% 3 payments 90 days, -10% six payments
  - Promises to waive interest on past debt if make payments per plan
  - Provides name and number at CLP to direct questions

04/14/01 My letter to Herbert Brill, Custodian Conneaut Lake Community Park

- Noted invoice dated 2/25/01 for \$600 for 2000 & 2001 first invoice received since 1999
  - Noted paid \$900 toward service for 1997, 1998, and 1999 (conditioned on PaPUC filing)
  - Noted 1997 attempt by Mr. Harris to raise water rates from \$150 to \$600 per year
  - Reviewed ongoing unfulfilled promises to file with PaPUC
  - Provided summary of correspondence to date
  - Offered two options for payments pending PaPUC filing and review of rates
    - a) Current payments of \$900 would cover through 2002 based on undisputed \$150/yr
    - b) Apply 20% discount now offered to previous payments = current through 2001 incl.
  - Requested Brill advise approach he preferred be used
- 04/26/01 No direct reply to my letter of 4/14/01 received to date
- 04/26/01 General form letter received from Mr. Brill, Custodian Conneaut Lake Community Park
- Addressed "Dear Homeowner, Lessees"
  - Apologizing for hard line in March letter
  - Securing \$800,000 - \$900,000 from Penn-Vest to modernize the system & install meters
  - Plan to turn over system to CCJMA (Crawford County Joint Municipal Authority)
  - Realizes rate setting policy uneven and in many instances unfair
  - Cannot make amends for the past
  - Assures will have a more balanced method of charges instituted by end of summer (2001)
  - Notes Park pays CCJMA \$3,000/month (for sewer, which would be irrelevant for water?)
  - Ref. Ongoing sewer costs asks voluntary pay current invoice
  - Attachment offers discount for payment = 20%/30days, 15%/90days, 10%/180days
- 05/03/01 Newspaper article in The Herald (Sharon) relating to two lawsuits naming Brill related to CLP
- Conneaut Lake Cruises claim denial of access to docks and failure to refund deposits (\$30K)
  - Allen claim of breach of promise of concession rights ((\$275,000)
  - Article notes the Park owes \$811,000, including \$174,000 in unpaid real estate taxes
  - Article also notes the Park has liens with the county tax claim bureau and CL Municipal Auth
- 09/01/01 Notice of violation of routine monitoring of radiological testing
- 09/14/01 Notice of microbiological contaminants
- 10/09/01 Conneaut Lake Park Invoice for water and letter from Brill enclosed
- Invoice for 3 years of water (2000, 2001, and 2002) at \$300/year = \$900 total. No due date
  - Letter states that "The Trustees of Conneaut Lake Community Park provide ... utilities"
  - Letter states 2002 charge not due until January 15, 2002
  - Letter offers 15% discount for prepayment by October 31, 2001.
  - Letter states "serious discussions underway ... provide entirely new sewer delivery system" (note CLP does not provide sewer service to our property, we're served directly by Sewer Authority)
- 12/18/01 Conneaut Lake Park invoice and letter from Mary E. Rebrassier
- Invoice for 3 years of water (2000, 2001, and 2002) at \$300/year = \$900 total. No due date
  - Letter requires payment in full by February 1, 2002 or will terminate water service and/or block sewer

# Pennsylvania Public Utility Commission

## Informal Complaint Form

- What's Hot!
- Press Releases
- Public Meeting Agenda
- Early Actions & Hearings
- Search
- Utility Types
- Consumer Services
- Competition
- Tariffs
- Personnel
- Filing Information
- Feedback
- Home Page

You must provide the information for 1, 2, 3, 4, 5, 6 and 8. If you do not provide this information we will not make a record of your informal complaint, opinion or comment.

1. Name and address on the monthly bill or the name of the person applying for service.

Name: Hohman, Mark

Street Address: 12645 Comstock St.

Address (cont.):

City: Conneaut Lake

State/Province: PA

County: Crawford

Zip/Postal Code: 16316

Country: USA

2. Mailing address if different than billing address.

Street Address: 3666 Marlane Drive

Address (cont.):

City: Permitage

State/Province: PA

County: Mercer

Zip/Postal Code: 16148

Country: USA

3. Name of person filing the informal complaint or opinion if different than the name on the bill or if not the applicant for service.

4. Telephone number at your home. Required unless you do not have a telephone. If the telephone service was turned off by the telephone company provide the number that is turned off. If you do not have a home telephone number then state "no home phone."

### Meet the Commissioners

E-mail the Commissioners

Chairman Gen Thomas

Vice-Chairman Robert Boom

Comm. Aaron Wilson Jr.

Comm. Terrance J. Fitzpatrick



Call from Mr. Friedrich @ PUC  
 CLP was filed.  
 He spoke w/ CLP = OK pay \$150 / yr.  
 pending final approvals.

Home Phone 724-981-4563

5. Daytime telephone number where we can contact you.

724-656-5372

6. Name of your utility company. Conneaut Lake Park Water Company

7. Your account number with the utility company.

none provided

8. Summary of problem or summary of opinion.

Unmetered water service to seasonal-use cottage.  
Rate increase under dispute with threat of turn-off for non-payment of disputed amount.

I have made ongoing attempts through written correspondence to resolve this issue since 1997. In 1997 the company attempted to raise rates from \$150 per year to \$600 per year. Failing this they have arbitrarily raised rate from \$150 per year to \$300 per year.

9. Approximate date you contacted the company.

last correspondence to company 4/14/01

10. Summary of company response

No direct response received to 4/14/01 letter.

Form letter received from Herbert Brill, Custodian Conneaut Lake Community Park 4/26/01. Main points of letter:  
- Securing funds from Penn-Vest to modernize system and install meters.  
(unclear if funds are for water or sewer system)

11. Your e-mail address. mfhohman@pathway.net

12. Sometimes the information we gather while investigating a complaint is useful in a PUC formal case or in a legal action by the PA Attorney General's Office. Do we have your permission to use information we gather during this investigation in a formal or legal action?

Yes  or No

Please remember to include the required information.

Submit Form

Clear Form

To mail your complaint or opinion, print the form and mail it to:

Bureau of Consumer Services  
Pennsylvania Public Utility Commission  
P.O. BOX 3265  
Harrisburg, PA. 17105-3265

PARK WATER COMPANY  
12382 CENTER STREET  
CONNEAUT LAKE PARK, PA 16316  
Ph. (814) 382-5115 Ext. 209

Dear Park Resident:

Enclosed you will find a copy of the invoice for a monthly water maintenance fee for your residence. The fee is for service to your residence curb box to maintain the water lines and the water tower. Also, the Department of Environmental Protection requires us to do extensive water testing.

This fee does not include plumbing and piping inside your residence. The water is being supplied to you without charge. We are also maintaining the numerous fire hydrants within the park which should reduce your fire insurance premiums. If you have any questions, please contact our office. Thank you.

Robert Morrow  
Maintenance Supervisor

Rec'd 4/7/97 ? A-6

Park Water Company  
12382 Center Street  
Conneaut Lake Pa 16316

John Habron  
1304 Smith Ave  
Sharon, Pa  
16146

For Service To: 1001 Conneaut

Terms due upon Receipt.

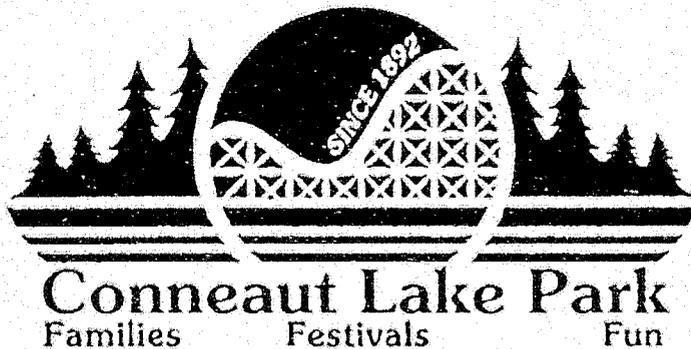
Monthly Maintenance Fee	\$ 50.00/month
January-March 1997	\$150.00

If you choose you can elect to pay an annual fee of \$500.00 and save \$100.00. Any questions, please call 814-382-5115.

Thank you for your payment.

Bob Morrow  
Water Works Manager

REF: 1996 Bill  
CLP MANAGEMENT, Inc  
\$ 150 WATER  
25 STREET LIGHTS





*Mark F. Hohman*

1666 Maryane Drive, Hermitage, PA 16159-0768  
E-Mail: mshohman@pathway.net  
Phone: 412-981-4563

April 14, 1997

Mr. Bob Morrow  
Water Works Manager  
Park Water Company  
12382 Center Street  
Conneaut Lake, PA 16316

Subject: Invoice for Monthly Water Maintenance Fee  
January - March 1997

Dear Mr. Morrow

I am serving as Executor for the Estate of John F. Hohman, my father, who passed away in August of 1996. The Estate includes a summer cottage at 1001 Comstock Street, Conneaut Lake, Pennsylvania. I am writing to inquire about the subject Invoice for Water Maintenance Fee recently received relative to this property.

A review of my Father's records indicates that previous charges for water service to this property were \$150 per annum, payable to the CLP Management Company. No notification of rate change or change in billing authority was received prior to receipt of your invoice.

- Has the Park Water Company been established and authorized to operate the water system on behalf of the new owner's of Conneaut Lake Park?
- Is the Park Water Company licensed or registered with the Pennsylvania Public Utilities Commission and/or the Department of Environmental Resources?
- Your invoice totals \$600 per year. This is a four-fold increase in the amount previously charged for water service. Could you please provide information regarding the basis for these charges?

It is my understanding that the water system at Conneaut Lake Park is served by wells and does not include a treatment plant. Also, it is my understanding that the water system, including the water tower and fire hydrants within the park, serve Conneaut Lake Park as well as cottages and homes in the area.

A-8

While I understand that costs may increase over time, I am concerned with the amount of the increase represented by your invoice. Also, I find this amount to be excessive in comparison to water bills in other areas, such as my residence in Hermitage, Pennsylvania, which is served through a full water treatment plant.

Please submit the requested information regarding your authorization for invoicing and the basis for these charges for my review so that I may process payment for any just and due bills.

Please direct all future correspondence regarding the property of John F. Hohman to my attention.

Mark F. Hohman, Executor  
Estate of John F. Hohman  
3666 Marylane Drive  
West Middlesex, PA 16159

Thank you for your cooperation and assistance in this matter.

**COPY**

Very truly yours,

Mark F. Hohman, PE  
Executor  
Estate of John F. Hohman

xc: Gary D. Lackey - Evans, Garvey & Lackey, Attorneys at Law  
Bob Ross - Conneaut Lake Homeowners Association



April 28, 1997

Mr. Mark Hohman  
3666 Marylane Drive  
Hermitage, PA 161596768

Dear Mr. Hohman:

I am writing in response to your letter dated April 14, 1997. I am sorry to hear about your father passing. I am sure nothing can prepare you for the sorrow you must be feeling. I offer you my deepest sympathy.

