

CAPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00
- 2. BUREAU: SAC
- 3. SECTION(S):
- 5. APPROVED BY: DIRECTOR: SUPERVISOR:
- 6. PERSON IN CHARGE:
- 8. DOCKET NO: A-230540
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 08/17/93
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT:

RESPONDENT/APPLICANT: WONDERVIEW SANITARY FACILITIES

COMP/APP COUNTY: COLUMBIA

UTILITY CODE: 230540

ALLEGATION OR SUBJECT

APPLICATION OF WONDERVIEW SANITARY FACILITIES FOR APPROVAL TO OFFER, RENDER, FURNISH OR SUPPLY SEWERAGE SERVICE TO ADDITIONAL CUSTOMERS IN MAIN AND CATAWISSA TOWNSHIPS, COLUMBIA COUNTY, PENNSYLVANIA

DOCKETED  
AUG 18 1993

DOCUMENT  
FOLDER

*Thomas, Thomas, Armstrong & Niesen*  
*Attorneys and Counsellors at Law*

ORIGINAL

CHARLES E. THOMAS  
JACK F. ASCHINGER  
CARROLL F. PURDY  
CHARLES E. THOMAS, JR.  
D. MARK THOMAS  
PATRICIA ARMSTRONG  
THOMAS T. NIESEN  
JOHN A. ALZAMORA  
JOHN G. SHORT

212 LOCUST STREET  
P. O. BOX 9500  
HARRISBURG, PA 17108-9500

(717) 255-7600

FAX (717) 236-8278

(VERIFY (717) 255-7618)

WRITER'S DIRECT DIAL NUMBER

(717) 255-7641

August 16, 1993

John G. Alford, Secretary  
Pennsylvania Public Utility Commission  
North Office Building  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Re: Wonderview Sanitary Facilities

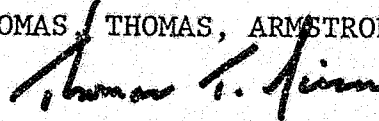
Dear Secretary Alford:

Enclosed for filing on behalf of Wonderview Sanitary Facilities are an original and two (2) copies of the Company's Application for approval of an amendment to its certificate of public convenience which will allow it to supply sewage service to additional customers in Main and Catawissa Townships, Columbia County. Please call the undersigned if you have any questions concerning the Application.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By



Thomas T. Niesen

V:M055

Enclosures

cc: Certificate of Service (w/enclosure)  
Mr. John Yohey (w/enclosure)

DOCUMENT  
FOLDER

RECORDED  
INDEXED  
AUG 16 1993  
COMMUNICATIONS DIV

A-230540

*Thomas, Thomas, Armstrong & Niesen*  
*Attorneys and Counsellors at Law*

ORIGINAL

CHARLES E. THOMAS  
JACK F. ASCHINGER  
CARROLL F. PURDY  
CHARLES E. THOMAS, JR.  
D. MARK THOMAS  
PATRICIA ARMSTRONG  
THOMAS T. NIESEN  
JOHN A. ALZAMORA  
JOHN G. SHORT

212 LOCUST STREET  
P. O. BOX 9500  
HARRISBURG, PA 17108-9500  
  
(717) 255-7600  
  
FAX (717) 236-8278  
(VERIFY (717) 255-7616)

WRITER'S DIRECT DIAL NUMBER

717/255-7641

A-230540

August 17, 1993

John G. Alford, Secretary  
Pennsylvania Public Utility Commission  
North Office Building  
P. O. Box 3265  
Harrisburg, PA 17105-3265

DOCKETED

AUG 18 1993

RECEIVED  
AUG 17 1993  
P. U. COM. DIV.

In re: Wonderview Sanitary Facilities

Dear Secretary Alford:

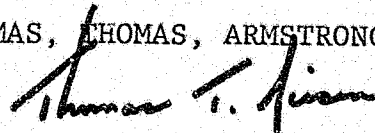
Enclosed is check No. 12402 of Stone Castle Motel/Wonderview Water Company in the amount of \$350.00 in payment of the filing fee for the Application of Wonderview Sanitary Facilities filed on August 16, 1993. The Application asks the Public Utility Commission to approve an amendment to WSF's Certificate of Public Convenience which would allow it to serve additional customers in Columbia County.

