

Stevens & Lee

17 N. Second Street, 16th Floor
Harrisburg, PA 17101
(717) 234-1090
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Direct Dial: (717) 255-7365
Email: michael.gruin@stevenslee.com
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April 26, 2023

VIA ELECTRONIC FILING

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

RE: Vera Scroggins v. Pennsylvania-American Water Company
Docket No. C-2023-3039609

Dear Secretary Chiavetta:

Enclosed for filing on behalf of Pennsylvania-American Water Company is its Preliminary Objections to the above-referenced Complaint. A copy has been served on the Complainant in accordance with the attached Certificate of Service.

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

Very truly yours,

STEVENS & LEE



Michael A. Gruin

Enc.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

VERA SCROGGINS
Complainant

v.

PENNSYLVANIA-AMERICAN
WATER COMPANY
Respondent

Docket No. C-2023-3039609

NOTICE TO PLEAD

To: *Vera Scroggins*

You are hereby notified to file a written response to the attached Preliminary Objections of Pennsylvania-American Water Company within ten (10) days from the date of service of this notice. If you do not file a written response denying or correcting the enclosed Preliminary Objections within ten (10) days of service, the facts set forth by Pennsylvania-American Water Company may be deemed to be true, thereby requiring no other proof, and judgment may be entered against you. All pleadings, such as responses to Preliminary Objections, must be filed with the Secretary of the Pennsylvania Public Utility Commission:

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

You must also serve a copy of your response on the undersigned counsel for Pennsylvania-American Water Company. Failure to respond to the Preliminary Objections could result in the dismissal of your case.

STEVENS & LEE



Michael A. Gruin, (I.D. No. 78625)
17 N. 2nd St., 16th Fl
Harrisburg, PA 17101
Tel. (717) 255-7365
Fax (610) 988-0852
COUNSEL FOR PENNSYLVANIA
AMERICAN WATER COMPANY

DATE: April 26, 2023

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

VERA SCROGGINS	:	
Complainant	:	
	:	
v.	:	Docket No. C-2023-3039609
	:	
PENNSYLVANIA-AMERICAN	:	
WATER COMPANY	:	
Respondent	:	

**PRELIMINARY OBJECTIONS OF RESPONDENT,
PENNSYLVANIA-AMERICAN WATER COMPANY**

AND NOW, Pennsylvania-American Water Company (“PAWC” or “Company”), by and through its attorneys Stevens & Lee, P.C., hereby files these Preliminary Objections requesting dismissal of the Complaint of Vera Scroggins (hereinafter “Complainant”). As set forth below, the Complaint should be dismissed for for lack of standing pursuant to 52 Pa. Code § 5.101(a)(7) and for legal insufficiency pursuant to 52 Pa. Code § 5.101(a)(4).

I. INTRODUCTION

1. On April 6, 2023, the Company was served with a notice of the Formal Complaint (“Complaint”) filed by the Complainant against the Company. A copy of the Formal Complaint is attached hereto as Exhibit 1 and incorporated herein by reference.

2. The Commission’s Rules of Administrative Practice and Procedure permit the filing of Preliminary Objections. See, 52 Pa. Code § 5.101.

3. Pursuant to 52 Pa. Code § 5.101(a)(4), a formal complaint may be dismissed for legal insufficiency, and pursuant to 52 Pa. Code § 5.101(a)(7) a formal complaint may be dismissed for lack of standing.

4. The Company's Preliminary Objection requests the dismissal of the Formal Complaint for both legal insufficiency and for lack of standing.

First Preliminary Objection
Lack of Standing Pursuant to 52 Pa. Code § 5.101(a)(7)

5. On its face, the Complaint reveals that the Complainant is not a customer of the Company's.

6. The Complaint form does not include a utility account number and does not assert that the Company provides any utility service to the Complainant, but instead Paragraph 1 of the Complaint references that the Complaint involves utility service to an address and customer other than the Complainant.