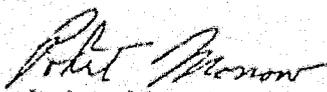
In response to your inquiries, I offer the following information:

1. Yes, the Park Water Company has been established by the new owners and has been authorized to operate the water system.
2. The Park Water Company is not registered with the PUC and is not required to be. We are licensed by the Pennsylvania Department of Environmental Resources and operate our water system under their guidelines.
3. Although, the increase is large, we are merely trying to recapture our costs to operate the system. The tower had to be renovated at a cost of \$24,000.00. The yearly electric bills are in excess of \$5,000.00 and are increasing. The tests required by the EPA cost a minimum of \$1,000.00 annually. We are also responsible for repairs and maintenance to the lines and the cost of two (required by state) licensed water plant operators.

In the past, it appears that the park subsidized these expenses to the residents. They were not even recapturing half the costs of operating.

I hope this letter addresses all your questions. Again, my condolences on the passing of your father.

Sincerely,

  
Robert Morrow

A-10



Mark F. Hohman

3666 Marylane Drive, Hermitage, PA 16159-6768  
E-Mail: mhohman@pathway.net  
Phone: 412-981-4563

May 10, 1997

Mr. Bob Morrow  
Water Works Manager  
Park Water Company  
12382 Center Street  
Conneaut Lake, PA 16316

Dear Mr. Morrow

Thank you for your response to my letter of April 14 and your kind condolences. You are correct, this has been a difficult time for us. In addition to losing my father last August, my father in law died about a year ago.

To recap a few points from your letter, I believe you indicated that

- The Park Water Company is owned and operated by Conneaut Lake Park
- While not a registered utility, the Park Water Company is licensed with the DER
- The intent of your rate increase is to recapture system operating costs, including:
  - 1) Water tower renovations - \$24,000
  - 2) Electric Bills - \$5,000 annually
  - 3) EPA testing - \$1,000 annually
  - 4) Two licensed water plant operators

As I stated in my previous letter, I believe that the water system serves the Conneaut Lake Park amusement park as well as cottages and homes in the area. Having spent many hours in the park over my lifetime, I am aware that park operations require large volumes of water for many purposes, including

- Water rides (initial filling and make-up water)
- Hotel Conneaut guest facilities and restaurant
- Beach Club lounge
- Food service concessions
- General maintenance use
- Public restroom facilities
- Public drinking water
- Fire protection (hydrants)

The Park would still require the major portion of the water system and its associated expenses, even if no cottages or homes were served.

- Water testing would still be required since the water is used in food service and hotel operations serving thousands of guests

A-11

- Based on my own experiences as a building supervisor at a facility which maintained a water tower mainly for insurance purposes, I expect the tower serves the Park in that capacity as well
- Licensed water system operators still would be necessary to meet requirements for the Park itself, and even then I expect the water system is only a small portion of their overall job responsibilities.
- If the \$5,000 in annual electric costs for water pumping includes the Park requirements, I would suspect that the majority of that is associated with the large volumes of water used by the Park itself. Even if this was solely water pumped for residences served, this should not be a major cost on a per-customer basis.

In your letter you stated that

"In the past, it appears that the park subsidized these expenses to the residents. They were not even recapturing half the costs of operating."

It would appear that the majority of costs are associated with the needs of the Park itself and that serving the surrounding residences offers the Park an opportunity to help defray some of their costs of operating the water system. It may even be that at "half the costs of operating" the residents have helped subsidize the Park.

I would also hope that the Park does not lose sight of the added benefits of providing reasonable rates for water service (and other services) in attracting customers to the Park. Cottage owners are among your most loyal repeat customers. My grandfather built our cottage, my father acquired it from his estate, and now my brother and I will be acquiring it for our families. I am sure you can appreciate the number of adults, children, grandchildren, etc. that have enjoyed, and hopefully will continue to enjoy, spending time (and money) at Conneaut Lake Park.

While we have since received information on your seasonal rate, we find the \$75 per month and \$25 fees for turn-on and turn-off to be even more excessive than your original \$50 per month rate. Hopefully, after reviewing the above points, you will see fit to analyze the true incremental cost of providing water service (that above the cost to meet Park requirements) and be able to offer a more realistic rate for water service.

Thank you for your cooperation in allowing me to present this information. As the summer cottage season will soon be upon us, I look forward to receiving your prompt reply.

Sincerely,

Mark F Hohman, PE  
 Executor  
 Estate of John F Hohman

PARK WATER COMPANY  
12382 Center Street  
Conneaut Lake, PA 16316

May 6, 1997

Dear Park Resident:

This letter is to inform you that there will be a meeting on May 26, 1997 at 11:00 A.M. to discuss any questions you may have concerning the operation of the Park Water Company. The meeting will be held at the Beach Club in Conneaut Lake Park. Both Mr. Garry Harris and Mr. Bob Morrow will be available to answer your questions at this time. Please plan to attend.

Refreshements will be served. Thank you.

Park Water Company Management

A-13

PARK WATER COMPANY  
12382 CENTER STREET  
CONNEAUT LAKE PARK, PA 16316  
Ph. (814) 382-5115 Ext. 209

Dear Park Resident:

It seems that a number of residents are seasonal and only use the water system during the summer months. In consideration of this concern, the park has come up with seasonal rate for these customers.

The fees will be as follows:

Shut off	\$25.00
Restore Service	\$25.00
Monthly Fee	\$75.00 ( Minimum service of one month)

You will be required to have service shut off at the end of the season and restored in the Spring.

If you have already paid the annual rate and would like to take advantage of the seasonal rate, we will make an adjustment. Please notify the office.

Thank you for your cooperation. Hope it is a wonderful summer at the park.

A-14

Conneaut Lake Park  
Annual Drinking Water Quality Report  
PWSID#6200018 for 1998

WATER SOURCE

Our water sources come from two wells about 80 feet deep into an underground water source called an aquifer. The wells are located near the Pennsylvania Game Commission Boat Launch. The Park owns the land around these wells. We add a disinfectant to protect you against microbial contaminants.

Definitions

In the following table you will find many terms and abbreviations you might not be familiar with. To help you better understand these terms we've provided the following definitions:

Parts Per Million (ppm) or Milligrams per liter (mg/L)- one part per million corresponds to one minute in two years or a single penny in \$10,000.00.

Parts Per Billion (ppb) or Micograms per liter (ug/L)- one part per billion corresponds to one minute in 2,000 years or a single penny in \$10,000,000.00.

Picocuries Per Liter (pci/L)-Pecocuries per liter is a measure of the radioactivity in water.

Maximum Contaminant Level-The "Maximum allowed" (MCL) is the highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment in technology.

Action Level- the concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.

Maximum Contaminant Level Goal- The "Goal" (MCLG) is the level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

MONITORING YOUR WATER

Conneaut Lake Park routinely monitors for contaminants in your drinking water according to federal and state laws. The following table shows the results of our monitoring for the period of January 1st to December 31st, 1998. The state allows us to monitor for some contaminants less than once per year because the concentrations of these contaminants do not change frequently. Some of our data is from prior years in accordance with the Safe Drinking Water Act. The date has been noted on the sampling results table.

A-15

## HEALTH EFFECTS

Infants below the age of six months who drink water containing nitrate, in excess of the MCL, could become seriously ill and if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.

## VIOLATIONS

Conneaut Lake Park failed to test for Nitrate in 1998 as required by the Department of environmental protection. We will be taking the required sample this week and the results will be available at the park office for your review.

## EDUCATIONAL INFORMATION

All sources of drinking water are subject to potential contamination by constituents that are naturally occurring or man made. Those constituents can be microbes, organic or inorganic chemicals, or radioactive materials. All drinking water, including bottled water may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that the water possess a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline at 1-800-426-4791.

MCL's are set at very stringent levels for health effects. A person would have to drink 2 liters of water every day at the MCL level for a lifetime to have a one-in-a-million chance of having the described health effect.

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-Compromised persons such as, persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advise about drinking water from their health care providers. EPA/CDC guidelines on appropriate means to lessen the risk of infection by cryptosporidium and other microbiological contaminants are available from the Safe Drinking Water Hotline 1-800-426-4791.

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DETECTED SAMPLE RESULTS

Contaminant	Violation Y/N	Level Detected	Unit of Measurement	of Range	MCLG	MCL	Sources of Contamination
Nitrate 3/95	n	.25	mg/L		10	10	run off fertilizer.
Radioiological 6/95	n	<4	pci/L		50	50	

Contaminant	Violation Y/N	# of Positive Samples/Month	MCL	MCLG	Sources of Contamination
Total Coliform Bacteria	n	NP	≥3% monthly samples are positive	0	Naturally present in the environment.

Contaminant	Violation Y/N	Level Detected	Unit of Measurement	# of Sites Above AL	Action Level (AL)	MCLG	Source of Contamination
Lead	n	6	ppb	0	15 ppb	0	Corrosion of household plumbing.



Dear Customer:

It appears that your account has had no activity for some time. According to our records it appears that Conneaut Lake Park has not received payments for services provided to your property for at least three years.

If this is correct, please pay the amount indicated on your invoice enclosed. I realize the amount is rather large but once current, normal yearly billing will resume. Current utility service costs are as follows:

Water: Seasonal-----\$300.00/yr  
Year-Round-----\$400.00/yr

Sewer Seasonal-----\$300.00/yr  
Year-Round-----\$300.00/yr

Street Lights/Security----\$20.00/yr

Please Contact Conneaut Lake Park if there is an error on our behalf, or if you need to discuss this matter in person. Thank you....

Sincerely,

A handwritten signature in cursive script, appearing to read "W. Stoney Jordan".

W. Stoney Jordan

~ 10/15/99

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Conneaut Lake Park

12382 Center Street  
Conneaut Lake PA 16316

# Invoice

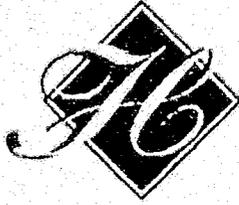
DATE	INVOICE #
10/15/1999	114

BILL TO:

Hohman  
366a Marylane Dr.  
West Middlesex PA 16159

DESCRIPTION	AMOUNT
1997-1999 Water Service	900.00
Make checks out to CONNEAUT LAKE PARK attn. PARK UTILITIES DEPT.. Thank You ..	<b>TOTAL</b> 9900.00

A-19



*Mark F. Hohman*

3666 Marylane Drive, Hermitage, PA 16159-6768  
E-Mail: mfhohman@pathway.net  
Phone: 724-981-4563

November 23, 1999

Conneaut Lake Park  
Park Utilities Department  
12382 Center Street  
Conneaut Lake, PA 16316

Attn: W. Stoney Jordan

Reference: Your Invoice #114, Dated 10/15/1999

Gentlemen

Please provide the following regarding the referenced invoice so that I may arrange payment as appropriate of any amount that may be determined to be due.