Please provide us with a receipt acknowledging payment of the filing fee. Please call the undersigned if you have any questions concerning the Application.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By



Thomas T. Niesen

TTN:r:W19  
Encl.  
cc: Mr. John Yohey

DOCUMENT  
FOLDER

ORIGINAL

Before The  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re: Application of :  
 :  
 WONDERVIEW SANITARY FACILITIES : Application Docket  
 : No. A-230540  
 :  
 for approval of an amendment :  
 to its certificate of public :  
 convenience which will allow :  
 it to offer, render, furnish :  
 or supply sewerage service to :  
 additional customers in Main :  
 and Catawissa Townships, :  
 Columbia County, Pennsylvania :

DOCKETED  
AUG 8 1993

RECEIVED  
AUG 11 1993

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. The name and address of Applicant are:

Wonderview Sanitary Facilities  
560 Montour Boulevard  
Bloomsburg, PA 17815

2. The name and address of Applicant's attorney are:

Thomas T. Niesen, Esquire  
THOMAS, THOMAS, ARMSTRONG & NIESEN  
212 Locust Street  
P. O. Box 9500  
Harrisburg, PA 17108-9500  
717/255-7641

DOCUMENT  
FOLDER

3. Wonderview Sanitary Facilities ("WSF") is a sole proprietorship owned by Clyde Yohey. WSF furnishes sewage service to 127 customers in the Wonderview Residential Development in Main and Catawissa Townships, Columbia County, Pennsylvania.

4. WSF furnishes service pursuant to an Order of the Public Utility Commission ("PUC") entered March 15, 1976, granting WSF a Certificate of Public Convenience at Docket

No. A-98490. The Certificate limits WSF's service to no more than 113 single family residences.

5. By Order entered April 20, 1993 at Docket No. R-922369, the PUC approved a Joint Petition for Settlement of Rate Investigation which, inter alia, required WSF to apply to the PUC to amend its Certificate of Public Convenience to reflect additional customer usage above the present 113 customer maximum.

6. In accordance with the Order entered April 20, 1993, WSF seeks to amend its Certificate of Public Convenience to allow it to serve no more than 161 residences (total population 470) in the Wonderview Residential Development in Main and Catawissa Townships, Columbia County, Pennsylvania. The amended Certificate of Public Convenience will reflect the Department of Environmental Resources' certification of WSF's plant for service to a population of 470. A copy of pertinent pages from WSF's Water Quality Management Permit is attached hereto as Attachment A.

7. No additional capital will be required by WSF in connection with this Application.

8. No corporation, partnership or individual is now furnishing or has corporate or franchise rights to furnish service similar to that to be rendered by WSF in the Wonderview Residential Development and no competitive conditions will be created.

9. WSF will employ its existing sewage plant to furnish service to the additional customers.

10. Applicant's 1992 Annual Report to the PUC is incorporated herein by reference and includes the most recent accounting and financial information available.

11. Applicant will charge the rates approved by the PUC, presently \$35.65 per month, for sewage service in the territory covered by this Application.

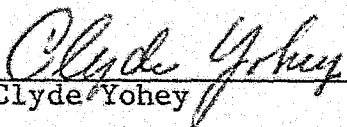
12. Approval of the Application is necessary or proper in order to reflect in WSF's Certificate of Public Convenience the number of customers/total population which WSF may serve.

WHEREFORE, Wonderview Sanitary Facilities prays that the Pennsylvania Public Utility Commission amend Wonderview Sanitary Facilities' Certificate of Public Convenience to allow it to offer, render, furnish or supply sewerage service to a total of 161 residences (population 470) in Main and Catawissa Townships.

Respectfully submitted,

WONDERVIEW SANITARY FACILITIES

By

  
Clyde Yohey

WWC/W17

Attachment A

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL RESOURCES  
BUREAU OF WATER QUALITY MANAGEMENT

WATER QUALITY MANAGEMENT PERMIT

NO. 1976403

A. PERMITTEE (Name and Address)

Clyde E. Yohey  
RD#2  
Bloomsburg, PA 17815

B. PROJECT LOCATION

300, 100  
19-921-7-01-01 - 500, 101  
Municipality Main Township  
County Columbia

C. TYPE OF FACILITY OR ESTABLISHMENT  
sewers and appurtenances; extended  
aeration treatment plant

D. NAME OF MINE, OPERATION OR AREA SERVED

Wonderview Development

E. THIS PERMIT APPROVES

1. Plans For Construction of

- a.  PUMP STATIONS, SEWERS AND APPURTENANCES
- b.  SEWAGE TREATMENT FACILITIES
- c.  MINE DRAINAGE TREATMENT FACILITIES
- d.  INDUSTRIAL WASTE TREATMENT FACILITIES
- e.  OUTFALL & HEADWALL
- f.  STREAM CROSSING

2. The Discharge of:

- a.  TREATED
- UNTREATED
- b.  INDUSTRIAL WASTE
- MINE DRAINAGE
- SEWAGE

3. The Operation of:

- MINE MAXIMUM AREA TO BE DEEP MINED \_\_\_\_\_
- DAM

4. An Erosion and Sedimentation Control Plan

PROJECT AREA IS \_\_\_\_\_ ACRES.

5. Nature of Discharge or Impoundment:

- DISCHARGE TO SURFACE WATER
- DISCHARGE TO GROUND WATER
- IMPOUNDMENT

North Branch Susquehanna River  
(Name of Stream to which discharged or drainage area on which ground water discharge takes place or impoundment is located).