7. The Complaint also does not assert that the Complainant is applying for utility service from the Company, or that the Company refused a request to provide utility service to the Complainant.

8. Paragraph 5 of the Complaint confirms that the Complainant, who resides in Brackney, PA according to the Complaint form, is requesting the testing of water supplied to "constituents" other than the Complainant in a different municipality, namely, Montrose, PA.

9. In order to bring a complaint before a tribunal, a complainant must first demonstrate that he or she has standing to maintain the action. *Nye v. Erie Insurance Exchange*, 470 A.2d 98, 100 (Pa. 1983).

10. Standing requires that a party have an interest in the matter that is substantial, direct and immediate. *William Penn Parking Garage, Inc. et al. v. City of Pittsburgh*, 346 A.2d 269 (Pa. 1975). These criteria are defined as follows:

A 'substantial' interest is an interest in the outcome of the litigation which surpasses the common interest of all citizens in procuring obedience to the law.

A ‘direct’ interest requires a showing that the matter complained of caused harm to the party’s interest. An ‘immediate’ interest involves the nature of the causal connection between the action complained of and the injury to the party challenging it and is shown where the interest the party seeks to protect is within the zone of interests sought to be protected by the statute or the constitutional guarantee in question. *George v. Pa. Pub. Util. Comm’n*, 735 A.2d 1282, 1286 (Pa.Cmwlth. 1999) (George). See also, *South Whitehall Township Police Service v. South Whitehall Township*, 555 A.2d 793, 795 (Pa. 1989) (citations omitted); *Bergdoll, et al. v. Kane, et al.*, 731 A.2d 1261, 1268 (Pa. 1999).

11. The Court in *William Penn Parking Garage* also stated that “the requirement of a “substantial” interest means that the interest must have substance—i.e., there must be some discernible adverse effect to some interest other than the abstract interest of all citizens in having others comply with the law. *William Penn Parking Garage, Inc. et al. v. City of Pittsburgh*, 346 A.2d 269 (Pa. 1975), at 282.

12. The standard set by *William Penn Parking Garage* is applicable to Commission cases. See, *Lavelly v. West Penn Power Company*, Docket No. C-2014-2408502 (Initial Decision entered May 22, 2014, Final Order entered February 12, 2015), and *Courier Express, Inc. v. F.L. Shaffer Company, Inc.* (Order entered August 30, 1990 at Docket No. C-892462, petition for reconsideration denied December 3, 1990).

13. The Commission has held that, in general, a complainant must be the respondent's customer in order to have standing to file a complaint about its utility service. In other words, a complainant which is not a customer of a utility generally does not have the requisite substantial, direct, and immediate interest necessary to confer standing to bring the complaint about the service of that utility. See, *Coggins v PPL Electric Utilities Corp.*, Docket No. C-2012-2312785 (Opinion and Order entered July 18, 2013), *Re: Pennsylvania American Water Company*, 85 Pa. P.U.C. 548 (1995); and *Pa. P.U.C. v. Marietta Gravity Water Company*, 87 Pa. P.U.C. 864 (1997).

14. Because the Complainant is not a customer of the Company's for utility service, and has not alleged that she is applying for service or was denied service by the Company, the Complainant does not possess the requisite standing to file a formal complaint against the Company, and therefore the Complaint should be dismissed.

Second Preliminary Objection
Legal Insufficiency Pursuant to 52 Pa. Code § 5.101(a)(4)

15. Pursuant to 52 Pa. Code § 5.101(a)(4), a formal complaint may be dismissed for legal insufficiency.

16. 52 Pa.Code § 5.101(a)(4) is comparable to Pa.R.C.P. 1028(a)(4), "legal insufficiency of a pleading (demurrer)."