**COPY**

**Account Information**

The referenced invoice does not indicate a service address. My brother, Paul, and I inherited a cottage and vacant lot from the estate of my father, John F. Hohman. The address for the cottage was formerly listed as 1001 Comstock St. and was revised under the 911 system to 12645 Comstock St., Conneaut Lake, PA. I would assume that there would be no utility service to the vacant lot.

Please confirm the correct address for the service being invoiced. Any billing and all correspondence relative to this property should continue to be directed to me at my primary residence at 3666 Marylane Drive, Hermitage, PA 16159.

**Authority to Invoice**

In 1997 an invoice was issued to John F. Hohman for a "water maintenance fee" by the Park Water Company. At that time I was acting as Executor for my father's estate. Due to objections to the rate, a meeting was held on May 26, 1997 between Mr. Gary Harris, the owner of the Park Water Company and a number of property owners. During this

A-20

meeting Mr Harris indicated that he had purchased the water system from Conneaut Lake Park and that it was to be operated as a separate business entity. It was further indicated that the Park Water Company was in the process of applying to the Pennsylvania Public Utility Commission to operate as a utility and that a more fair cost-based rate would be determined. Mr. Harris stated at that meeting that we would not be required to pay the current invoice until this situation was resolved. Until receipt of your invoice I had received no further correspondence on this matter since that meeting.

Please verify the relationship of the Conneaut Lake Park Utilities Department to the Park Water Company, including details of ownership, date of transfer of ownership, and assumption of debts and obligations.

### Notification and Justification of Rates

As mentioned above, concern has been expressed by myself and other cottage owners regarding the rates being imposed. Water rates were previously \$150 per year. As of this time I have not received a response to my letter of May 10, 1997 to Water Works Manager, Bob Morrow requesting additional information regarding the setting of rates. If you are unable to locate this letter, I will be pleased to provide a copy for your reference.

It was, and is now, my concern that the rates may disproportionately assign to the residential customers costs that are actually associated with water requirements for Conneaut Lake Park. If the water system is being operated as a utility, I expect that rates should be set on a cost-to-serve basis and include a fair return on investment as provided by the PaPUC. If the water system is being operated as a "cooperative association" I believe that rates should still be set based on the cost-to-serve and possibly the system would be required to operate on a non-profit basis. Extracts from the Pa Code are enclosed for your reference.

During the May 1997 meeting it was indicated that the cost of operating the system was approximately \$60,000 per year and that, in addition to Conneaut Lake Park's amusement park and hotel, approximately 150 cottages and homes were being served. Given that electric bills and EPA testing were quoted at a total of \$6,000 annually, and that plant operators and maintenance personnel are also otherwise employed within the park, one may question the \$60,000 figure. However, even allowing for an annual operating cost of \$60,000, it would appear that the rates being charged may be excessive.

Based on your letter, the annual rate being requested is \$400 for year-round residents and \$300 for seasonal use. Assuming only 10% of the services are year-round and 90% are seasonal, total annual revenues would be approximately \$46,500 from residential customers. This would indicate that approximately 77.5% of the cost of operating the water system is being borne by residential customers and only 22.5% by Conneaut Lake Park.

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Park operations require large volumes of water for many purposes, including

- Water rides (initial filling and make-up water)
- Hotel Conneaut guest facilities and restaurant
- Beach Club restaurant & lounge
- Food service concessions
- General maintenance use
- Public restroom facilities
- Public drinking water
- Fire protection (hydrants)

I would estimate that the water requirements of the park far exceed those of the residential customers. In addition, the park would still require a major portion of the water system, including pumps, tower, and treatment facilities, even if no cottages or homes were served.

Assuming park requirements represent 2/3 of the costs, residential use would represent approximately \$20,000 per year. Dividing by 150 residential customers would give a cost-per-customer of approximately \$133.33. Even at 50% markup (which would be considered excessive) the rate would be only \$200.

As mentioned earlier, until receipt of your invoice I had not received any correspondence regarding the final resolution and justification of rates. I would have anticipated, depending on your status as a utility, to have been either given notice of a rate filing with the PUC or provided with accounting of the rate basis as a member of the "cooperative". Please provide the appropriate information.

I look forward to receiving your prompt reply so that I may proceed as appropriate regarding the subject invoice..

Sincerely,

Mark F. Hohman, P.E.

xc Paul E. Hohman

A-22

## 52 Pa Code § 65.1. Definitions

Public utility—Persons or corporations owning or operating equipment or facilities in this Commonwealth for diverting, developing, pumping, impounding, distributing or furnishing water to or for the public for compensation. The term does not include a person or corporation not otherwise a public utility who or which furnishes service only to himself or itself, or a bona fide cooperative association which furnishes service only to its stockholders or members on a nonprofit basis

## 52 Pa Code § 65.7. Metered service.

(a) Utility to provide metered service. After August 15, 1981, a public utility which is issued a certificate of public convenience permitting it to begin to render water service and a currently existing public utility which begins to render water service to an additional, noncontiguous, service area shall be required to furnish metered service.

(b) Utility to provide meters Unless otherwise authorized by the Commission, a public utility furnishing metered service shall provide, install at its own expense, and continue to own, maintain and operate all meters. The customer, however, shall properly protect the meter from damage by frost or other cause and shall be held responsible for repairs or replacement of the meter made necessary by the negligence or intentional act of the customer. Each utility seeking to impose responsibility for damage to the meter caused by negligence of a customer or intentional act shall first provide each customer with notice explaining the proper maintenance which should be given to meters. The notice shall be included in the "Rules and Regulations" of the utility

## 25 PaCode § 109.1. Definitions.

Public water system—A system which provides water to the public for human consumption which has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. The term includes collection, treatment, storage and distribution facilities under control of the operator of the system and used in connection with the system. The term includes collection or pretreatment storage facilities not under control of the operator which are used in connection with the system. The term also includes a system which provides water for bottling or bulk hauling for human consumption. Water for human consumption includes water that is used for drinking, bathing and showering, cooking, dishwashing or maintaining oral hygiene.

A-2<sup>3</sup>



11/23/99

Dear Utility Customer,

Your utility account is seriously overdue. Please pay the full amount due or contact Conneaut Lake Park to make arrangements for payment by 12/8/99. If your account is not addressed by that time Conneaut Lake Park will be forced to take legal action on your delinquent account. If payment was already sent please disregard this message. If you have any additional questions or concerns please contact Conneaut Lake Park at phone number (814)382-5115. Thank you.....

Sincerely,

A handwritten signature in black ink, appearing to read "W. Stoney Jordan", is written over the typed name.

W. Stoney Jordan  
Facilities Manager

A-24



November 30, 1999

Dear Mr. Hohman,

With regards to your letter dated November 23, 1999, you have brought up a number of points so I will address them under each of your subject headings.

**Account Information:**

Your address has been confirmed as 12654 Cornstock St, Conneaut Lake, PA. All current and future billings are to be sent to 3666 Marylane Dr., Hermitage, PA 16159.

**Authority to Invoice:**

I cannot comment on what happened at your meeting between the home owners and Mr. Harris due to the fact that I was not in attendance, all information I have is "hearsay". What I do know as fact is that Mr. Harris did purchase the utilities that service the homes in the surrounding area but it was not operated as a "separate entity" historically speaking the "Park Water Co." has only existed as a checking account. In 1997 Trustees of Conneaut Lake Park Inc. obtained by deed from Property on the Lake, Inc. (Garry Harris) "all of the real estate and fixtures erected thereon, commonly known as Conneaut Lake Park". Included in that deed as a "fixture" are the park utilities. I have no record of any attempt on the Park's behalf to obtain a Certificate of Convenience from the Pennsylvania Public Utility Commission.

I also have a copy of the previous unpaid invoice dated 7/16/98 billing for 1997 and 1998. This invoice was addressed to *John Hohman*. I would assume that you never received an invoice because Conneaut Lake Park was not notified of a change of ownership.

**Notification and Justification of Rates:**

It would not be reasonable to itemize all our expenses, but just to throw a few numbers at you, the outstanding sewer bill for the park and the surrounding residents is over \$200,000.00, most all fire hydrants need replaced at \$2,500.00 a piece. Water service lines need to be reengineered and replaced (not just fixed when broke) \$500,000.00-\$800,000.00. Yearly maintenance of the existing water lines is estimated at \$60,000.00. The EPA and DEP are demanding that the sewer flows from the Park and its residents be drastically reduced, which means at the very least, sewer lines and manholes need to be relined, estimated, \$200,000.00.

The problem stems back to the fact that our utilities are over one-hundred years old. Previous management of the park over the years did very little to update the system. Due to this, when it rains, the sewers fill with rainwater and people complain of discolored water due to line breaks or rust in the lines.

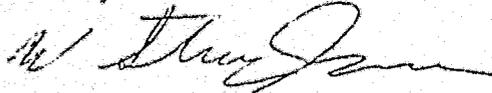
A-25

It would be very advantageous for the Park to eliminate service to the surrounding homes and run new supply lines to only our facilities. The savings would drastically outpace the loss of any revenues generated by providing utilities to the surrounding community. Conneaut Lake Park is an amusement park, and we have no desire to make money as a utility provider. The utilities are a unwanted burden to our resources and we have been unsuccessful at even giving away the utilities for free!

As of 1999 Conneaut Lake Park has been in contact with the Pennsylvania Public Utility Commission (PUC) and they have recommended a freeze of all rates while going through the process of obtaining a Certificate of Public Convenience. After review by the commission, they will determine if any unjust billing has occurred, and refunds will be issued if warranted. In the meanwhile Conneaut Lake Park is instructed to continue operations and billing till final rulings have concluded.

I hope that I have address your concerns and we can put this matter to rest. If there are any additional questions please feel free to contact myself. Thank you..

Sincerely,



W. Stoney Jordan  
Facilities Manager

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*Mark F. Hohman*

3666 Marylane Drive, Hermitage, PA 16159-6768  
E-Mail: mfhohman@pathway.net  
Phone: 724-981-4563

December 9, 1999

Conneaut Lake Park  
Park Utilities Department  
12382 Center Street  
Conneaut Lake, PA 16316

Attn: W Stoney Jordan

Reference: Your Invoice #114, Dated 10/15/1999

Gentlemen

Please find enclosed my check #4411 dated December 9, 1999, in the amount of \$900.00 payable to Conneaut Lake Park Utilities Dept. as payment in full for the referenced invoice for seasonal water service to our cottage at 12645 Comstock for 1997 through 1999.

Payment is made based on the clarifications and assurances provided in your letter of November 30, 1999 including:

- Rates are based on anticipated improvements and repairs including replacement of lines estimated at between \$500,000 and \$800,000.
- Conneaut Lake Park is in the process of obtaining a Certificate of Public Convenience from the Pennsylvania Public Utility Commission.
- Rates are to remain frozen pending review by the Public Utility Commission and, based on final PUC approved rates, any overcharges will be refunded.