F. You are hereby authorized to construct, operate or discharge, as indicated above, provided that you comply with the following :

1. All representations regarding operations, construction, maintenance and closing procedures as well as all other matters set forth in your application and its supporting documents (Application No. 1976403 dated May 3, 1976), and amendments dated \_\_\_\_\_ Such application, its supporting documents and amendments are hereby made a part of this permit.
2. Conditions numbered 1, 2, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 29, 30 of the Severage Standard Conditions dated 1972, rev. 5-73 which conditions are attached hereto and are made a part of this permit.
3. Special condition(s) designated None which are attached hereto and are made a part of this permit.

G. The Authority granted by this permit is subject to the following further qualifications:

1. If there is a conflict between the application or its supporting documents and amendments and the standard or special conditions, the standard or special conditions shall apply.
2. Failure to comply with the Rules and Regulations of the Department or the terms or conditions of this permit shall void the authority given to the permittee by the issuance of the permit.
3. This permit is issued pursuant to the Clean Streams Law, The Act of June 22, 1937, P.L. 1987 as amended and/or the Water Obstruction Act of June 25, 1913, P.L. 555 as amended. Issuance of this permit shall not relieve the permittee of any responsibility under any other law.

PERMIT ISSUED

MAY 28 1976

DATE

DEPARTMENT OF ENVIRONMENTAL RESOURCES

BY

*Mark A. Roller*

Mark A. Roller, P.E.

TITLE

Regional Sanitary Engineer

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL RESOURCES  
WATER QUALITY MANAGEMENT

DATE PREPARED

For Department Use Only

APPLICATION FOR  
WATER QUALITY MANAGEMENT PERMIT

APPLICANT NAME <b>Clyde E. Yohey</b>		PROJECT LOCATION	
TELEPHONE NO. <b>717-784-6560</b>		(A) MUNICIPALITY <b>Main and Catawissa Townships</b>	
MAILING ADDRESS <b>R.D. 2 Bloomsburg, Pa.</b>		(B) COUNTY <b>Columbia</b>	

HEREBY APPLIES FOR: (CHECK APPROPRIATE BLOCKS IN SECTION A, B, C AND D)

A. APPROVAL OF PLANS FOR CONSTRUCTION OF: <input checked="" type="checkbox"/> PUMP STATIONS, SEWERS AND APPURTENANCES <input checked="" type="checkbox"/> SEWAGE TREATMENT PLANT <input type="checkbox"/> MINE DRAINAGE TREATMENT PLANT <input type="checkbox"/> INDUSTRIAL WASTE TREATMENT PLANT <input type="checkbox"/> OUTFALL AND HEADWALL <input type="checkbox"/> STREAM CROSSING		B. APPROVAL TO DISCHARGE: (1) <input checked="" type="checkbox"/> TREATED <input type="checkbox"/> UNTREATED (2) <input type="checkbox"/> INDUSTRIAL WASTES <input type="checkbox"/> MINE DRAINAGE <input checked="" type="checkbox"/> SEWAGE	C. APPROVAL TO OPERATE: <input type="checkbox"/> UNDERGROUND MINE D. APPROVAL OF AN <input type="checkbox"/> EROSION AND SEDIMENTATION PLAN
--	--	--	--

(ALL DISCHARGES OF WASTES ARE PURSUANT TO "THE CLEAN STREAMS LAW")

I HEREBY CERTIFY THAT THE ACCOMPANYING REPORT AND ALL PLANS, MODULES, AND DOCUMENTS DESIGNATED THEREIN ARE ATTACHED TO THIS APPLICATION, AND MADE A PART HEREOF.

*Clyde E. Yohey*  
SIGNATURE OF APPLICANT OR RESPONSIBLE OFFICIAL

NAME OF APPLICANT OR RESPONSIBLE OFFICIAL: <b>Clyde E. Yohey</b>	TITLE <b>Owner</b>	DATE OF APPLICATION <b>3 May 1976</b>
---	-----------------------	--

ADDRESS  
**Route 2, Bloomsburg, Pa. 17815**

AFFIDAVIT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF Columbia

I, Clyde E. Yohey, BEING DULY SWORN, ACCORDING TO LAW, DEPOSE AND SAY THAT I (AM THE APPLICANT) (AM AN OFFICER OR OFFICIAL OF THE APPLICANT) (HAVE THE AUTHORITY TO MAKE THIS APPLICATION) AND THAT THE PLANS, REPORTS AND DOCUMENTS SUBMITTED AS PART OF THE APPLICATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SWORN AND SUBSCRIBED TO BEFORE ME THIS

