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To: [Chiavetta, Rosemary](#)
Subject: [External] East Dunkard, Docket No. C-2021-3027615
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Dear Secretary Chiavetta,

I'm an environmental engineering student at the University of Connecticut and I've been researching the situation at East Dunkard Water Authority and advocating for its customers since July of this year. I'm reaching out to you because I'm concerned that even as the Commission reaches the final stages in determining the outcome of its complaint against the EDWA, it's still lacking important context and input from those who are going to be most affected by the decision.

My intention with this letter is to encourage the Commission to reconsider their use of a fine as a punitive measure and instead utilize the full range of authority it now has over EDWA to finally step in to remedy a situation that has gone on for far too long.

I'd first like to address the recent communication from Representative Pam Snyder, whose well intentioned letter was written with the same unfortunate lack of perspective.

The EDWA is in fact under new management. The board turned over almost entirely in the early months of 2022, and Representative Snyder is correct in implying that they had inherited a nearly impossible situation due to mismanagement by the former board.

However, Representative Snyder's account of the efforts to either be taken over by or to purchase water from the Southwest Pennsylvania Water Authority is not accurate. While there are members of the board that I believe are doing what they can to help the people of East Dunkard, there is a level of dysfunction on the board that has put a stop to any progress.

Conversations with the SPWA have been happening for years, and when the new board took over, they seemed intent on getting the process moving. They were faced with two major complications: the EDWA's PennVest debt that stands at \$3.5 million, and the poor condition of the distribution system, which the SPWA would have to repair if it took over. It was determined that it would not be in either party's best interest for the SPWA to take over the EDWA outright, and instead the EDWA should purchase water from the SPWA via a series of interconnections between the two systems.

Once the connection is complete, the EDWA will be able to shut down the water treatment plant completely and bypass their own outdated tanks. This would allow them to cut down their monthly operating expenses significantly and direct their funds to repairing the distribution system. Because the Department of Environmental Protection is (appropriately) requiring upgrades and maintenance to both the tanks and the plant, taking the plant and tanks offline would further cut expenses by eliminating the need for DEP compliance upgrades. Further, the East Dunkard Water Authority, being much smaller than the SPWA, could qualify for grants that would not be available to the SPWA. The agreement to purchase water from the SPWA would get clean, safe water to EDWA customers just as soon, if not sooner, as a takeover.

This was a solid plan, and virtually everyone involved, the customers, the SPWA, most of the EDWA board, and the DEP, were in favor of it.

A few months after the new board took over, the public started getting disheartening information from the East Dunkard Authority Board via two of its members, Tracy Pekar and Paul Bierer. This information, while of great importance to EDWA customers, was almost never communicated over official channels but was instead provided via facebook posts and comments. Residents were being told that the SPWA had backed out and the deal was not happening, that no other company was going to come in, that the residents were “on their own.”

On August 29th, after trying and failing to get information from the EDWA board, I contacted SPWA and spoke to board member Tim Faddis. He told me that the SPWA had not backed out of any deal, and he was under the impression that the connection was still in progress, albeit slowly. The board had been waiting for Tracy Pekar to schedule a meeting to discuss next steps. (At this time, Tracy had been handling all communications with the SPWA and EDWA.) By then the SPWA had already filed for its permit from the DEP to open the connection, and the EDWA would have to fill out a similar application next. They had no idea that Tracy had been telling the public that the connection was not happening.

On September 9th, I made a phone call to the DEP and spoke to someone familiar with the situation at EDWA. Again, I found more lying and misinformation coming from the EDWA board to both the DEP and the public. I was told that the new board initially had been more responsive to the DEP than the old one, but their cooperation had flagged in recent months. Like the SPWA, the DEP was unaware that the EDWA did not intend to move on with the SPWA deal. They had been waiting for the EDWA to file their own permit, which by all accounts should have already happened.

As I and several customers worked together to piece together an accurate accounting of events, we began to notice that not only were the public, SPWA, and DEP being lied to, but the rest of the board was clearly receiving incorrect information as well. As Tracy is the only person on the board with no outside employment, she was able to put

long hours in at the facility and essentially take control of all communications and a significant amount of daily operations at the plant.

As the community worked to expose what was happening at the EDWA, the rest of the board and the staff at the plant began stepping in to control the damage. Tracy had sent angry, inappropriate communications with outside parties and her access to communications had to be curbed. She was told she could no longer spend long hours at the plant.