Also, there are a few points from your letter that I feel need further clarification.

Your letter indicates a service address of 12654 Comstock while our records indicate that our cottage is at 12645 Comstock as I advised in my letter of November 23. Please verify if the 12654 is a typographic error on your part or if we may need to have the address further verified.

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You indicate that we may not have received an invoice addressed to John Hohman and issued in 1998 due to a failure to advise your department of a change of ownership. In my letter of May 1997 I advised Mr. Morrow that I was acting as executor for the estate of John Hohman and advised him that all correspondence should be sent to my address. Please provide copies of the 1998 invoice and any other correspondence or notices that may have been misdirected during the period from May 1997 through the October 1999 invoice date.

I noted that in your letter you reference required repairs to the sewer system and overdue bills for sewer service provided to Conneaut Lake Park and residents. It should be noted that our Comstock property receives sewer service directly from the Conneaut Lake Joint Municipal Authority and not through the Park Utilities Department. I would expect that your references to your sewer system are intended to provide an understanding of the overall situation faced by the Park Utilities Department and that funds collected for the water service will not be misdirected toward unrelated sewer system costs. Likewise, I would expect that your water service rate filing would not include unrelated sewer operation costs.

Please provide further information regarding your PUC filing, including copies of any notices you may have sent or advertised and any docket reference that I may need in referring to your case.

Thank you for your cooperation in clarifying the situation regarding the subject invoice and the Park Utilities Department water services.

Sincerely,

Mark F. Hohman, P.E.

xc Paul E. Hohman

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## ANNUAL DRINKING WATER QUALITY REPORT

### CONNEAUT LAKE PARK WATER

We're pleased to present to you this year's Annual Water Drinking Report. This report is designed to inform you about the quality water and service we deliver to you every day. Our constant goal is to provide you with a safe and dependable supply of drinking water. We want you to understand the efforts we make to continually improve the water treatment process and protect our water resources. We are committed to ensuring the quality of your water. Our water source is main water wells number one and number two. Located at the north end of Conneaut Lake Park on Henry Street. This report shows our water quality and what it means.

If you have any questions about this report or concerning your water utility, please contact Robert Morrow at (814)382-5115. We want our valued customers to be informed about their water utility. Conneaut Lake Park routinely monitors for constituents in your drinking water according to Federal and State laws. This table shows the results of our monitoring for the period of January 1st to December 31, 2000. All drinking water, including bottled drinking water, is expected to contain at least small amounts of some constituents. It's important to remember that the presence of these constituents does not necessarily pose a health risk.

In this table you will find many terms and abbreviation you might not familiar with. To help you better understand these terms we've provided the following definitions:

Non-Detects (ND)-laboratory analysis indicates that the contaminant is not present at a detectable level.

Parts per million (ppm) or Milligrams per liter (mg/l)-one part per million corresponds to one minute in two years or a single penny in \$10,000.

Parts per billion (ppb) or Micrograms per liter-one part per billion corresponds to one minute in 2,000 years, or a single penny in \$10,000,000.

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Picocuries per liter (pCi/L)-picocuries per liter is a measure of the radioactivity in water.

Millirems per year (mrem/yr)-measure of radiation absorbed by the body.

Action Level-(mandatory language)-the concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.

Treatment Technique (TT)-(mandatory language)-a treatment technique is a required process intended to reduce the level of a contaminant in drinking water.

Maximum Contaminant Level-(mandatory language)-The "Maximum Allowed" (MCL) is the highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLG's as feasible using the best available treatment technology.

Maximum Contamination Level Goal-(mandatory language)-The "Goal" (MCLG) is the level of a contaminant in drinking water below which there is no known or expected risk to health. MCLG's allow for a margin of safety.

### Inorganic Contaminants 2000 Testing

Contaminant (Unit of measurement)	Violation "Y/N"	Level Detected	Range	MCLG	MCL	Likely Source of Contamination
8. Arsenic (ppb)	N	24	a	N/a	50	Erosion of natural deposits; runoff from orchards; runoff from glass and electronics production wastes
10. Barium (ppm)	N	.16	a	2	2	Discharge of drilling wastes; discharge from metal refineries; erosion of natural deposits
12. Cadmium (ppb)	N	1.0	a	5	5	Corrosion of galvanized pipes; erosion of natural deposits; discharge from metal refineries; runoff from waste batteries and paints
16. Fluoride (ppm)	N	20	a	4	4	Erosion of natural deposits; water additive which promotes strong teeth; discharge from fertilizer and aluminum factories

Footnotes:

(a) Only one sample required

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Federal EPA is reviewing the drinking water standard for arsenic because of special concerns that it may not be stringent enough. Arsenic is a naturally occurring mineral known to cause cancer in humans at high concentrations.

We constantly monitor for various constituents in the water supply to meet all regulatory requirements. This past year we failed to monitor for I.O.C.'s during the 1997 period, we have since taken the test July 20, 2000. Although we had some defects, none of the contaminants were above the maximum contaminant level. There was also a failure to monitor for radiological testing during the assigned period this test was 26 days late. The test results of the sample were below the maximum contaminant level. We issued public notices in both cases and collected the samples after the monitoring deadlines. Failure to perform this monitoring on time prevented us from determining the quality of the water at that time. However, previous tests and test collected shortly after the missed sample(s) indicated that the water was in compliance. This did not appear to pose a threat to the quality of our water supply.

All sources of drinking water are subject to potential contamination by constants that are naturally occurring or man made. Those constituents can be microbes, organic, or inorganic chemicals, or radioactive materials. All drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that the water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline at 1-800-4264791.

MCL's are set at very stringent levels for health effects. To understand the possible health effects described for many regulated constituents, a person would have to drink 2 liters of water every day at the MCL level for a lifetime to have a one-in-a-million chance of having a described health effect.

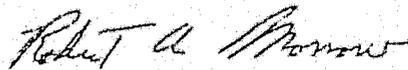
Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA/CDC guidelines on appropriate means to lessen the risk of infection by cryptosporidium and other microbiological contaminants are available from the Safe Drinking Water Hotline (800-426-4791).

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Please call our office if you have any questions.

We at Conneaut Lake Park Water System work around the clock to provide top quality water to every tap. We ask that all our customers help us protect our water sources, which are the heart of our community, our way of life and our children's future.

Thank You,

A handwritten signature in cursive script that reads "Robert A. Morrow".

Robert A. Morrow

A-33



Attention all Conneaut Lake Park  
Water Users

Violation of routine monitoring requirements of  
Radiological testing

As a public water system, we are required to routinely monitor the drinking water we produce for various contaminants. Our sample of radiological was 26 days late. This is a violation of the Pennsylvania and Federal drinking water regulations, which requires that we collect a minimum of one (1) sample every four (4) years.

The results of the sample were below the maximum contaminant level.

We apologize for any inconvenience and thank you for your cooperation. If you have any question, please call the number listed below.

A handwritten signature in black ink, appearing to read "Robert G Cole".

Robert G Cole  
November 28, 2000

A-34

Herbert L. Brill

Consultant and Business Advisor  
Member of New York and Florida Bar  
147 South Main Street  
Meadville, Pennsylvania 16335

Dear Homeowner/Lessee,

I am writing you in my capacity as Custodian of Conneaut Lake Community Park, having been appointed by the Honorable Anthony Vardaro on February 6, 2001. In reviewing the status of the outstanding charges due the Park for providing sewer and/or water to your home, I found that you are delinquent in paying for these services (see the enclosed invoice).

At present there is approximately \$212,000 owed to the Park by those of you who have chosen to accept the benefit of the Park's infrastructure, which provides your home with the most basic necessities of life, without payment. In effect, your friends and neighbors are paying your debt. As someone who has been given the mandate of preserving the Park for the benefit of all the people, I find this unacceptable.

I am aware of the technical problem created by the State of Pennsylvania indicating that the Park has not filed the proper paper work to be considered a utility. In my estimation, a technical paper work error caused by the previous owner/operators of the Park is the problem. I am in the process of correcting that error.

There is a solution to this problem. I have begun the process of securing funds to renovate the entire sewer system to provide you with long-term assurance of continued service. I am working closely with George Crum, the manager of the Crawford County Joint Municipal Authority, Gary Clark from the office of Senator Robbins, Ann Ditullio from Governor Ridge's office, as well as a representative from Penn-Step. We are scheduled to meet with representatives of the surrounding communities to coordinate our efforts. I feel very confident that we will succeed.

I am aware that I do not have the legal authority, AT THIS TIME, to require you to pay your fair share of this burdensome debt. However, I would point out that the Park cannot continue to provide this service at no charge. Ultimately, the entire system may fail, at which time your ability to use your property would be seriously jeopardized. Therefore, I am asking you to voluntarily pay your bill.

If, in the future, I secure the legal right to require payment, I shall seek to recover full payment plus interest for all back monies owed. I realize that you may have some difficulty in paying the full amount you owe in one payment. Therefore, I am offering the following:

- |  |               |
|--|---------------|
| 1. If payment in full is made within 30 days.....          | 20% discount. |
| 2. If payment is made in three equal monthly payments..... | 15% discount. |
| 3. If payment is made in six equal payments.....           | 10% discount. |

Post mail  
15 MAR 2001

A-35

I will waive any claim for interest on your debt if any of the above payment schedules are agreed to I am willing to arrange any other reasonable payment schedule that meets your current financial needs.

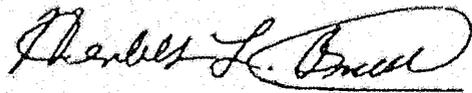
In the event you choose not to honor this request for payment, I shall, on behalf of the Park, seek full and complete payment as may be permitted by law.

Please think about the future of the Park and your part in simply doing what is right.

Please direct your offer of payment to Mary Ellen DeBrassier, at her Park office (814) 382-5115.

Thank you.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Herbert L. Brill". The signature is written in dark ink and is positioned above the typed name.

Herbert Brill, Custodian, Conneaut Lake Park Inc.

A-36

CONNEAUT LAKE PARK  
 12382 CENTER ST.  
 CONNEAUT LAKE PARK, PA. 16316  
 814-382-5115

# Invoice

DATE	INVOICE #
2/26/01	152

BILL TO
HOHMAN, MARK 3666 MARYLANE DRIVE HERMITAGE, PA. 16159

DUE DATE

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
	12645 COMSTOCK ST CONNEAUT LAKE, PA.			0.00
	2000 WATER			300.00
	2001 WATER			300.00
PAST DUE PAYMENT UPON RECEIPT		Subtotal		600.00
		0% Tax		
		<b>Total</b>		<b>600.00</b>

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*Mark F. Hohman*

3666 Marylane Drive, Hermitage, PA 16148

E-mail: mlhohman@pathway.net

Phone: 724-981-4563

April 14, 2001

Mr. Herbert L. Brill  
Custodian, Conneaut Lake Park Inc.  
197 North Main Street  
Meadville, PA 16335

Dear Mr. Brill.