14th DAY OF April 19 76

*[Signature]*  
NOTARY PUBLIC  
*The County of Columbia Pa. 4/14/76*

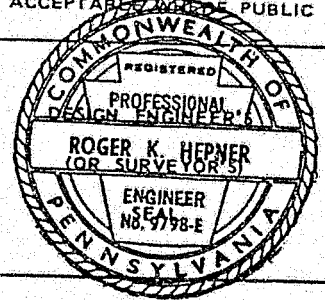
*Clyde E. Yohey*  
SIGNATURE OF APPLICANT OR RESPONSIBLE OFFICIAL

THIS SECTION BELOW IS TO BE COMPLETED BY THE PERSON AUTHORIZED BY THE APPLICANT TO PREPARE THIS APPLICATION. NOTE: SEWERAGE, INDUSTRIAL WASTE, AND MINE DRAINAGE APPLICATIONS REQUIRE A REGISTERED PROFESSIONAL ENGINEER, EXCEPT THAT A REGISTERED SURVEYOR IS ACCEPTABLE WHERE PUBLIC HEALTH AND SAFETY ARE NOT INVOLVED.

NAME OF DESIGN ENGINEER (OR SURVEYOR) AND FIRM  
**Mid-Penn Engineering Corporation**

MAILING ADDRESS <b>D.O.W. Bldg Rte 15 South Lewisburg, Pa. 17837</b>	TELEPHONE NUMBER <b>717 524-2214</b>
---	---

AGREEMENT DATE SIGNATURE OF DESIGN ENGINEER (OR SURVEYOR)  
*[Signature]*



**WATER POLLUTION CONTROL**  
**MODULE 1 - GENERAL INFORMATION**  
**SEWERAGE**

For Department Use Only

19 046.1  
DATE PREPARED  
1973  
DATE REVISED  
MAY 14, 1974

**CLASS OF CONSTRUCTION**

(Check all applicable blocks)

NEW

REPLACEMENT OF EXISTING UNIT(S)

ADDITIONS AND/OR

MODIFICATIONS TO EXISTING UNIT(S)

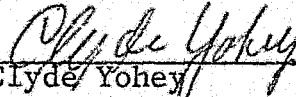
TABLE I - DESIGN LOADING DATA		Existing Facilities Design	Present Operating Load	Proposed Total Facilities Design
1. EQUIVALENT POPULATION TO BE SERVED (NO. OF PERSONS - SUBMIT CALCULATIONS)				
A. DOMESTIC				470
B. INDUSTRIAL				
C. TOTAL				1980
2. DESIGN YEAR OR PERIOD FOR OPERATING DATA				
3. RUNOFF PERIOD (HRS)				15
4. DOMESTIC WASTE FLOW DATA	A. PER CAPITA FLOW (GPCD)			75
	B. AVERAGE DAILY FLOW (MGD)			0.035
	C. INFILTRATION (MGD)			---
	D. RUNOFF FLOW RATE (MGD)			0.052
	E. MAXIMUM FLOW RATE (MGD)			0.131
5. INDUSTRIAL WASTE FLOW DATA	A. AVERAGE DAILY FLOW (MGD)			
	B. MAXIMUM DAILY FLOW (MGD)			
6. TOTAL DESIGN AVERAGE FLOW (MGD)				0.035

**TABLE II - FACILITIES DESIGN DATA (Specify number of units)**

Units	Existing	To Be Abandoned	Total Proposed	Units	Existing	To Be Abandoned	Total Proposed
1. SCREENING DEVICES			1	13. CHLORINE CONTACT TANK(S)			1
2. GRIT CHAMBER(S)				14. DISINFECTION FACILITIES			1
3. COMMINUTOR(S)			1	15. SEPARATE SLUDGE DIGESTORS			
4. PRE-AERATION TANKS				16. SLUDGE DRYING BEDS			
5. PRIMARY SETTLING TANKS				17. MECHANICAL SLUDGE DEWATERING			
6. IMHOFF TANK(S)				18. SLUDGE ELUTRIATION TANKS			
7. TRICKLING FILTERS				19. SLUDGE STABILIZATION TANKS			
8. INTERMEDIATE SETTLING TANKS				20. INCINERATOR(S)			
9. AERATION TANKS			1	21. MIXING AND FLOCCULATION TANKS			
10. FINAL SETTLING TANKS			1	22. OTHER (Specify)			
11. INTERMITTENT SAND FILTERS				23. OTHER (Specify)			
12. WASTE STABILIZATION POND(S)				24. OTHER (Specify)			

VERIFICATION

Subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, Clyde Yohey hereby verifies that the facts set forth in the foregoing Application are true and correct to the best of his knowledge, information and belief, and he expects to be able to prove the same at any hearing hereof.

