

**COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE PENNSYLVANIA PUBLIC UTILITIES COMMISSION**

PENNSYLVANIA PUBLIC UTILITY  
COMMISSION, BUREAU OF  
INVESTIGATION AND ENFORCEMENT,

v.

ROCK SPRING WATER COMPANY.

:  
:  
:  
:  
:  
:  
:

No. P-2024-3051313  
I-2024-

**TYPE OF PLEADING:**

**BRIEF OF ROCK SPRING  
WATER COMPANY**

**Filed on Behalf Of:**

**Rock Spring Water Company**

**Counsel of Record for this Party:**

**James N. Bryant, Esq.  
PA I.D. 14084**

**Carolyn M. Larrabee, Esq.  
PA I.D. 93117**

**BRYANT LARRABEE, P.C.**

**107 East Main Street  
P. O. Box 551  
Millheim, PA 16854**

**(814) 349-5666  
(814) 349-2212 (FAX)**

**Jnbryant1@verizon.net  
cmlarrabee@centrecountylaw.com**

**COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE PENNSYLVANIA PUBLIC UTILITIES COMMISSION**

PENNSYLVANIA PUBLIC UTILITY	:	
COMMISSION, BUREAU OF	:	No. P-2024-3051313
INVESTIGATION AND ENFORCEMENT,	:	I-2024-
	:	
v.	:	
	:	
ROCK SPRING WATER COMPANY.	:	

**BRIEF OF ROCK SPRING WATER COMPANY**

AND NOW COME, James N. Bryant, Esq., Carolyn M. Larrabee, Esq., and BRYANT LARRABEE, P.C., representing Rock Spring Water Company, who file this Brief as required by Order of the Honorable John M. Coogan on February 14, 2025, and in support thereof, aver as follows:

Since 1913, the Commonwealth of Pennsylvania has performed executions in Centre County. The method has been changed three times. There were procedural changes only; the net effect was still termination of life. Rock Spring Water Company has asked to be terminated. The only objectors are father and daughter shareholders who failed to keep up with the system's aging and senescence. Their actions included ignoring the Public Utility Commission and other agencies' efforts to protect the customers. Rock Spring, the corporation, as well as other water companies, the Office of Consumer Protection, the Department of Environmental Protection, and the Public Utility Commission, all agree that immediate cessation is appropriate. The only real argument is procedural: who should pull the lever, throw the switch, or push the plunger. Had

the PUC not objected to the Common Pleas Court appointing a receiver, the termination would have already begun.

The Honorable John Coogan has asked all parties to review *Venango Water Company – Ex Parte Emergency Order Naming Aqua Pennsylvania, Inc. as Receiver*, 2024 WL 4723210 (Pa.P.U.C.), which sets forth four questions that must be answered in the affirmative for relief to be granted:

1) Is the Petitioner's right to relief clear?

The Petitioner, supported by all other state agencies which have been involved with Rock Spring in the past, as well as the proposed receiver, and other nearby water companies introduced uncontradicted evidence of the deplorable condition of Rock Spring Water Company, as well as the lack of ability to operate the facility by the current minority shareholders, the President and the Secretary. Various citations and court orders that were accepted into evidence amply support this finding. It is also significant that counsel for the corporation on behalf of the corporation filed an Answer agreeing with all allegations of the initial Petition. The only objection, not surprisingly, was from the President of Rock Spring Water Company and his daughter who would be immediately terminated upon the granting of the Petition.

2) Is the need for relief clear?

This was demonstrated beyond the shadow of a doubt by the testimony of the various witnesses.

3) Would injury be irreparable if relief is not granted?

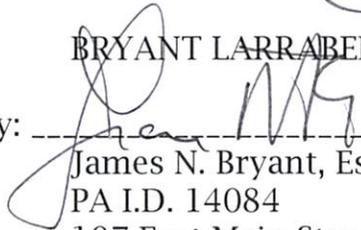
The exhibits and testimony demonstrate that more than 60% of the water going into the system disappears. So also do the current operators disappear, not respond to fixing leaks, nor to orders of the various agencies responsible for protecting the consumers. The State College Borough Water Authority is ready, willing, and able to operate in the interim and is the logical choice logistically. SCBWA is also actively seeking funding to permanently acquire the system and will participate in a 529 Investigation as long as it will be permitted, if it acquires the system, to discontinue direct regulation by the Public Utility Commission.

4) Would relief be injurious to the public interest?

On the contrary, relief would be of great benefit to the 400+ customers of Rock Spring Water Company.

Respectfully Submitted,

BRYANT LARRABEE, P.C.

By: -----

James N. Bryant, Esq.

PA I.D. 14084

107 East Main Street, P.O. Box 551  
Millheim, PA 16854

(814) 349-5666

(814) 349-2212 (fax)

Jnbryant1@verizon.net

By: -----

Carolyn M. Larrabee, Esq.

PA I.D. 93117

107 East Main Street, P.O. Box 551  
Millheim, PA 16854

(814) 349-5666

(814) 349-2212 (fax)

cmlarrabee@centrecountylaw.com

**COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE PENNSYLVANIA PUBLIC UTILITIES COMMISSION**

PENNSYLVANIA PUBLIC UTILITY  
COMMISSION, BUREAU OF  
INVESTIGATION AND ENFORCEMENT,

:  
:  
:  
:  
:  
:

No. P-2024-3051313  
I-2024-

v.