I am in receipt of your letter and invoice in the amount of \$600 from Conneaut Lake Park for water service to our cottage at 12645 Comstock Street for the years of 2000 and 2001. My brother, Paul and I are co-owners of this cottage. We must admit that we are confused and frustrated by both your letter and the invoice.

It should first be noted that this is the first invoice or correspondence regarding water service that we have received from Conneaut Lake Park since November 1999. As such, the invoice for water service in years 2000 and 2001 cannot be considered delinquent since the invoice was never received, and possibly never issued, until now.

As your records apparently will confirm, payments for water service were current through the end of 1999. As such, it is unfortunate that you chose to include such general statements as "your friends and neighbors are paying your debts" in your letter and resort to threats relative to possible imposition of interest or discontinuance of service. This is especially troublesome when, given your statement that approximately \$212,000 is owed to the Park, we appear to be among the few that have actually made payments on their water bill since this problem began in 1997.

It is clear from your letter that you may not be fully aware of the unfortunate situation that has resulted in these uncollected charges. We believe that if you were, you would better understand the reluctance of so many to pay what they consider to be unjust charges to an entity that may cease to exist any year and that has repeatedly failed to fulfill its promises since this all began in 1997. Enclosed is a summary of correspondence we have had with Conneaut Lake Park (a.k.a. "Conneaut Lake Park Utilities Dept." a.k.a. "Park Water Company") that will hopefully give you a better understanding of the situation relative to the water system. Hopefully you will find the original correspondence referenced in the summary on file at Conneaut Lake Park's offices. If not, we will be happy to provide a copy of any of the referenced correspondence.

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Several key points need to be considered

- In 1997, under the new ownership of Mr. Garry Harris, an attempt was made to raise the water rate from \$150 annually to \$600 annually. Due to the outcry from the residents a meeting was held between the owner and the residents in May 1997. Information disclosed at the meeting appeared to indicate that the \$600 rate was based on dividing the costs of operating and maintaining both the sewer and water systems among all the residential customers and excluded the park itself which was the primary benefactor and user. Promises were made by Mr. Harris to further review the rates, to proceed with filing with the PaPUC, and to make substantial repairs to the systems. Further, while Mr. Harris encouraged payment of bills, he indicated that, pending resolution of the dispute, no one would be disconnected for non-payment. Unfortunately, since then ownership and management of the Park has changed several times.
- There are two classes of customers involved and therefore two separate utility issues. Those within the Park fence (and possibly adjoining) may have both water and sewer service provided through the Park. A second customer class, to which we belong, has only water service from the Park. Our sewer is provided directly by the Conneaut Lake Joint Municipal Sewer Authority. Our sewer bill, paid to the Joint Municipal Authority, runs approximately \$240 per year. There has been ongoing confusion over this issue since 1997. As a result, it is very likely that the requested \$300 water rates may be subsidizing sewer system costs.
- Conneaut Lake Park is also served by the same sewer and water system as the residential customers. Considering the water requirements of the amusement park, hotel, and beach club versus those of approximately 150 residences (most of which are seasonal cottages) it is obvious that the bulk of the use and benefit is actually by the park itself. Despite this it appears that the residents may be being assessed the majority, if not all, of the costs associated with the water and sewer systems.
- As the enclosed summary demonstrates, we have been attempting for over four years to resolve this dispute to everyone's satisfaction. Unfortunately, the financial difficulties of the Park itself and the resulting turnover in ownership and management have made this even more difficult. As a result, it is becoming more difficult to continue paying what is believed to be an unjust rate when there is little assurance that all will be made right in the end.
- Each time the current rates were discussed it was promised that a filing with the PaPUC was in the works and the rates would be reviewed and approved by the PaPUC. After all this time it appears we are no closer to that filing, review, or approval.
- It was previously indicated by the Park that the PaPUC "recommended" freezing rates pending a proper filing and approval process. Unfortunately, it appears they have been frozen at the already increased rate of \$300 instead of the original \$150 rate. We

doubt this was the intent of the PaPUC's recommendation and would suggest it has been an impediment, both to encouraging the Park to complete the PaPUC filing and to encouraging residents to pay their bills

- It has been indicated by the Park that should it be determined based on the final approved rates that there has been an overcharge refunds would be made. Unfortunately it is unlikely, given the instability of the Park itself, that any of the utility funds are being maintained for that purpose.
- It was indicated that the increase above the prior \$150 rate was to fund system improvements. Unfortunately it is unlikely, given the instability of the Park itself, that any of the utility funds are being maintained for that purpose.

You have indicated in your letter that you are seeking to obtain financing for a project to make necessary improvements for the sewer system. This is certainly an approach that would be more consistent with utility practice and should help the situation. Unfortunately, as we are not served by the Park's sewer system, it is of no benefit to us. However, we would hope that this is an indication that you intend to approach the water system issues in a similar manner.

Further, you indicate that you plan to proceed with the PaPUC filings. This too is encouraging. Unfortunately, this is at least the third such promise since 1997. However, given the clear indication in your letter of your sense of responsibility and the nature of your custodial position it is hoped that you will be able to complete this necessary step to resolving these disputes. Likewise, it is hoped that you will insist on a full and fair review of the rates to assure that there is no cross subsidization between sewer and water rates, nor a subsidization of the Park's amusement park, hotel, or beach club usage by the residents.

It would seem to us that the best solution for the present would be to retroactively reinstate the rates in effect prior to 1997 pending the PaPUC filing and approval. This is really what we believe the PaPUC intended anyway. Then, fair rates can be properly set and the utility department reorganized under a proper business plan separate from the Park itself. Also, it wouldn't hurt to make sure bills are being sent in a timely and regular manner and in envelopes distinguishable from other Park business.

Now, as to our own most recent invoice:

- Should it be decided to proceed with our suggestion to retroactively reinstate the \$150 per year rate, as was in effect prior to 1997, our payments to date total \$900 and would carry us through service for the year 2002 inclusive.
- If it is decided that the \$300 rate should continue, we would expect that we would be given the same consideration and discounts offered to other less-current rate payers in your letter. As such, we would expect that we should receive a discount of 20% on payments made from 1997 to date as well as on the current invoice. As such, a 20% discount from the \$1,500 billings from 1997 through 2001 would leave net charges of

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\$1,200. Deducing the \$900 paid to date would leave a balance due for service through year 2001 of \$300 after the discounts

Please advise which approach you will use so that we may bring our account current

Thank you for reviewing this situation further. We are hopeful that, as an agent of the court, you will see and do the right thing. Should you have any questions, you may reach me during the day at my office at Pennsylvania Power Company (724-656-5372) or in the evening at home (724-981-4563).

Sincerely,

Mark F Hohman, PE

xc Paul E Hohman

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Summary  
 Conneaut Lake Park Water Company  
 Service for Cottage at 12645 Comstock Street  
 Prepared by Mark F. Hohman, PE (co-owner of above residence)

- prior 1997 Annual water rate was \$150 per residence
- 04/??/97 Receive invoice from Park Water Company for 1997 water
- Invoice is for "maintenance fee" at \$50 per month = \$150 for Jan - Mar 1997
  - Under name of Bob Morrow, Water Works Manager
  - Separate cover letter - is for maintenance of lines & tower and EPA tests
  - Letter is under name of Bob Morrow, Maintenance Supervisor
- (note: no prior notice was received relative to this 300% rate increase)
- 04/14/97 My reply to Park Water Company questioning rate increase and authority.
- 04/??/97 PWC revised billing for seasonal use to \$25 turn on, \$25 shutoff, \$75 per month used
- 04/28/97 Reply from Bob Morrow on CLP letterhead
- Park Water Company established by the new owners (of CLP)
  - Not registered with PLC and not required to be.
  - Licensed by PA DER.
  - Acknowledges increase is large, claims is to recapture costs to operate system
  - Cites tower renovation @ \$24,000, annual electric at \$5,000, EPA tests at \$1,000
  - Cites two (required by state) licensed water plant operators
  - Claims park subsidized residents in past "not even recapturing half the cost"
- 05/10/97 My reply to Park Water Company questioning rationale for rate
- Water system serves Conneaut Lake Park amusement park, hotel, and club.
  - Conneaut Lake Park would be bulk of water usage v cottages.
  - Bulk of facilities and costs (including the "operators" and testing) required for CLP
  - Appears residents may be subsidizing the amusement park.
- 05/06/97 PWC letter advising meeting on May 26, 1997 (letter received after 5/10/97)
- Letter under name "Park Water Company Management"
  - Mr. Garry Harris and Mr. Bob Morrow to represent PWC at the meeting
- 05/26/97 Extract from my notes of the meeting between PWC and residents
- Representing PWC Garry Harris CLP & PWC owner, Bob Morrow PWC manager
  - Also representing CLP/PWC attorney Dana Watson
  - PUC says cannot sell water as they are not a licensed utility
  - Have until June 9 to file for license from PUC
  - Water system serves 150 residences plus Conneaut Lake Park
  - Cost is approx. \$60,000 per year to run water system (including CLP facilities)
  - (note \$60,000/150 = \$400 per cottage - at \$600 residents more than subsidize CLP)
  - Claims paid \$700,000 to buy water company from CLP (Harris also owns CLP)
  - Original \$600 per year rate may have included sewers
  - Many residents (including us) pay sewer to Conneaut Lake Joint Sewer Authority
  - Looking at replacing pipes in water system
  - Looking at using meters
  - Will not shutoff pending resolution of dispute
  - PWC to review rates v costs and report PWC to complete PUC application.
- 10/15/99 Letter and invoice from CLP, Park Utilities Dept. signed by W. Stoney Jordan
- (note: this is first communication or invoice received since 5/26/97 meeting)
- Invoice is for \$900 = \$300 per year seasonal x 3 years (1997, 1998, 1999)
  - Neither invoice nor letter reference service address.
  - Reference date is date on invoice, letter is undated.

11/23/99 My letter to W. Stoney Jordan at CLP, Park Utilities Dept.