  
Clyde Yohey

W17a/WWC

Before The  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

---

In re: Application of :  
WONDERVIEW SANITARY FACILITIES : Application Docket  
for approval of an amendment : No. \_\_\_\_\_  
to its certificate of public :  
convenience which will allow :  
it to offer, render, furnish :  
or supply sewerage service to :  
additional customers in Main :  
and Catawissa Townships, :  
Columbia County, Pennsylvania :

---

CERTIFICATE OF SERVICE


---

I hereby certify that I have this 16th day of August, 1993,  
served a true and correct copy of the foregoing Application of  
Wonderview Sanitary Facilities upon the persons and in the  
manner indicated below:

First Class Mail, Postage Prepaid

Wayne T. Scott, Prosecutor  
Office of Trial Staff  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Barrett C. Sheridan, Esquire  
Assistant Consumer Advocate  
Office of Consumer Advocate  
1425 Strawberry Square  
Harrisburg, PA 17120

  
\_\_\_\_\_  
Thomas T. Niesen

Dated: August 16, 1993



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

August 18, 1993

IN REPLY PLEASE  
REFER TO OUR FILE

A-230540

THOMAS T. NIESEN, ESQUIRE  
THOMAS THOMAS ARMSTRONG & NEISEN  
212 LOCUST ST., P O BOX 9500  
HARRISBURG PA 17108

DOCUMENT  
FOLDER

DOCKETED

AUG 18 1993

Application of Wonderview Sanitary Facilities for approval to offer, render, furnish or supply sewerage service to additional customers in Main and Catawissa Townships, Columbia County, Pennsylvania.

Dear Mr. Niesen:

Receipt is acknowledged of the application of Wonderview Sanitary Facilities which has been captioned and docketed to the above number.

It will be necessary for you to serve copies of the application upon the authorities of the Borough or Township involved, the Commissioners of the County involved and their Planning Commissions, if any, and file proof of service with the Commission.

You are directed upon receipt of this letter to publish the enclosed notice once during each of the weeks of August 30, and September 6, 1993 in a newspaper having a general circulation in the area involved and file proof of publication with the Commission on or before September 13, 1993.

The matter will receive the attention of the Commission and you will be advised of any further necessary procedure.

Very truly yours,

for John Alford, Secretary

JEP:fao

PENNSYLVANIA PUBLIC UTILITY COMMISSION

NOTICE TO BE PUBLISHED

DOCKETED

AUG 18 1993

Notice is hereby given that application has been made to the Pennsylvania Public Utility Commission, under the provisions of the Public Utility Code, by Wonderview Sanitary Facilities for approval to offer, render, furnish or supply sewerage service to additional customers in Main and Catawissa Townships, Columbia County, Pennsylvania. (A-230540).

Notice is hereby also given that this application may be considered by the Commission without a hearing. Protests or petitions to intervene may, however, be filed with the Public Utility Commission, Harrisburg, with copy served upon applicant on or before September 13, 1993 pursuant to Title 52 of the Pennsylvania Code.

WONDERVIEW SANITARY FACILITIES

Counsel for applicant

THOMAS T. NIESEN, ESQUIRE  
THOMAS THOMAS ARMSTRONG & NEISEN  
212 LOCUST ST., P O BOX 9500  
HARRISBURG PA 17108

DOCUMENT  
FOLDER

NVL

PENNSYLVANIA PUBLIC UTILITY COMMISSION



RECEIPT

BTL

The addressee named hereunder has paid Pennsylvania Public Utility Commission for the following bill, subject to final collection of check or money order tendered for such payment.

PAID  
1993 AUG 24 11:00  
TREASURER'S OFFICE  
HARRISBURG, PA

THOMAS T NIRESEN  
THOMAS THOMAS ARMSTRONG  
& NIRESEN  
212 LOCUST ST  
PO BOX 9500  
HARRISBURG PA 17108-9500

Date August 20, 1993

CR 150232 A

In re application of Wonderview Sanitary Facilities  
A-230540.....\$350.00

DOCUMENT  
FOLDER

001780-017601-102 (ck)

ck 12402

Revenue account \$350.00

Checks

Currency 50:33

Utility account

C. Joseph Melaninger

For Department of Revenue

ORIGINAL

*Thomas, Thomas, Armstrong & Niesen*  
*Attorneys and Counsellors at Law*

212 LOCUST STREET

P. O. Box 9500

HARRISBURG, PA 17108-9500

(717) 255-7600

FAX (717) 236-8278

(VERIFY (717) 255-7616)

WRITER'S DIRECT DIAL NUMBER

717/255-7641

CHARLES E. THOMAS  
JACK F. ASCHINGER  
CARROLL F. PURDY  
CHARLES E. THOMAS, JR.  
D. MARK THOMAS  
PATRICIA ARMSTRONG  
THOMAS T. NIESEN  
JOHN A. ALZAMORA  
JOHN G. SHORT

August 24, 1993

John G. Alford, Secretary  
Pennsylvania Public Utility Commission  
North Office Building  
P. O. Box 3265  
Harrisburg, PA 17105-3265

In re: Docket No. A-230540  
Application of Wonderview Sanitary Facilities  
for approval to offer, render, furnish or  
supply sewerage service to additional customers  
in Main and Cattawissa Townships, Columbia  
County, Pennsylvania