It was around this time that we found that the EDWA was attempting to sell the system to a third party. (We know this third party to be American Water, though they never told us outright due to a confidentiality agreement.) I believe this is why some of the board were attempting to prevent the deal with the SPWA. If the EDWA is closed involuntarily or taken over by a company that will not take on the debt, the township must take on that debt. This is a legitimate concern.

The deal to purchase water from the SPWA would have allowed the customers of the EDWA to acquire clean water without putting the debt on Dunkard Township, but I suspect that the township had an opinion on whether or not the EDWA should be sold or remain open to purchase water from the SPWA. Dunkard Township is in financial trouble, and if the EDWA is sold, the profits would likely go back to it as the debt would have. This isn't an appropriate consideration when deciding how to get clean, safe water to 4,000 people. However, in an obvious conflict of interest, one member of the EDWA board, Paul Bierer, sits on the township board of supervisors as well. Another member of the township board of supervisors, Rodger Franks, reportedly tried to take the vacant EDWA board seat that opened up in September when Mark Blaker resigned. (He denied having any interest, but also declined to assure me that he wouldn't end up on the board anyway.)

The SPWA is the only system nearby that can readily hook up to the EDWA. If any other company attempts to take over, a new plant would have to be built and EDWA customers would be looking at years before they can hope to see improved water quality.

After sharing all this information with the community and after months of activism by a group of customers, the EDWA board meetings began to fill up and customers were demanding to move forward with the SPWA. On September 21, the board voted on the SPWA deal. Tracy Pekar attempted four times to stop the vote. In the end, the vote passed 3-1. Had Tracy Pekar not been actively delaying the deal, 25% of EDWA customers could have already been hooked up to SPWA water through the Sugar Grove connection.

As of today, she is still trying to move forward with selling the EDWA against the wishes of the entire community. In theory, at least some of the customers have a say in

the actions of the board through their ability to vote for township supervisors. In reality, the township board of supervisors and the EDWA members serve terms of several years. This is not a well-functioning system for a crisis situation. Customers are trying to get Tracy removed from the board, but it has to go through the court and may be a long process.

This summary does not begin to cover the inappropriate behavior that Tracy has engaged in during her time on the board. Her treatment of customers is outright abusive. She has repeatedly told customers that if they didn't like how the EDWA is run, they can disconnect and dig a well. During a boil water order, bottled water had been donated to the plant for customers, and Tracy would not allow people to deliver any to the elderly or disabled. When a disabled woman inquired about getting the water, Tracy told her to "go to the river with a bucket. It's free." Several weeks ago I got an email from a woman who called to tell the EDWA that her water was brown, and Tracy told her to take her laundry to the river if she wanted to wash her laundry.

Her actions have sometimes gone beyond mean to outright dangerous. During a boil water order in February, Tracy told residents that the turbidity spike that triggered the order did not make it to the rest of the distribution system, and that she thought the water was fine. During the same boil water order, she also told customers that she doesn't boil her water because she didn't think it was safe to do so with all the fracking chemicals reacting to the boiling.

I have contacted countless people about this situation, and I've been consistently told that nothing could be done. Now, with the Public Utility Commission having established jurisdiction over the EDWA, you can make real change happen for these people. I know the PUC is more than familiar with the opportunity for corruption and mismanagement when authorities are left to their own devices, and the EDWA is a case study on worst case scenarios. These people are not equipped to handle this problem. Even if every single member were on the same page and had a background in relevant industries, it's unlikely they could address this on their own.

This dysfunction has gone on too long and the customers should not have to bear the burden of acting as watchdog over every action the EDWA board takes. And they are doing *everything* they can. They are attending and recording meetings, demanding answers from board members, writing their lawmakers, circulating petitions, and doing legal research. No one should have to fight this hard just for water clean enough to feel comfortable bathing their children in.

I'm thrilled to see the PUC getting involved, but a fine is not an appropriate action in this case. The EDWA really can not pay that money, and any extra cent they have has to go to keeping the lights on. The EDWA must be put under new management. Closing it would only force the debt onto the 1,200 residents of Dunkard township. But with some forced action, the EDWA can be getting SPWA water within weeks and can have

the plant shut down in a year.

Thank you for your time. Wishing you all wisdom and good faith as you move forward.
There are 4,000 people counting you.

Sincerely,
Jess Canty
360-434-0772