17. The principles applied in ruling upon a demurrer are well-settled:

[W]hen ruling on preliminary objections, [the] Court considers as true all well-pleaded facts which are material and relevant. Specifically, a preliminary objection in the nature of a demurrer is deemed to admit all well-pleaded facts and all inferences reasonably deduced therefrom. In determining whether to sustain a demurrer the court need not accept as true conclusions of law, unwarranted inferences from facts, argumentative allegations, or expressions of opinion. A demurrer will not be sustained unless the face of the complaint shows that the law will not permit recovery, and any doubts should be resolved against sustaining the demurrer. *Giffin v. Chronister*, 151 Pa.Cmwlth. 286, 290, 616 A.2d 1070, 1072 (1992) (citations omitted).

18. Although it has general jurisdiction over service disputes between public utilities operating in Pennsylvania and their customers, the Commission, as a creation of the General Assembly, has only the powers and authority granted to it by the General Assembly contained in the Public Utility Code. See, *Terminato v. Pa. National Insurance Co.*, 645 A.2d 1287 (Pa. 1994); *Elkin v. Bell Tel. Co. of Pa.*, 420 A.2d 371 (Pa. 1980); and *Feingold v. Bell Tel. Co. of Pa.*, 383 A.2d 791 (Pa. 1977).

19. A complaint against a public utility must allege a violation of the Public Utility Code or a regulation or Order of the Commission in order to be legally sufficient. 66 Pa. C.S. §701.

20. In the instant Complaint, there are no such allegations against the Company; there are only demands to require testing of a certain water source, with no allegations that the Company has violated any aspect of the Public Utility Code or a regulation or Order of the Commission.

21. For the reasons set forth above, the Complaint is legally insufficient because it does not allege a violation of the Public Utility Code or a regulation or Order of the Commission and therefore the Complaint should be dismissed.

REQUEST FOR RELIEF

WHEREFORE, for all of the reasons stated herein, Respondent Pennsylvania-American Water Company respectfully requests that the Commission grant its Preliminary Objection and dismiss the Formal Complaint pursuant to 52 Pa. Code § 5.101(a)(7) and 52 Pa. Code § 5.101(a)(4).

Respectfully submitted,
STEVENS & LEE



Michael A. Gruin, (I.D. No. 78625)
17 N. 2nd St., 16th Fl.
Harrisburg, PA 17101
Tel. (717) 255-7365
Fax (610) 988-0852
COUNSEL FOR PENNSYLVANIA
AMERICAN WATER COMPANY

DATE: April 26, 2023

EXHIBIT 1

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint

*Filing this form begins a legal proceeding and you will be a party to the case.
If you do not wish to be a party to the case, consider filing an informal complaint.*

To complete this form, please type or print legibly in ink.

1. Customer (Complainant) Information

Provide your name, mailing address, county, telephone number(s), e-mail address and utility account number. It is your responsibility to update the Commission with any changes to your address and to where you want documents mailed to you.

Name VERA SCROGGINS

Street/P.O. Box 71 Gus Park Lane Apt #

City Brackney State Pa. Zip 18812

County Susquehanna

Telephone Number(s) Where We Can Contact You During the Day (required):

() (home) (607) 237-9685 (mobile)

E-mail Address (required): Veraduerga@gmail.com -

Utility Account Number (from your bill) _____

If your complaint involves utility service provided to a different address or in a different name than your mailing address, please list this information below.

Name Ritztex

Street/P.O. Box Ritztex Rd.

City Montrose State Pa. Zip 18801

2. Name of Utility or Company (Respondent)

Provide the full name of the utility or company about which you are complaining. The name of your utility or company is on your bill.