Dear Secretary Alford:

Enclosed for filing on behalf of Wonderview Sanitary Facilities in the above referenced proceeding, are an original and two (2) copies of Wonderview Sanitary Facilities' Certificate of Service verifying service of its Application at A-230540 upon the authorities of Main and Cattawissa Townships, the Columbia County Commissioners and the Columbia County Planning Commission.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By

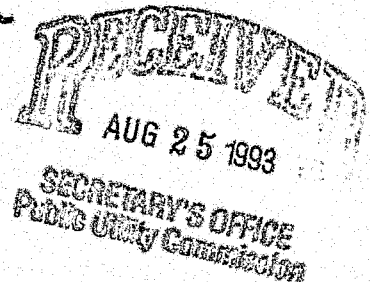
*Thomas T. Niesen*  
Thomas T. Niesen

TTN:r:M43

Encl.

cc: John Yohey (w/encl.)

DOCUMENT  
FOLDER



Before The  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

---

Application of :  
Wonderview Sanitary Facilities :  
for approval to offer, render, : Docket No.  
furnish or supply sewerage : A-230540  
service to additional customers :  
in Main and Cattawissa :  
Townships, Columbia County, :  
Pennsylvania :

---

CERTIFICATE OF SERVICE

---

I hereby certify that I have this day served a true and correct copy of the Application of Wonderview Sanitary Facilities, docketed at A-230540, upon the persons and in the manner indicated below:

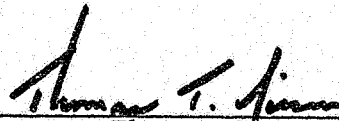
FIRST CLASS MAIL, POSTAGE PREPAID

Mr. Alan Baylor  
Chairman, Main Township Supervisors  
R. D. #8  
Bloomsburg, PA 17815

Board of Supervisors  
Cattawissa Township  
Cattawissa Township Municipal Building  
Schoolhouse Road  
Cattawissa, PA 17820

Columbia County Commissioners  
Courthouse  
Bloomsburg, PA 17815

Columbia County Planning Commission  
Courthouse  
Bloomsburg, PA 17815

  
\_\_\_\_\_  
Thomas T. Niesen

DATE: August 24, 1993

WWC/W20

DOCKETED  
AUG 31 1993

DOCUMENT  
FOLDER

AUG 25 1993



BTL

OFFICE OF CONSUMER ADVOCATE  
1425 Strawberry Square  
Harrisburg, Pennsylvania 17120

IRWIN A. POPOWSKY  
Consumer Advocate

(717) 783-5048

September 13, 1993

John G. Alford, Secretary  
PA Public Utility Commission  
Room G-23, North Office Bldg.  
Harrisburg, PA 17120

Re: Wonderview Sanitary  
Facilities Application To  
Amend Its Certificate Of  
Public Convenience  
Docket No. A-230540

Dear Secretary Alford:

Enclosed please find for filing an original and three copies of the Office of Consumer Advocate's Protest in the above-captioned proceeding.

Copies have been served upon all parties of record as shown on the attached Certificate of Service.

Sincerely,

Barrett C. Sheridan  
Assistant Consumer Advocate

Enclosures

cc: All parties of record  
Wayne Scott, OTS  
Leo Soleolcski, Wonderview  
Residents Association

10193

DOC  
MENT  
FOLDER

CERTIFICATE OF SERVICE

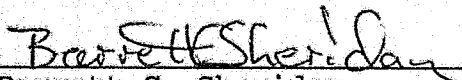
Re: Pennsylvania Public Utility Commission  
v.  
Wonderview Sanitary Facilities  
Application To Amend Its  
Certificate OF Public Convenience  
Docket No. A-00230540

I hereby certify that I have this day served a true copy of the foregoing document, Protest Of The Office Of Consumer Advocate, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 13th day of September, 1993.

SERVICE BY FIRST CLASS MAIL, POSTAGE PREPAID

Thomas T. Niesen, Esq.  
Thomas, Thomas, Armstrong &  
Niesen  
212 Locust Street  
P.O. Box 9500  
Harrisburg, PA 17108-9500

  
Barrett C. Sheridan  
Assistant Consumer Advocate

Counsel for  
Office of Consumer Advocate  
1425 Strawberry Square  
Harrisburg, PA 17120  
(717) 783-5048

10197

RECEIVED  
SEP 13 1993

SECRETARY'S OFFICE  
Public Utility Commission

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re: Application of :  
Wonderview Sanitary Facilities :  
for Approval of an Amendment to :  
its Certificate of Public : Docket No. A-230540  
Convenience Which Will Allow It :  
to Offer, Render, Furnish or :  
Supply Sewerage Service to :  
Additional Customers in Main and :  
Catawissa Townships, Columbia :  
County, Pennsylvania :

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PROTEST OF THE  
OFFICE OF CONSUMER ADVOCATE

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Pursuant to 52 Pa. Code §§ 5.51, et seq., the Office of Consumer Advocate (OCA) files with the Pennsylvania Public Utility Commission (Commission) this Protest to the Application of Wonderview Sanitary Facilities (WSF) to Amend its Certificate of Public Convenience. In support of this Protest, the OCA provides the following information:

1. The protestant is:

Irwin A. Popowsky, Consumer Advocate  
Office of Consumer Advocate  
1425 Strawberry Square  
Harrisburg, PA 17120  
Telephone: (717) 783-5048

Throughout this Protest, the protestant will be referred to as the Office of Consumer Advocate or OCA.