ROCK SPRING WATER COMPANY.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within Brief of Rock Spring Water Company was served by depositing the same via electronic mail, addressed to the following:

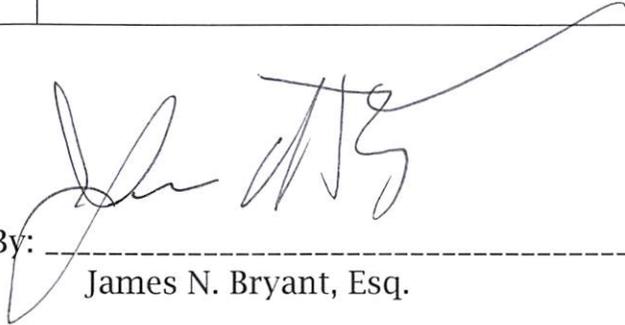
<b>Davis S. Gaines, Jr., Esq. State College Borough Water Authority (SCBWA) 211 Kimport Avenue Boalsburg, PA 16827 Bmix470@gmail.com</b>	<b>Amanda Chaplin, Esq. Glenn P. Masser, Esq. Commonwealth of Pennsylvania Dept. of Environmental Protection 208 West Third Street, Suite 101 Williamsport, PA 17701 achaplin@pa.gov gmasser@pa.gov</b>
<b>Carrie B. Wright PA Public Utilities Commission Bureau of Investigation and Enforcement 400 North Street Harrisburg, PA 17120 jcoogan@pa.gov cawright@pa.gov</b>	<b>Jacob D. Guthrie, Esq. Emily A. Farren, Esq. Office of Consumer Advocate 555 Walnut Street, 5<sup>th</sup> Floor Harrisburg, PA 17101-1923 JGuthrie@paoca.org EFarren@paoca.org OCARockSpring@paoca.org</b>
<b>Elizabeth A. Dupuis, Esq. Morgan M. Madden, Esq. Babst Calland Clements &amp; Zomnir, P.C. 330 Innovation Blvd., Suite 302 State College, PA 16803 bdupuis@babstcalland.com mmadden@babstcalland.com</b>	<b>Elizabeth Rose Triscari, Esq. Teresa K. Harrold, Esq. Pennsylvania - American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055 elizabeth.triscari@amwater.com teresa.harrold@amwater.com</b>

<b>Alexander R. Stahl, Esq.</b> <b>Aqua Pennsylvania, Inc.</b> <b>762 West Lancaster Avenue</b> <b>Bryn Mawr, PA 19010</b> <b>astahl@aquaamerica.com</b>	<b>Rebecca Lyttle, Esq.</b> <b>Office of Small Business Advocate</b> <b>555 Walnut Street, 1<sup>st</sup> Floor</b> <b>Harrisburg, PA 17101</b> <b>relyttle@pa.gov</b>
<b>David P. Zambito, Esq.</b> <b>Jonathan P. Nase, Esq.</b> <b>Cozen O'Connor</b> <b>17 North Second Street, Suite 1410</b> <b>Harrisburg, PA 17101</b> <b>dzambito@cozen.com</b> <b>jnase@cozen.com</b>	<b>James C. Cagle</b> <b>Veolia Water</b> <b>310 Allentown Boulevard, Suite 104</b> <b>Harrisburg, PA 17112</b> <b>james.cagle@veolia.com</b>

I hereby certify that a true and correct copy of the within Brief for Rock Spring Water Company was served by depositing the same with the United States Postal Service, postage prepaid, to the following addresses:

<b>J. Roy Campbell</b> <b>c/o Rodney Beard, Esq.</b> <b>101 North Allegheny Street</b> <b>Bellefonte, PA 16823</b>	<b>Sue Campbell</b> <b>150 Farmers Way</b> <b>Pennsylvania Furnace, PA 16865</b>
<b>Frances Campbell</b> <b>400 Plainfield Road</b> <b>Pennsylvania Furnace, PA 16865</b>	<b>Charles Williams</b> <b>140 Fisher Run Road</b> <b>Bloomsburg, PA 17815</b>
<b>Edith Williamson</b> <b>8795 Old Dumfries Road</b> <b>Catlett, VA 20119</b>	<b>Clay Campbell</b> <b>401 Plainfield Road</b> <b>Pennsylvania Furnace, PA 16865</b>
<b>C. John Campbell</b> <b>150 Farmers Way</b> <b>Pennsylvania Furnace, PA 16865</b>	<b>Elizabeth Campbell</b> <b>4607 West Whitehall Road</b> <b>Pennsylvania Furnace, PA 16865</b>

<b>Emilie Campbell</b> 4607 West Whitehall Road Pennsylvania Furnace, PA 16865	<b>Julie Campbell</b> 2806 Orange Grove Trail Naples, FL 34120
<b>Michael Dodge</b> 2806 Orange Grove Trail Naples, FL 34120	<b>James Harper</b> 5220 West Whitehall Road Pennsylvania Furnace, PA 16865

  
By: \_\_\_\_\_  
James N. Bryant, Esq.

  
By: \_\_\_\_\_  
Carolyn M. Larrabee, Esq.

DATED: February 18, 2025

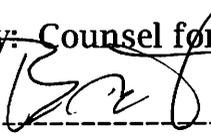
**COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE PENNSYLVANIA PUBLIC UTILITIES COMMISSION**

PENNSYLVANIA PUBLIC UTILITY	:	
COMMISSION, BUREAU OF	:	No. P-2024-3051313
INVESTIGATION AND ENFORCEMENT,	:	I-2024-
	:	
v.	:	
	:	
ROCK SPRING WATER COMPANY.	:	

**CERTIFICATE OF COMPLIANCE**

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: ~~Counsel for Rock Spring Water Co.~~

Signature: -----

Name: James N. Bryant, Esq.

Attorney No. 14084