- Request verification of invoice v. actual service address.
- Request confirmation of authority to invoice v. former Park Water Company
- Request confirmation of assumption of debts and obligations by CLP from PWC
- Briefly reviewed rate dispute currently pending
- Presented rough estimates for residential cost per customer of \$133
- Reviewed basis for contention bulk of system costs associated with park and hotel
- Reviewed concerns \$300 rate excessive & subsidizing park & hotel requirements
- Included as reference 52 PaCode § 65.1 Definition - Public utility
- Included as reference 52 PaCode § 65.7 Metered service
- Included as reference 25 PaCode § 109.1 Definitions - Public water system
- Request notification and justification of rates

11/23/99 Letter from CLP W. Stoney Jordan threatening legal action

(note: this letter received after mailing of my 11/23/99 letter, likely passed in mail)

11/30/99 Letter from CLP W. Stoney Jordan

- Response to my letter of 11/23/99
- Disclaims knowledge of 5/26/97 meeting as "hearsay"
- Water system not operated as separate entity
- Park Water Company only a name on a checking account
- In 1997 "Trustees of Conneaut Lake Park Inc. obtained the deed
- Deed is for Property on The Lake, Inc. including as a "fixture" the park utilities
- Has no record of attempt to obtain a Certificate of Convenience from PUC
- Claims not reasonable to itemize their expenses
- Cites outstanding sewer bill of \$200,000  
(note: sewer not relevant to water rates as many do not use park sewer, see above)
- Cites need to replace fire hydrants at \$2,500 each
- Cites water lines need re-engineered and replaced - est. \$500,000 to \$800,000
- Estimates yearly maintenance of water lines at \$60,000
- DEP & EPA demanding reduce sewer flows from park and residents
- Estimates sewer repairs \$200,000  
(note: sewer not relevant to water rates as many do not use park sewer, see above)
- As of 1999 Conneaut Lake Park was contacted by PUC
- PUC recommended freezing rates while obtaining Certificate of Public Convenience
- After review by PUC will determine if unjust billing and will refund

12/09/99 My letter to W. Stoney Jordan at CLP, Park Utilities Dept.

- Enclosed check for full amount (\$900) for 1997, 1998, 1999 as invoiced
- Stated payment is based on clarifications and assurances in CLP 11/30/99 letter
- Clarified correct service address
- Clarified issue of sewers v. water for residents outside main park with water only
- Requested information on PUC filing, including copies of notices and docket number

03/15/01 Letter from Herbert Brill as Custodian of Conneaut Lake Community Park

(note: this is first communication or invoice received since 11/30/99 CLP letter)

- Letter undated, 3/15/01 is postmark on envelope
- Includes CLP invoice for \$600 = \$300 per year for 2000 and 2001 water
- Letter is form letter addressed to Homeowner/Lessee
- Letter references sewer and/or water  
(note: sewer not relevant to water rates as many do not use park sewer, see above)
- Cites total of \$212,000 owed to the Park by delinquent homeowners
- Indicates awareness of problem "created by the State of Pennsylvania" (PUC)
- Is in process of correcting "technical paper work error" (PUC)
- Indicates is in process of securing funds to renovate entire sewer system

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- (note: no reference to funds for repairs to water system)
- Working with George Crum, manager of Crawford County Joint Municipal Authority
  - Working with Gary Clark of Senator Robbins office
  - Working with Ann Ditullio of Gov. Ridges office
  - At this time has no authority to require payment
  - Asking to "voluntarily pay your bill"
  - Threatens if obtains legal right to require payment will charge interest
  - Payment plan: -20% 30 days, -15% 3 payments 90 days, -10% six payments
  - Promises to waive interest on past debt if make payments per plan
  - Provides name and number at CLP to direct questions

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As stated in my original letter to you, payments would be discounted if

1. Payment in full within 30 days -- 20% discount
2. Payment in three equal monthly payments -- 15% discount
3. Payment in six equal monthly payments -- 10% discount

The deadline for scheduling your payment arrangement will be May 15, 2001.  
Please contact the Park office as soon as possible to make these arrangements.

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# Concessionaires, boating company sue Conneaut Lake Park for \$280,000

CONNEAUT LAKE (AP) — Weeks before it opens for the summer, a historic but financially troubled amusement park in northwestern Pennsylvania faces two lawsuits seeking more than \$280,000.

The 108-year-old Conneaut Lake Park, home to the Blue Streak roller coaster, has been sued by the owners of a paddlewheel boat and a concessionaire.

Both lawsuits name Herbert Brill, court-appointed custodian of the financially troubled park 35 miles south of Erie; Gene Rumsey, the park's general manager; and former custodian William Jorden.

Park officials did not return phone calls for comment.

In a lawsuit filed Tuesday, Conneaut Lake Cruises Inc. claims park officials haven't allowed them into their dock on the state's largest natural lake. The company uses the dock to run park patrons out on Conneaut Lake on the "Barbara J." paddleboat and rent boats.

The company also claims that Brill kept deposits to boat rentals. The lawsuit seeks \$30,000.

A second lawsuit filed by Nicholas and Susan Allen of Ohio claims that Rumsey and Jorden told them they would be able to operate park concessions for the next three years.

Based on those assurances, they spent nearly \$175,000 on new signs, equipment, remodeling and repairs. But earlier this year, Rumsey told them a judge had ordered that the

food concessions must be operated by Brill.

The Allens are seeking more than \$275,000 for business losses and other expenses.

The park owes about \$811,000, including \$174,000 in unpaid real estate taxes and has liens with the Crawford County Tax Claim Bureau and the Conneaut Lake Municipal Authority.

Last month, park officials an-

nounced they had sold \$250,000 in certificates to investors, meaning the park would have the money to open on Memorial Day.

The park has promised to repay investors the face value of the certificates, plus interest at an annual rate of 10 percent, on Sept. 15.

Brill has said he plans to change the name of the park to Conneaut Lake Community Park with a focus on family entertainment.

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PUBLIC NOTICE

THE PUBLIC IS ADVISED, DURING THE PERIOD OF SEPTEMBER 1, 2001 THROUGH SEPTEMBER 13, 2001, MICROBIOLOGICAL CONTAMINANTS WERE DISCOVERED IN THIS PUBLIC WATER SUPPLY. THE CONTAMINANTS ARE IN A QUANTITY THAT EXCEEDS THE MAXIMUM CONTAMINANT LEVEL ESTABLISHED BY CHAPTER 109, SUBCHAPTER 109.202 RULES AND REGULATIONS OF THE "PA SAFE DRINKING ACT."

THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA) SETS DRINKING WATER STANDARDS AND HAS DETERMINED THAT THE PRESENCE OF TOTAL COLIFORM IS A POSSIBLE HEALTH CONCERN. TOTAL COLIFORMS ARE COMMON IN THE ENVIRONMENT AND GENERALLY NOT HARMFUL THEMSELVES. THE PRESENCE OF THESE BACTERIA IN DRINKING WATER, HOWEVER, GENERALLY IS A RESULT OF A PROBLEM WITH WATER TREATMENT OR THE PIPES WHICH DISTRIBUTE THE WATER, AND INDICATES THAT THE WATER MAY BE CONTAMINATED WITH ORGANISMS THAT CAN CAUSE DISEASE. DISEASE SYMPTOMS MAY INCLUDE DIARRHEA, CRAMPS, NAUSEA, AND POSSIBLE JAUNDICE AND ANY ASSOCIATED HEADACHES AND FATIGUE. THESE SYMPTOMS, HOWEVER, ARE NOT JUST ASSOCIATED WITH DISEASE-CAUSING ORGANISMS IN DRINKING WATER, BUT ALSO MAY BE CAUSED BY A NUMBER OF FACTORS OTHER THAN YOUR DRINKING WATER. EPA HAS SET AN ENFORCEABLE DRINKING WATER STANDARD FOR TOTAL COLIFORMS TO REDUCE THE RISK OF THESE ADVERSE HEALTH EFFECTS. SYSTEMS THAT COLLECT FEWER THAN 40 SAMPLES/MONTH MAY HAVE ONLY ONE TOTAL COLIFORM-POSITIVE SAMPLE PER MONTH. IF THESE SYSTEMS HAVE MORE THAN ONE COLIFORM-POSITIVE SAMPLE, THEY ARE VIOLATING THE STANDARD. DRINKING WATER, WHICH MEETS THIS STANDARD, IS USUALLY NOT ASSOCIATED WITH A HEALTH RISK FROM DISEASE-CAUSING BACTERIA AND SHOULD BE CONSIDERED SAFE.

DURING THE MONTH OF SEPT 2001, AT LEAST TWO SAMPLES TAKEN FROM CONNEAUT LAKE PARK WATER SYSTEM PROVED TO BE COLIFORM-POSITIVE. STEPS ARE BEING TAKEN BY CONNEAUT LAKE PARK WATER TO REMEDY THE ABOVE SITUATION. THIS NOTICE MUST REMAIN POSTED UNTIL AT LEAST TWO SPECIAL SAMPLES TAKEN FROM THIS SYSTEM PROVE TO BE COLIFORM-NEGATIVE. AS STATED, TOTAL COLIFORMS ARE GENERALLY NOT HARMFUL, WE ARE HOWEVER, FLUSING OUR WATER SYSTEM ONCE A WEEK IN ADDITION TO OUR USUAL MONITORING OF OUR CHLORINE RESIDUALS.

IF YOU HAVE ANY QUESTIONS, PLEASE CALL THE POSTED NUMBER. THANK YOU.

THE DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) REQUIRES THAT THIS NOTICE BE POSTED IN A CONSPICUOUS LOCATION OR DELIVERED TO ALL CONSUMERS OF THIS WATER SUPPLY. THIS NOTICE MAY NOT BE ALTERED OR REMOVED FROM PUBLIC DISPLAY OR RESCINDED WITHOUT PRIOR APPROVAL OF THE DEPARTMENT.

WE APOLOGIZE FOR ANY INCONVENIENCE AND THANK YOU FOR YOUR COOPERATION.

OPERATOR'S SIGNATURE:

*Robert A. Morrow*

FACILITY NAME:

CONNEAUT LAKE PARK WATER

DATE POSTED:

SEPTEMBER 13, 2001

LOCATION OF POSTING:

MAIN OFFICE AND DIRECT MAILING

CONTACT PHONE NUMBER:

814-382-5115

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Herbert L. Brill

*Consultant and Business Advisor  
Member of New York and Florida Bars  
147 North Main Street  
Meadville, Pennsylvania 16335*

October 3, 2001

Dear Homeowner/Lessee,

The Trustees of Conneaut Lake Community Park provide your property with sewer and/or water utilities. The enclosed invoice for the service(s) for the year beginning January 1, 2002 is enclosed. While the amount set forth is NOT DUE until January 15, 2002, you have the opportunity to prepay the amount by October 31 and receive a 15% discount. I emphasize that the choice is yours.

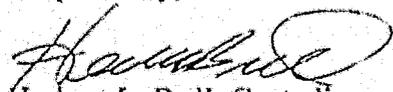
The Park has enjoyed a wonderful season with over 100,000 visitors and gross receipts in excess of \$2 million. More than 95% of the monies was spent with local merchants within 50 miles of the Park. The Park employed more than 200 people (many teenagers) and paid over \$820,000 in wages.

As has been reported in the local media, serious discussions are underway which, when Completed, will provide an entirely new sewer delivery system to your property (expected by early Spring 2002).

If you have any questions, please contact Marry Ellen RuBrassier, Business Manager, at (814) 382-5115.

I thank you for your anticipated co-operation.

