

September 29, 2023

Ms. Rosemary Chiavetta  
Secretary of the Commission  
Commonwealth of Pennsylvania  
Public Utility Commission  
PO Box 3265  
Harrisburg, PA 17105-3265

Re: R-2023-3041575  
TUS Data Request Set 1 Responses  
Of Petitioner dated September 22, 2023

Dear Secretary Chiavetta:

We are in receipt of Petitioner's Responses to TUS Data Request Set 1 dated September 22, 2023 (89 PDF pages) in the above-referenced matter. We realize the Commission is busy, but it is imperative that we bring to the attention of the Commission certain incomplete, inconsistent, inaccurate responses and erroneous methodologies contained in Petitioner's response. We will attempt to be brief.

- Response R-6 – Petitioner was asked to provide 12 months of CLPWC electric bills. Petitioner provided electric bills for one of its related party business ventures (Convention Hall) and an incomplete, confusing printout for a second related party business venture (CLP Camperland, LLC). The printouts submitted for Camperland are incomplete. They are not electric bills and do not clearly reflect actual electricity charges by month as requested by the Commission. More importantly, it is unclear to us how or why electricity costs for the commercial storage facility (Convention Hall) and commercial campground operation (CLP Camperland, LLC) are the responsibility of CLPWC. As the electricity charges for these related party business ventures are evidently being charged against water company revenues as shown in Schedule D of Petitioner's Tariff Supplement Filing of August 31, 2023, we request the Commission make further inquiries and investigate this.
- Response R-6 – All electric bills provided appear to be the legal responsibility of a related party (Todd Joseph Properties, LLC), not CLPWC. As electricity bills are not being paid by CLPWC, it is inconsistent to reflect the electricity bills in CLPWC's income statement (Schedule D). We request the Commission make further inquiries and investigate this.
- Response R-6 – Responsible Witness Joseph has created a summary table that employs erroneous methodologies. More specifically, Responsible Witness Joseph has recorded late charges and cumulative balances due in his Response R-6, as opposed to actual electricity charges. This has the unintended or intended effect of overstating electricity charges as electric bills are routinely paid late. We are singularly focused on the location identified within the bills as George Street as we believe that is the only location of relevance to CLPWC. Notwithstanding, the same careless, haphazard, and erroneous methodologies have likely been applied to the remaining two related party ventures, Convention Hall and Camperland.

By way of example, the bill for June 2023 reflects electricity charges of \$517.23 and is recorded in the George Street June 2023 column (R-6, PDF Page 11 of 89). However, the June 2023 bill was not paid timely and is rolled into the July billing statement from Penelec. The July billing statement reflects **new charges of \$508.74** for July service plus the June charges of \$517.23. In error, Petitioner carelessly and haphazardly records \$1,025.97 in the

George Street July 2023 column (which includes the already-recorded charges of \$517.23 for June 2023 plus the charges of \$508.74 for July 2023). This has the unintended or intended effect of double counting the June 2023 electricity charges. The same careless and haphazard recording occurs in August 2023, as Responsible Witness Joseph reports an expense of \$1,811.70. This causes the June 2023 charges to be triple counted and the July 2023 charges to be double counted. We request the Commission further investigate this and require Petitioner to re-submit complete, accurate summaries of electricity charges in a more prudent, careful manner.

- Response R-7 – Responsible witness Heppenstall relies on erroneous computations in R-6 and misrepresents to the Commission that purchased power expense is reasonable. Heppenstall actually represents the charges are **“more than reasonable”**. Based on our analysis, the purchased power expense for the George Street plant on a 12-month basis is approximately \$7,000 – more in line with purchased power expense of the prior operator. Nothing we have seen substantiates that CLPWC is incurring or paying \$24,000 for purchased power and we believe this amount is grossly overstated. Please see Exhibit A attached.
- Response R-13 – We continue to note what appear to be material discrepancies in noncash depreciation expense, the largest expense in the 2021 and 2022 income statements. Petitioner has listed a July 1, 2021 addition labeled “water” in the amount of \$403,000 in its 2022 PA Schedule C. In direct conflict to this, Response R-11 indicates mains were installed in 2021 and 2022, in the amount of \$104,000 and \$89,000, respectively. Curiously, these assets are not listed in the 2022 PA Schedule C that was provided by Petitioner. Responses from Responsible Witnesses Heppenstall and Joseph fall short of addressing the Commission’s initial question and providing requested detail. Finally, after making inquiries of various neighbors in the North and South end of the water system, we are not aware of any water main replacement projects that may have been initiated in 2021 and/or 2022. As depreciation expense is the largest expense item in Petitioner’s income statement, we request the Commission make further inquiries or refer this to the Pennsylvania Department of Revenue to verify that the disclosed assets in question do exist and are properly reflected as assets of CLPWC.
- Response R-20 – Responsible Witness Joseph indicates CLP Water Park, LLC was simultaneously formed in 2021 to be the corporate vehicle for the water system. It appears the LLC is being used as stated. It was originally assumed that CLP Water Park, LLC was intended to house the water park assets that were acquired in the bankruptcy proceeding, including 2 waterslides, children’s pool, bathhouse, and fully functional lazy river. Notwithstanding, the use of this LLC contradicts the information contained in the rate increase case filed on August 31, 2023. More specifically, the Schedule D contained in said filing (PDF Page 34 of 53), Petitioner asserts it is a corporation, disclosing a Federal corporate tax rate of 21% and a State Corporate Net Income Tax Rate of 8.99%. If an LLC (sole proprietorship) is, in fact, being used as the corporate vehicle, then the Federal tax rate can not be 21%, as current Federal tax rates for LLC’s taxed as sole proprietorships can be 10%, 12%, 22%, 24%, 32%, 35% or 37%. Furthermore, the State tax rate of 8.99% is most definitely overstated. The tax rate for an LLC taxed as a sole proprietorship in the Commonwealth of Pennsylvania is currently a flat tax rate, 3.07%, not 8.99%. This should be further investigated by the Commission or referred to the Department of Revenue for further investigation.
- Response R-25 – Responsible Witnesses Heppenstall and Joseph indicate Convention Hall and Beach Club are no longer operational. As recently as August 29, 2023, the Convention Hall was marketed as a commercial storage facility in direct contradiction to the statement that