American PA Water Company

RCUD PUC SEC BUR
APR 3 2023 AM 11:00

3. Type of Utility Service

Check the box listing the type of utility service that is the subject of your complaint (check only one):

- | | |
|---|---|
| <input type="checkbox"/> ELECTRIC | <input type="checkbox"/> STORM WATER |
| <input type="checkbox"/> GAS | <input type="checkbox"/> WASTEWATER/SEWER |
| <input checked="" type="checkbox"/> WATER | <input type="checkbox"/> TELEPHONE/TELECOMMUNICATIONS (local, long distance) |
| <input type="checkbox"/> STEAM HEAT | <input type="checkbox"/> MOTOR CARRIER (e.g. taxi, moving company, limousine) |

4. Reason for Complaint

What kind of problem are you having with the utility or company? Check all boxes below that apply and state the reason for your complaint. Explain specifically what you believe the utility or company has done wrong. Provide relevant details including dates, times and places and any other information that may be important. If the complaint is about billing, tell us the amount you believe is not correct. Use additional paper if you need more space. **Your complaint may be dismissed without a hearing if you do not provide specific information.**

- The utility is threatening to shut off my service or has already shut off my service.

- I would like a payment agreement.

- Incorrect charges are on my bill. Provide dates that are important and an explanation about any amounts or charges that you believe are not correct. Attach a copy of the bill(s) in question if you have it/them.

- I am having a reliability, safety or quality problem with my utility service. Explain the problem, including dates, times or places and any other relevant details that may be important.

Other (explain).

I am drinking water from Lake Montrose, Pa., PAWC water system and my friends, also.

I visit homes and businesses in Montrose that use that water. And have that get this same water delivered to their due to gas drilling problems.

I sent an email and asked Don Kessler, local manager for PAWC, what are they testing Lake Montrose for and are they testing ^{for} possible contaminants due to gas drilling. There are several gas pads with several gas on each pad surrounding area, within a mile of this lake, public water supply.

See my attached emails to Mr. Kessler and his response.

PAWC is not testing for any gas drilling contaminants. We want such comprehensive testing to be done after 14 years of industrial, gas drilling in the area.

We are also concerned about PFAS, PFOS possible presence, which also needs testing -

Note: If your complaint is only about removing or modifying a municipal lien filed by the City of Philadelphia, the Public Utility Commission (PUC) cannot address it. Only local courts in Philadelphia County can address this type of complaint. The PUC can address a complaint about service or incorrect billing even if that amount is subject to a lien.

In addition, the PUC generally does not handle complaints about cell phone or Internet service, but may be able to resolve a dispute regarding voice communications over the Internet (including the inability to make voice 911/E911 emergency calls) or concerns about high-speed access to Internet service.

5. Requested Relief

How do you want your complaint to be resolved? Explain what you want the PUC to order the utility or company to do. Use additional paper if you need more space.

Asking PUC to require PAWC^{to test} their water supplies for these constituents, starting with Lake Montrose, Susquehanna County. And make results public.

Note: The PUC can decide that a customer was not billed correctly and can order billing refunds. The PUC can also fine a utility or company for not following rules and can order a utility or company to correct a problem with your service. Under state law, the PUC cannot decide whether a utility or company should pay customers for loss or damages. Damage claims may be sought in an appropriate civil court.

6. Protection From Abuse (PFA)/ Domestic Violence

Has a court granted you a "Protection From Abuse" order or any other order which provides clear evidence of domestic violence against you that is currently in effect for your personal safety or welfare? The PUC needs this information to properly process your complaint so that your identity is not made public.

Note: You must answer this question if your complaint is against a natural gas distribution utility, an electric distribution utility or a water distribution utility AND your complaint is about a problem involving billing, a request to receive service, a security deposit request, termination of service or a request for a payment agreement.

Has a court granted a "Protection From Abuse" order or any other order for your personal safety or welfare?

YES
NO

If your answer to the above question is "yes," attach a copy of the current Protection From Abuse order to this Formal Complaint form.

7. Prior Utility Contact

a. Is this an appeal from a decision of the PUC's Bureau of Consumer Services (BCS)?