Respectfully,

  
Herbert L. Brill, Custodian

CONNEAUT LAKE PARK  
 12382 CENTER ST.  
 CONNEAUT LAKE PARK, PA. 16316  
 814-382-5115

# Invoice

DATE	INVOICE #
10/9/01	152

BILL TO
HOHMAN, MARK 3666 MARYLANE DRIVE HERMITAGE, PA 16159

DUE DATE

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
	12645 COMSTOCK ST CONNEAUT LAKE, PA			0.00
	2000 WATER			300.00
	2001 WATER			300.00
	2002 WATER			300.00
PAST DUE PAYMENT UPON RECEIPT		Subtotal		900.00
		0% Tax		
		<b>Total</b>		<b>900.00</b>

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Dear Water and/or Sewer Customer:

Enclosed please find a copy of your current water and/or sewer billing charges for the 2002 year.

Many of you took advantage of our 15% discount in October, 2001 and we thank you for your payments. Many of you have made no effort to pay your current charges or your past due charges. These are charges that the Park must incur and this cannot continue.

Your enclosed bill reflects amount due for the year 2002 and for any prior years. Please take a moment to carefully review this invoice. If you feel any part of this invoice is in error, please contact our office immediately.

The enclosed invoice is due and payable immediately. If payment is not received by February 1, 2002 we will be forced to terminate your water service or block your sewer service.

Any questions, please advise.

Mary E ReBrassier  
Business Manager

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CONNEAUT LAKE PARK  
 12382 CENTER ST.  
 CONNEAUT LAKE PARK, PA. 16316  
 814-382-5115

# Invoice

DATE	INVOICE #
12/18/01	152

BILL TO
HOHMAN, MARK 3666 MARYLANE DRIVE HERMITAGE, PA 16159

DUE DATE

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
	12645 COMSTOCK ST. CONNEAUT LAKE, PA.			0.00
	2000 WATER			300.00
	2001 WATER			300.00
	2002 WATER			300.00
PAST DUE PAYMENT UPON RECEIPT		Subtotal		900.00
		0% Tax		
		<b>Total</b>		<b>900.00</b>

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*Mark F. Hohman*

3666 Marylane Drive, Hermitage, PA 16148

E-mail: [mshohman@pathway.net](mailto:mshohman@pathway.net)

Phone: 724-981-4563

December 29, 2001

Ms. Mary E. ReBrassier, Business Manager  
Conneaut Lake Park  
12382 Center Street  
Conneaut Lake, PA 16316

Dear Ms. ReBrassier

I am in receipt of your letter and invoice dated 12/18/01 in the amount of \$900 for water service to our cottage at 12645 Comstock Street for the years of 2000, 2001, and 2002. Please be advised that the billings for water service have been under dispute since 1997. Over these past several years I have made numerous efforts to resolve this issue directly with Conneaut Lake Park. However, due to the threat of termination of service in your letter, it has become necessary for me to file a complaint with the Pennsylvania Public Utility Commission. The Commission should be contacting you in the near future.

PaCode § 56.181 requires, "Pending resolution of a dispute, including a termination dispute, the disputing party shall be required to pay the undisputed portion of bills." Enclosed you will find a Summary of Account showing invoices and payments since 1997. The total amount of invoices for this period is \$1,800 of which \$900 is disputed. The total undisputed amount for service from 1997 through 2002 inclusive is the \$900 that has been paid.

I trust that in compliance with the provisions of the PaCode you will not be initiating termination of service pending resolution of my complaint.

Enclosed for your reference is a Summary showing correspondence I have had with Conneaut Lake Park (a k a "Conneaut Lake Park Utilities Dept.", a k a "Park Water Company") that will hopefully give you a better understanding of the situation. Hopefully you will find the original correspondence referenced in the summary on file at Conneaut Lake Park's offices. If not, I will be happy to provide a copy of any of the referenced correspondence.

Should you have any questions or wish to discuss the situation further you may contact me during the day at my office at Pennsylvania Power Company (724-656-5372) or in the evening at home (724-981-4563).

Sincerely,

Mark F. Hohman, PE

encl

cc: Paul E. Hohman

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**Summary of Account**  
**Conneaut Lake Park Water Company**  
**Water Service for Hohman Cottage at 12645 Comstock Street**  
 Prepared by Mark F. Hohman, P.E. (co-owner of residence)

Invoice Date	Service Period	Invoice Amount	Undisputed Amount	Disputed Amount	Amount Paid	Date Paid	Notes
10/15/99	1997	\$300	\$150	\$150	\$300	12/9/99	Conditioned on PaPUC filing
10/15/99	1998	\$300	\$150	\$150	\$300	12/9/99	Conditioned on PaPUC filing
10/15/99	1999	\$300	\$150	\$150	\$300	12/9/99	Conditioned on PaPUC filing
2/26/01	2000	\$300	\$150	\$150			Pending dispute resolution
2/26/01	2001	\$300	\$150	\$150			Pending dispute resolution
10/9/01	2002	\$300	\$150	\$150			Pending dispute resolution
Total		\$1,800	\$900	\$900	\$900		Pending dispute resolution

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Summary  
 Conneaut Lake Park Water Company  
 Service for Cottage at 12645 Comstock Street  
 Prepared by Mark F. Hohman, PE (co-owner of above residence)

prior 1997 Annual water rate was \$150 per residence

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- 11/23/99 My letter to W. Stoney Jordan at CLP, Park Utilities Dept.
- Request verification of invoice v. actual service address.
  - Request confirmation of authority to invoice v. former Park Water Company
  - Request confirmation of assumption of debts and obligations by CLP from PWC
  - Briefly reviewed rate dispute currently pending
  - Presented rough estimates for residential cost per customer of \$133

A-55

- Reviewed basis for contention bulk of system costs associated with park and hotel
- Reviewed concerns \$300 rate excessive & subsidizing park & hotel requirements
- Included as reference 52 PaCode § 65.1 Definition - Public utility
- Included as reference 52 PaCode § 65.7 Metered service
- Included as reference 25 PaCode § 109.1 Definitions - Public water system
- Request notification and justification of rates

11/23/99 Letter from CLP W. Stoney Jordan threatening legal action  
(note: this letter received after mailing of my 11/23/99 letter, likely passed in mail)

11/30/99 Letter from CLP W. Stoney Jordan

- Response to my letter of 11/23/99
- Disclaims knowledge of 5/26/97 meeting as "hearsay"
- Water system not operated as separate entity
- Park Water Company only a name on a checking account
- In 1997 "Trustees of Conneaut Lake Park Inc. obtained the deed
- Deed is for Property on The Lake, Inc. including as a "fixture" the park utilities
- Has no record of attempt to obtain a Certificate of Convenience from PUC
- Claims not reasonable to itemize their expenses
- Cites outstanding sewer bill of \$200,000  
(note: sewer not relevant to water rates as many do not use park sewer, see above)
- Cites need to replace fire hydrants at \$2,500 each
- Cites water lines need re-engineered and replaced - est \$500,000 to \$800,000
- Estimates yearly maintenance of water lines at \$60,000
- DEP & EPA demanding reduce sewer flows from park and residents
- Estimates sewer repairs \$200,000  
(note: sewer not relevant to water rates as many do not use park sewer, see above)
- As of 1999 Conneaut Lake Park was contacted by PJC
- PUC recommended freezing rates while obtaining Certificate of Public Convenience
- After review by PUC will determine if unjust billing and will refund

12/09/99 My letter to W. Stoney Jordan at CLP, Park Utilities Dept.

- Enclosed check for full amount (\$900) for 1997, 1998, 1999 as invoiced
- Stated payment is based on clarifications and assurances in CLP 11/30/99 letter
- Clarified correct service address
- Clarified issue of sewers v. water for residents outside main park with water only
- Requested information on PUC filing, including copies of notices and docket number

Date unknown Annual Drinking Water Quality Report

03/15/01 Letter from Herbert Brill as Custodian of Conneaut Lake Community Park

- (note: this is first billing communication or invoice received since 11/30/99 CLP letter)
- Letter undated, 3/15/01 is postmark on envelope
- Includes CLP invoice for \$600 = \$300 per year for 2000 and 2001 water
- Letter is form letter addressed to Homeowner/Lessee
- Letter references sewer and/or water  
(note: sewer not relevant to water rates as many do not use park sewer, see above)
- Cites total of \$212,000 owed to the Park by delinquent homeowners
- Indicates awareness of problem "created by the State of Pennsylvania" (PUC)
- Is in process of correcting "technical paper work error" (PUC)
- Indicates is in process of securing funds to renovate entire sewer system  
(note: no reference to funds for repairs to water system)
- Working with George Crum, manager of Crawford County Joint Municipal Authority
- Working with Gary Clark of Senator Robbins office
- Working with Ann Ditullo of Gov. Ridge's office
- At this time has no authority to require payment
- Asking to "voluntarily pay your bill"
- Threatens if obtains legal right to require payment will charge interest
- Payment plan: -20% 30 days, -15% 3 payments 90 days, -10% six payments
- Promises to waive interest on past debt if make payments per plan
- Provides name and number at CLP to direct questions

04/14/01 My letter to Herbert Brill, Custodian Conneaut Lake Community Park

A-516

- Noted invoice dated 2/25/01 for \$600 for 2000 & 2001 first invoice received since 1999
  - Noted paid \$900 toward service for 1997, 1998 and 1999 (conditioned on PaPUC filing)
  - Noted 1997 attempt by Mr. Harris to raise water rates from \$150 to \$600 per year
  - Reviewed ongoing unfulfilled promises to file with PaPUC
  - Provided summary of correspondence to date
  - Offered two options for payments pending PaPUC filing and review of rates
    - a) Current payments of \$900 would cover through 2002 based on undisputed \$150/yr
    - b) Apply 20% discount now offered to previous payments = current through 2001 incl
  - Requested Brill advise approach he preferred be used
- 04/26/01 No direct reply to my letter of 4/14/01 received to date
- 04/26/01 General form letter received from Mr. Brill, Custodian Conneaut Lake Community Park  
Addressed "Dear Homeowner, Lessees"
- Apologizing for hard line in March letter
  - Securing \$800,000 - \$900,000 from Penn-Vest to modernize the system & install meters
  - Plan to turn over system to CCJMA (Crawford County Joint Municipal Authority)
  - Realizes rate setting policy uneven and in many instances unfair
  - Cannot make amends for the past
  - Assures will have a more balanced method of charges instituted by end of summer (2001)
  - Notes Park pays CCJMA \$3,000/month (for sewer, which would be irrelevant for water?)
  - Ref Ongoing sewer costs asks voluntary pay current invoice
  - Attachment offers discount for payment = 20%/30days, 15%/90days, 10%/180days
- 05/03/01 Newspaper article in The Herald (Sharon) relating to two lawsuits naming Brill related to CLP
- Conneaut Lake Cruises claim: denial of access to docks and failure to refund deposits (\$30K)
  - Allen claim of breach of promise of concession rights ((\$275,000))
  - Article notes the Park owes \$811,000, including \$174,000 in unpaid real estate taxes
  - Article also notes the Park has liens with the county tax claim bureau and CL Municipal Auth
- 09/01/01 Notice of violation of routine monitoring of radiological testing
- 09/14/01 Notice of microbiological contaminants
- 10/09/01 Conneaut Lake Park invoice for water and letter from Brill enclosed
- Invoice for 3 years of water (2000, 2001, and 2002) at \$300/year = \$900 total. No due date
  - Letter states that "The Trustees of Conneaut Lake Community Park provide utilities"
  - Letter states 2002 charge not due until January 15, 2002
  - Letter offers 15% discount for prepayment by October 31, 2001
  - Letter states "serious discussions underway provide entirely new sewer delivery system"  
(note CLP does not provide sewer service to our property, we're served directly by Sewer Authority)
- 12/18/01 Conneaut Lake Park invoice and letter from Mary E. Rebrassier  
Invoice for 3 years of water (2000, 2001, and 2002) at \$300/year = \$900 total. No due date
- Letter requires payment in full by February 1, 2002 or will terminate water service and/or block sewer
- 12/29/01 Informal complaint filed with PLC via internet form
- 12/29/01 My letter to Mary ReBrassier, Business Manager, Conneaut Lake Park
- Advises filing of PUC complaint
  - Advises current through 2002 on undisputed amount
  - Includes Summary of correspondence with CLP