2. The OCA's attorney is:

Barrett C. Sheridan  
Assistant Consumer Advocate  
Office of Consumer Advocate  
1425 Strawberry Square  
Harrisburg, PA 17120

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SEP 16 1993

DOCUMENT  
FOLDER

Telephone: (717) 783-5048

3. The OCA is authorized by law to represent the interests of Pennsylvania's utility consumers in all matters before the Commission. 71 Pa. Stat. Ann. §§ 309-1, et seq. (Purdon's Supp. 1993).

4. The OCA protests the granting of the Application because the Applicant's facilities may not have the requisite capacity to provide utility service to "161 residences (total population 470)," the increased number of customers requested. (Application ¶ 6)

5. As noted in the Application, WSF is required by Commission Order entered April 20, 1993 in its recent rate proceeding to apply to amend its Certificate of Public Convenience since it is currently serving customers in excess of its existing authority. (Application ¶ 4)

6. Paragraph 3(e) of the Commission's Order entered April 20, 1993 requires that:

Should WSF apply for amendment of its Certificate to serve customers in excess of those currently receiving sewage services of the new Application date, the utility will support its Application with **current engineering data** demonstrating that the existing sewage plant facilities, as approved by the Department of Environmental Resources, have sufficient capacity to serve the demand of the existing customer load and the additional number of customers requested in the application to amend.

(emphasis added). OCA submits that WSF has not submitted information in support of its application of the type or timeliness required by the Commission's Order entered April 20, 1993.

7. In support of its Application, WSF presents excerpts of its Water Quality Management Permit as proof that the Department of Environmental Resources (DER) certified its sewage treatment facilities to serve a population of 470. (Application ¶ 6). However a review of the pages presented as Attachment A to the Application reveals that the only reference to a population of 470 was made by WSF's engineer, not DER, as part of WSF's Application to DER for permission to construct WSF's original sewage treatment facilities. (Application Attachment A, 3rd page.) The engineering information was dated March 14, 1974 and based on a 1980 design year. On its face, OCA submits that such information is not reasonably "current engineering data" as required by the Commission's April 20, 1993 Order.

8. Although WSF's 1974 engineering data was presumably available, the Commission saw fit in 1976 to limit WSF's original Certificate of Public Convenience to provide "service to no more than 113 single family residences in his proposed service area." WSF Certificate of Public Convenience, Docket A-98490, entered March 15, 1976.

9. WSF's Application presents the first page of its Water Quality Permit No. 1976403 issued by DER on May 28, 1976. (Application Attachment A, 1st page.) However, the Application does not acknowledge that its Water Quality Permit has been

amended. On December 5, 1990, DER amended WSF's Water Quality Management Permit to allow WSF to construct an equalization tank. Permit No. 1976403-A1. (See Appendix A) In the Permit's description of the project, DER noted:

As stated in the transmittal letter, this equalization tank is considered a 5 year temporary solution. Additional expansion of the development will require another treatment facility.

(Emphasis added.) This 1990 DER statement directly contradicts WSF's claim that its existing sewage treatment facilities as a whole have sufficient capacity to serve additional customers.

10. OCA submits that the 1990 plant design change also makes the 1974 engineering data relied upon by WSF less representative of WSF's existing facilities and contemporary plant design requirements.

11. OCA submits that WSF has not affirmatively supported its claim that DER has certified WSF's existing sewage treatment facilities to serve a total population of 470. Nor has WSF provided a basis for equating a population of 470 with its proposed maximum customer base of 161 residences.

12. Another shortcoming of WSF's Application concerns its representations as to its present customer base. WSF's Certificate of Public Convenience limited WSF's authority to serve only "113 single family residences". Despite the restriction, WSF has deviated from both the quantity and type of customers authorized to serve. Of the 127 residential customers currently served by WSF, several of the customers are not single family

residences but multi-unit apartment buildings. One customer in the count of 127 is a four-unit apartment building, known as the Ski Lodge. Two other customers in the 127 count are apartment buildings of an undetermined number of units. (See Pa. Public Utility Commission v. Wonderview Sanitary Facilities, Docket No. R-922369, Dec. 22, 1993 Transcript pp. 34, 37-38, Appendix B)

13. OCA submits that WSF has not proven that its 127 customers, comprised of a mix of single family residences and multi-unit buildings, has a population which is proportionally equal to or less than the ratio of 161 single family residences to 470 population for which WSF purports to have DER-approved capacity to serve.