YES
NO

Note: If you answered yes, move to Section 8. No further contact with the utility or company is required. If you answered no, answer the question in Section 7 b. and answer the question in Section 7 c. if relevant.

b. If this is not an appeal from a BCS decision, have you spoken to a utility or company representative about this complaint?

YES
NO

Note: You must contact the utility first if (1) you are a residential customer, (2) your complaint is against a natural gas distribution utility, an electric distribution utility or a water utility AND (3) your complaint is about a billing problem, a service problem, a termination of service problem, or a request for a payment agreement.

c. If you tried to speak to a utility company representative about your complaint but were not able to do so, please explain why.

I spoke with Don Kessler about complaint in person and then sent email (attached) with my concerns. Also, see attached emails to Justin Ladner, and Susan Turemanovich from friend, Craig Stevens, on this issue.

Note: Even if you are not required to contact the utility or company, you should always try to speak to a utility or company representative about your problem before you file a Formal Complaint with the PUC.

8. Legal Representation

If you are filing a Formal Complaint as an individual on your own behalf, you are not required to have a lawyer. You may represent yourself at the hearing.

If you are already represented by a lawyer in this matter, provide your lawyer's name, address, telephone number, and e-mail address, (all required contact information). Please make sure your lawyer is aware of your complaint. If represented by a lawyer, both you and your lawyer must be present at your hearing.

Lawyer's Name n/a-

Street/P.O. Box _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

E-mail Address _____

Note: Corporations, associations, partnerships, limited liability companies and political subdivisions are required to have a lawyer represent them at a hearing and to file any motions, answers, briefs or other legal pleadings.

Vera Scroggins

Brackney, Pa.

607-237-9685

RCVD PUC SEC BUR
APR 3 2023 AM 11:01

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Craig Stevens <clscraigstevens@gmail.com>
To: A Ray Kemble <raykem55@gmail.com>, A John Kotsatos <jk@lawjek.com>

Thu, Dec 8, 2022 at 12:44 PM

----- Forwarded message -----

From: **Craig Stevens** <clscraigstevens@gmail.com>

Date: Thu, Dec 8, 2022 at 12:37 PM

Subject: Fwd: hi, Mr. Kessler; question about water testing? Kessler response today?! No specific answers supplied. !

To: <justin.ladner@amwater.com>, susan.turcmanovich@amwater.com <susan.turcmanovich@amwater.com>

Cc: A Vera Scroggins <Veraduerga@gmail.com>

Hello Mr Ladner And Susan,

My name is Craig Stevens and I am sending you an email chain that was sent to Don Kessler by my friend and neighbor Vera Scroggins, We are asking about water testing at Lake Montrose and Dimock. I will also be forwarding an email of Mr Kessler answering questions to the Montrose Borough Council on Monday December 5th regarding the \$16.29 Million Dollar PAWC project for the families in Dimock.

I have a PAWC Commercial Hydrant Account for the past 11 years that has been used to get Potable Water to my neighbors in Dimock since their Water Deliveries from Cabot were stopped November 30th 2011. I worked directly with Kathy Pape to install the Water Hydrant and moving it out of Montrose when they attempted to charge the property owner \$500 per day for Zoning Violations in 2012 to stop the water to Dimock.

We would like specific answers to the questions Vera has asked Mr Kessler in the emails below.

Vera and I were involved in the original meetings with PA AG Shapiro on May 4th 2017 that started the original investigation that culminated in the Criminal Charges against Cabot and the Dimock Water Project. We would All appreciate a transparent and open dialogue with your team due to the Massive amount of International interest in this issue and the Resolution of getting Clean, Safe Water to the Dimock families.

Thank You For Your Help In Advance In Getting The Answers To Our Questions

Craig Stevens
Patriots From The Oil & Gas Shales
6th Generation Landowner
Silver Lake Township
Susquehanna County PA.

thanks, for your help with this,

Vera Scroggins

Brackney, Pa.