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-750

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P O BOX 3265, HARRISBURG PA 17105-3265

DATE SERVED: MARCH 1, 2002

C-20026976

TRUSTEES OF CONNEAUT LAKE PARK  
12382 CENTER STREET  
CONNEAUT LAKE PA 16316

DOCUMENT  
FOLDER

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by MARK F. HOHMAN. To defend yourself against the claims stated in the following pages, you must act within twenty (20) days by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS, THE CASE MAY GO FORWARD IN YOUR ABSENCE AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE

CUSTOMER OF A UTILITY

A payment schedule may be prescribed or a termination of utility services may be authorized. You may lose money or property or other rights important to you.

COMPANY/UTILITY

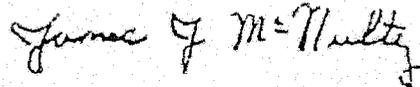
An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help:

Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375

Very truly yours,



James J. McNulty  
Secretary

dbs

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: MARCH 1, 2002

MARK F. HOHMAN  
Complainant

VS.

TRUSTEES OF CONNEAUT LAKE  
PARK  
Respondent

Complaint Docket  
No C-20026976

DOCUMENT  
FOLDER  
DOCKETED  
MAR 1 2002

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: TRUSTEES OF CONNEAUT LAKE PARK

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17120, an answer (original and two copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a)

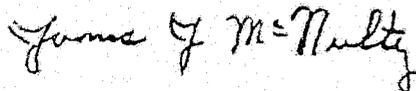
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which

prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq., and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after a hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.



James J. McNulty  
Secretary

(SEAL)

Certified Mail  
Return Receipt Requested

LAW OFFICES  
PEPICELLI, YOUNGS AND YOUNGS PC  
A PROFESSIONAL CORPORATION  
363 CHESTNUT STREET  
MEADVILLE, PENNSYLVANIA 16335

CHRISTOPHER J. YOUNGS  
LISA PEPICELLI YOUNGS

OF CXXXXXXXXX  
PAUL E. ALLEN  
(Retired)

Area Code 814  
Telephone 337-7000

Fax No.  
814-337-3776

JOHN V. PEPICELLI  
(1920-1997)

DOCUMENT  
FOLDER

ORIGINAL

March 19, 2002

Secretary of the Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, Pennsylvania 17120

*Re: Mark F. Hohman vs. Trustees of Conneaut Lake Park  
Complaint Docket No.: C-20026976*

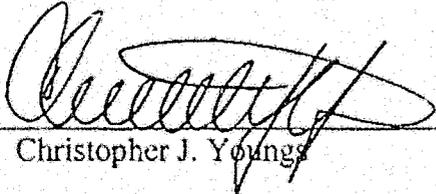
Dear Secretary:

Enclosed please find the original and two copies of Respondent's answer to the complaint of Mr. Hohman. Please enter my appearance on behalf of the Respondent, Herbert Brill, Custodian of Trustees of Conneaut Lake Park.

I have served a copy of the enclosed answer on Mr. Hohman. Thank you.

Sincerely,

PEPICELLI, YOUNGS AND YOUNGS PC

By   
Christopher J. Youngs

CJY:sp

Enclosures: as stated

**BY FEDERAL EXPRESS**

cc: Herbert Brill (w/enclosure)  
Mark F. Hohman (w/enclosures)

RECEIVED

MAR 19 2002

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

49

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

ORIGINAL DOCUMENT  
RECEIVED  
MAR 19 2002  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Mark F. Hohman, Complainant

vs.

Complaint Docket  
No. C-20026976

Trustees of Conneaut Lake

ANSWER TO COMPLAINT

Now comes the Respondent, Trustees of Conneaut Lake Park, through its court-appointed custodian, Herbert Brill, by his Attorney, Christopher J. Youngs, Esquire, and respectfully answers the Complaint of Mark F. Hohman:

DOCKETED  
APR 23 2002

1. Admitted.

2. Denied as stated. "Conneaut Lake Park Water Company" is an entity operated by former owners of Conneaut Lake Park. The current operator of the Conneaut Lake Park water system is "Trustees of Conneaut Lake Park, Inc." Trustees of Conneaut Lake Park, Inc. is currently under the jurisdiction of the Court of Common Pleas of Crawford County. Herbert Brill was appointed Custodian of Trustees of Conneaut Lake Park, Inc. by the Honorable Anthony A. Vardaro, Judge.

3. Mr. Brill is without knowledge or information sufficient to answer Mr. Hohman's complaints over events of 1997. It is admitted rates are presently \$300.00 per year. It is denied these rates are excessive. Moreover, the present rate is identical to that charged by the local municipal water authority serving the surrounding community. It is denied the present water rate is arbitrary. Moreover, it is denied the water rate subsidizes "costs associated with the Conneaut Lake Park amusement park, hotel and concessions." It is also denied the water rate subsidizes sewer service costs.

4. It is denied that any action by the Commission is necessary. The water rates are fair and reasonable. Moreover, rates for water service do not subsidize other operations of Conneaut Lake Park. It is further denied Mr. Hohman has been overcharged.

NEW MATTER

5. The Trustees of Conneaut Lake Park, Inc. is a corporation presently under statutory custodianship and supervision of the Court of Common Pleas of Crawford County. The subject water system is an asset of the Trustees of Conneaut Lake Park, Inc. As Court-appointed Custodian, Herbert Brill is responsible to the Common Pleas Court. The present water rate was set by the Custodian. Therefore, the Common Pleas Court has jurisdiction over the rates.

6. The Custodian respectfully asserts the Commission has no jurisdiction over water rates so long as the Trustees of Conneaut Lake Park, Inc. is under custodianship.

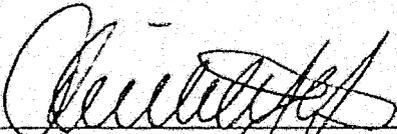
7. Mr. Hohman's property served by this water system is a seasonal home.

8. The present water rates are identical to those charged by the local municipal authority serving the community surrounding Conneaut Lake Park. The Custodian believes Mr. Hohman's complaint is really this: Because he has a **summer seasonal home**, Mr. Hohman feels he should not have to pay the same basic monthly rate as full-time resident homeowners. On the contrary, there is no reason Mr. Hohman deserves lower rates than ordinary residential customers. Water service is available to Mr. Hohman 365 days a year. More importantly, the water system must be maintained 365 days a year, whether or not Mr. Hohman uses his seasonal home.

WHEREFORE, Herbert Brill, Custodian of Trustees of Conneaut Lake Park, Inc., respectfully requests Mr. Hohman's Complaint be dismissed.

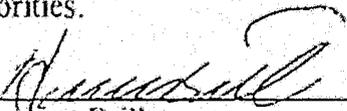
Respectfully submitted,

PEPICELLI, YOUNGS AND YOUNGS PC

By   
\_\_\_\_\_  
Christopher J. Youngs, Esquire  
Attorney for Herbert Brill, Custodian of  
Trustees of Conneaut Lake Park, Inc.

VERIFICATION

I verify that the statements made in the foregoing Answer to Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Herbert Brill  
Custodian of Trustees of  
Conneaut Lake Park

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

Mark F. Hohman, Complainant

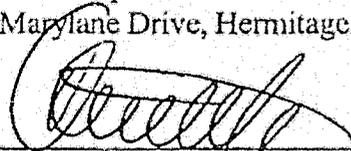
vs.

Complaint Docket  
No. C-20026976

Trustees of Conneaut Lake

CERTIFICATE OF SERVICE

I, Christopher J. Youngs, Esquire, Attorney for Herbert L. Brill, Custodian, certify that on March 19, 2002, a copy of the Answer to Complaint was served by first class mail, postage prepaid, upon Mark F. Hohman, 3666 Marylane Drive, Hermitage, PA 16148.



---

Christopher J. Youngs, Esquire

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge

P.O. Box 3265, Harrisburg, PA 17105-3265

REP  
IN REPLY PLEASE  
REFER TO OUR FILE

DOCUMENT  
FOLDER

April 3, 2002

In Re: C-20026976

(See attached list)

Mark F. Hohman v. Trustees of Conneaut Lake Park

Billing dispute.

Telephone Hearing Notice

This is to inform you that a hearing by telephone on the above-captioned case will be held as follows:

Type: Initial  
Date: Friday, May 24, 2002  
Time: 10:00 a.m.  
Presiding: Administrative Law Judge James D. Porterfield  
1103 Pittsburgh State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222  
Telephone: (412) 565-3550  
Fax: (412) 565-5692

If you have not provided a current telephone number where you can be reached for participation in the hearing OR YOUR AREA CODE HAS CHANGED, then you must contact the presiding officer at least 7 days before the actual hearing and provide the necessary information.

At the above date and time, the Presiding Officer will contact the parties as follows:

Mark F. Hohman (724) 981-4563  
Christopher J. Youngs, Esquire (814) 337-7000

DOCKETED

APR 04 2002

If you have any hearing exhibits to which you will refer during the hearing, 3 copies must be sent to the Administrative Law Judge and 1 copy each must be sent to every other party. All copies must be received at least 3 days before the hearing.

Attention: You may lose the case if you do not take part in this hearing and present facts on the issues raised.

Except for those individuals representing themselves, the Commission's rules require that all parties have an attorney; therefore, you should have an attorney of your choice file an entry of appearance before the scheduled hearing.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission:

- Scheduling Office: (717) 787-1399.
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.

pc: Judge Porterfield  
Steve Springer, Scheduling Officer  
Beth Plantz  
Docket Section  
Calendar File