it is no longer operational. Please refer to Exhibit B. Beach Club was destroyed by a fire many years ago. A new commercial business venture, Tiki Bar, has been and currently is fully operational on the site of the former Beach Club. Please refer to Exhibit C. Petitioner makes no reference to these operations or the operations of other related party commercial ventures. To more fully understand the robust scope of commercial activities being conducted by Responsible Witness Joseph including, but not limited to, campground, marina, hotel, tiki bar, festival fairgrounds, etc., the Commission could visit [newconneautlakepark.com](http://newconneautlakepark.com). Responsible Witness statements should be further investigated by the Commission.

The above was prepared by Brian R. Lang, on behalf of Elaine and Frank Lang, seasonal residents at 12124 Center Street West, Conneaut Lake, PA. Brian is informed and believes the above statements to be true and accurate. Frank and Elaine Lang receive all mail at 320 Golden Gate Drive, Verona, PA 15147, as opposed to the Conneaut Lake, PA address.

Respectfully Submitted,

Brian R. Lang

cc: Pennsylvania PUC via portal upload  
Allison C. Kaster via email  
Joshua D. Brown, Esq. via email

**Exhibit A**

George Street

9/19/2022	527.13
10/21/2022	533.01
11/22/2022	545.71
12/20/2022	651.44
1/20/2023	755.60
2/20/2023	648.40
3/20/2023	612.22
4/20/2023	469.98
5/20/2023	487.18
6/20/2023	511.38
7/7/2023	502.67
8/22/2023	769.82
Total Charges	<u><u>7,014.54</u></u>





**amous  
umpkin Drop  
day 5PM &  
day 4PM**



EXHIBIT B, See Box on Next Page



**Fall Pumpkin Fest at Conneaut Lake Park**

September 10 at 3:28 PM · 🌐

For more info, or a vendor application, contact Becky Leonard:  
814-720-2917 or [beckymleonard@gmail.com](mailto:beckymleonard@gmail.com).

60

34 shares

Like

Share

New Conneaut Lake Park limited who can comment on this post.



**New Conneaut Lake Park · Follow**

September 5 at 5:21 AM · 🌐

**Fall Pumpkin Fest  
PAGEANT  
October 7<sup>th</sup>, 2023**



**CONNEAUT LAKE MIDDLE SCHOOL**

For an application call: **814-547-1950**

or visit our website: [www.conneautlake.com](http://www.conneautlake.com)

*Sponsored by:*



**CLABA - Conneaut Lake Area Business Association**

September 3 at 1:51 PM · 🌐

8

2 shares

Like

Share

New Conneaut Lake Park limited who can comment on this post.



**New Conneaut Lake Park · Follow**



81

4 shares

Like

Share



New Conneaut Lake Park limited who can comment on this post.



New Conneaut Lake Park · Follow

August 29 at 7:32 PM · 🌐



The Backyard Self Storage Complex · Follow

August 29 at 4:45 PM · 🌐

The Backyard State Storage Complex has access to Covered Indoor Boat, RV & Car storage for the upcoming winter season. Also available year round. Dry indoor covered storage inside Conneaut Lake Park convention center. If you are looking for a safe place to store your Boat, RV or Car call Wayne at 814-282-6356.

## Search Results for

new conneaut lake park

### Filters

All



Select Page



## **Tiki Bar Hours:**

Sunday 11am-7pm

Monday 1pm-9pm

Tuesday 1pm-9pm

Wednesday 1pm-9pm

Thursday 1pm-9pm

Friday 1pm-10pm

Saturday 11am-10pm

Hours based on weather and attendance. All policies subject to change without notice.

**Follow us on Facebook! The Tiki Bar at  
Conneaut Lake Park**





The Tiki Bar is located on the beach at the end of Reed Ave. **The Tiki Bar sits where the Beach Club/Cafeteria used to be before it was lost to a fire in 2013.** Parking is available on the hill behind the Tiki Bar and also across from the Convention Center. Golf carts and motorcycles may come down the hill beside the Tiki Bar and park along the grass and in front of our marina. **Boaters are also welcome and guest docking is available inside the marina, spots N1-N5.**



**Come Hang Out With Us. We Have  
Loads of Fun In Store For You!**



**Contact Park Office:**  
newconneautlakepark@  
gmail.com

**Park Address:**  
12382 Center St.  
Conneaut Lake, PA  
16316

Amusement Park  
Boardwalk & Beach  
Mini Golf

**Event Listings & Calendar**

Booking/Venue: Lakeview  
Lawn

**Rentals/Birthday Parties**

**Lodging/Hotel**

**Camperland/Campsites**

Camperland/Cabins

Park Info

Prices

Directions to Park

Contact

**Privacy Policy**

Design By | Octopus 9  
Handcrafted Websites as  
Unique as U

© 2021 Keldon Holdings LLC  
All Rights Reserved