607-237-9685

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Craig Stevens <clscraigstevens@gmail.com>

Thu, Dec 8, 2022 at 12:37 PM

To: justin.ladner@amwater.com, "susan.turcmanovich@amwater.com" <susan.turcmanovich@amwater.com>

Cc: A Vera Scroggins <Veraduega@gmail.com>

Bcc: Craig Stevens <clscraigstevens@gmail.com>

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Thank You For Your Help In Advance In Getting The Answers To Our Questions

Craig Stevens
Patriots From The Oil & Gas Shales
6th Generation Landowner
Silver Lake Township
Susquehanna County PA.
Pa American Water Account # 1024-210033850897
Cell 949-456-6104

Pa American Water Account # 1024-210033850897
Cell 949-456-6104
clsraigstevens@gmail.com

----- Forwarded message -----

From: **Vera Scroggins** <veraduerga@gmail.com>
Date: Thu, Dec 8, 2022 at 11:29 AM
Subject: Fwd: hi, Mr. Kessler; question about water testing? Kessler response today?! No specific answers supplied. !
To:

----- Forwarded message -----

From: **Don A Kessler** <Don.Kessler@amwater.com>
Date: Thu, Dec 8, 2022, 11:24 AM
Subject: Re: hi, Mr. Kessler; question about water testing?
To: Vera Scroggins <veraduerga@gmail.com>

Ms Scroggins

The information below is all that I will be supplying.

Thanks
Don Kessler

From: Vera Scroggins <veraduerga@gmail.com>
Sent: Thursday, December 8, 2022 10:46 AM
To: Don A Kessler <Don.Kessler@amwater.com>
Subject: Re: hi, Mr. Kessler; question about water testing?

EXTERNAL EMAIL: The Actual Sender of this email is veraduerga@gmail.com "Think before you click!".

Mr. Kessler:

Please answer specifically my specific questions.

Either yes or no and the proof showing if "yes".

thank you for your attention to this,

Vera Scroggins
607-237-9685

On Thu, Dec 8, 2022 at 7:26 AM Don A Kessler <Don.Kessler@amwater.com> wrote:

Ms. Scroggins

Feel free to visit Pa American Water web site at <https://www.amwater.com/paaw/> and hover over Water Quality in the banner at the top. In the drop down click on Water Quality Reports. You will be able to scroll down and find the Montrose system and bring up the Water Quality report that includes testing results that PA American Water provides.

clsraigstevens@gmail.com

----- Forwarded message -----

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Ms Scroggins

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The source water monitoring along with the finished water monitoring are performed according to PA Department of Environmental Protection (PA DEP) Safe Drinking water regulations. Those regulations can be found at PA DEP website

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Don A. Kessler, Jr

Sr. Manager NEPA Operations

88 Willow Ave

Susquehanna, PA 18847

From: Vera Scroggins <veraduerga@gmail.com>
Sent: Tuesday, December 6, 2022 2:04 PM
To: Don A Kessler <Don.Kessler@amwater.com>
Subject: hi, Mr. Kessler; question about water testing?

EXTERNAL EMAIL: The Actual Sender of this email is veraduerga@gmail.com "Think before you click!"

hi, Don,

I heard you speak yesterday at Montrose Borough Meeting.

Can you send a list of what PA American Water tests for at their Montrose Lake Treatment Facility?

Do you test for any gas drilling, fracking possible contaminants like heavy metals, solvents, radiums, VOC's, Benzene, gases like methane, ethane, propane, ethylene glycol, barium, manganese, lithium, selenium, strontium, arsenic, toluene, etc..?

Do you test for the gas industry pollutants and impacts similar to the suite that DEP tests for? Gas Wells are near Montrose Lake.

and can you send me a recent set of water test results before and after treatment?

how often do you test the water at Montrose Lake?

thanks, for your help with this,

Vera Scroggins

Brackney, Pa.

607-237-9685

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Craig Stevens <clsraigstevens@gmail.com>

Fwd: hi, Mr. Kessler; question about water testing? Kessler response today?! No specific answers supplied. I

3 messages

Vera Scroggins <veraduerga@gmail.com>
Bcc: clsraigstevens@gmail.com

Thu, Dec 8, 2022 at 11:29 AM

----- Forwarded message -----

From: Don A Kessler <Don.Kessler@amwater.com>
Date: Thu, Dec 8, 2022, 11:24 AM
Subject: Re: hi, Mr. Kessler; question about water testing?
To: Vera Scroggins <veraduerga@gmail.com>

Ms Scroggins

The information below is all that I will be supplying.

Thanks
Don Kessler

From: Vera Scroggins <veraduerga@gmail.com>
Sent: Thursday, December 8, 2022 10:46 AM
To: Don A Kessler <Don.Kessler@amwater.com>
Subject: Re: hi, Mr. Kessler; question about water testing?

EXTERNAL EMAIL: The Actual Sender of this email is veraduerga@gmail.com "Think before you click!"

Mr. Kessler:

Please answer specifically my specific questions.

Either yes or no and the proof showing if "yes".

thank you for your attention to this,

Vera Scroggins
607-237-9685

On Thu, Dec 8, 2022 at 7:26 AM Don A Kessler <Don.Kessler@amwater.com> wrote:

Ms. Scroggins

Feel free to visit Pa American Water web site at <https://www.amwater.com/paaw/> and hover over Water Quality in the banner at the top. In the drop down click on Water Quality Reports. You will be able to scroll down and find the Montrose system and bring up the Water Quality report that includes testing results that PA American Water provides.

The source water monitoring along with the finished water monitoring are performed according to PA Department of Environmental Protection (PA DEP) Safe Drinking water regulations. Those regulations can be found at PA DEP website

Don A. Kessler, Jr
Sr. Manager NEPA Operations
88 Willow Ave
Susquehanna, PA 18847

From: Vera Scroggins <veraduerga@gmail.com>
Sent: Tuesday, December 6, 2022 2:04 PM
To: Don A Kessler <Don.Kessler@amwater.com>
Subject: hi, Mr. Kessler; question about water testing?

EXTERNAL EMAIL: The Actual Sender of this email is veraduerga@gmail.com "Think before you click!"

hi, Don,

I heard you speak yesterday at Montrose Borough Meeting.

Can you send a list of what PA American Water tests for at their Montrose Lake Treatment Facility?

Do you test for any gas drilling, fracking possible contaminants like heavy metals, solvents, radiums, VOC's, Benzene, gases like methane, ethane, propane, ethylene glycol, barium, manganese, lithium, selenium, strontium, arsenic, toluene, etc..?

Do you test for the gas industry pollutants and impacts similar to the suite that DEP tests for? Gas Wells are near Montrose Lake.

and can you send me a recent set of water test results before and after treatment?

how often do you test the water at Montrose Lake?

Don A. Kessler, Jr
Sr. Manager NEPA Operations
88 Willow Ave
Susquehanna, PA 18847

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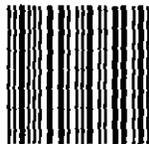
how often do you test the water at Montrose Lake?

thanks, for your help with this,

T. Scroggins
71 Gus Park Ln.
Brackney, Pa. 18812



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Public Utility Commission
Secretary's Bureau
400 North St., 2nd Floor
Harrisburg, Pa. 17120

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

VERA SCROGGINS	:	
Complainant	:	
	:	
v.	:	Docket No. C-2023-3039609
	:	
PENNSYLVANIA-AMERICAN	:	
WATER COMPANY	:	
Respondent	:	

CERTIFICATE OF SERVICE

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

VIA First Class U.S. Mail

Vera Scroggins
71 Gus Park Lane
Brackney, PA 18812



Michael A. Gruin

DATED: April 26, 2023