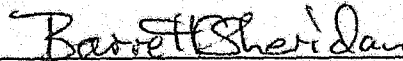
14. The OCA requests that the Commission approve amendment of WSF's Application to Amend its Certificate of Public Convenience in part. WSF should be authorized to amend its certificate to limit service to the 127 customers presently served, 124 single family residences and 3 multi-unit apartment buildings. Additionally, OCA requests that the Commission reaffirm the condition of settlement stated in Paragraph 3(e) of the Commission's Order entered April 20, 1993 which requires WSF to support a request to increase its Certificate of Public Convenience to serve in excess of 127 customers with current engineering data.

15. In the alternative, should the Commission address the substance of WSF's Application to Amend, OCA requests that the Commission consider WSF's Application in light of the foregoing evidence concerning WSF's existing sewage treatment facilities.

Additionally, OCA requests that the Commission require WSF to present more specific information concerning the actual population or load imposed by its present customer base to better determine how much, if any, additional capacity is available.

WHEREFORE, the Office of Consumer Advocate requests the Pennsylvania Public Utility Commission to take such action described above and such other action, and to impose such other conditions, on WSF's Certificate of Public Convenience, as are found to be appropriate under the circumstances.

Respectfully submitted,



Barrett C. Sheridan  
Assistant Consumer Advocate

Counsel for:  
Irwin A. Popowsky  
Consumer Advocate

Office of Consumer Advocate  
1425 Strawberry Square  
Harrisburg, PA 17120  
(717) 783-5048

Dated: September 13, 1993  
9997

PUBLIC STATEMENT OF THE CONSUMER ADVOCATE ISSUED IN ACCORDANCE  
WITH SECTION 904-(e) OF ACT OF APRIL 9, 1929 (P.L. 177,  
No. 175), KNOWN AS "THE ADMINISTRATIVE CODE OF 1929",  
AS AMENDED BY ACT 161 OF 1976 (APPROVED JULY 9, 1976)

Act 161 of the Pennsylvania General Assembly, 71 P.S. § 309-2, as enacted July 9, 1976, authorizes the Consumer Advocate to represent the interests of consumers before the Pennsylvania Public Utility Commission ("PUC" or "Commission"). In accordance with Act 161, and for the following reasons, the Consumer Advocate determined to file a protest in the application proceeding before the Commission involving Wonderview Sanitary Facilities ("WSF").

On August 16, 1993, WSF filed an application with the PUC for amendment of WSF's Certificate of Public Convenience to increase the number of customers which WSF may serve from 113 to 161 single family residences. WSF presently serves 127 customers. In its application to amend, WSF presents evidence which it claims demonstrates that its sewage treatment facilities have sufficient capacity to serve 161 single residences or a population of 470.

The Consumer Advocate has filed this protest in the belief that WSF's application omits information relevant to the Commission's decision. The capacity of WSF's sewage treatment facilities will determine whether WSF may serve additional customers and will bear on the costs of service to ratepayers in the future. The Consumer Advocate will, in the course of the proceedings, seek to ensure that WSF's certificate is amended to authorize service to customers or a population consistent with the existing capacity of WSF's sewage treatment facilities.

APPENDIX A



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL RESOURCES  
Bureau of Water Quality Management  
200 Pine Street  
Williamsport, Pennsylvania 17701-6510

717-327-3666  
December 6, 1990

CERTIFIED MAIL NO. P 267 844 080

Sewerage - WQM No. 1976403-A1  
Clyde E. Yohey (Wonderview Development)  
Main Township, Columbia County

Clyde E. Yohey  
560 Montour Boulevard  
Bloomsburg, PA 17815

Gentlemen:

Subject permit is enclosed.

This action of the Department may be appealable to the Environmental Hearing Board, 101 South Second Street, Suites Three-Five, Harrisburg, PA 17101, (717-787-3483) by any aggrieved person pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514; and the Administrative Agency Law, 2 Pa. C.S., Chapter 5A. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the regulations governing practice and procedure before the Board may be obtained from the Board. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Please study the permit carefully and direct any questions to the Permits Section of this office. Additionally, the Department would appreciate you taking the time to complete the enclosed questionnaire concerning the quality of service which you received from the Department in the review/processing of this permit. A postage-paid return envelope has been enclosed for transmittal of your completed questionnaire.

Very truly yours,

L. Richard Adams  
Acting Environmental Protection Manager

LRA:LK:rjh

Enclosures: Permit  
Standard Conditions Relating to Sewerage  
Standard Conditions Relating to Erosion Control  
Questionnaire, envelope

cc: Mid-Penn Engineering  
Central Office  
Regional Office

19-9-21  
E-200-101  
AP 225

~~WATER QUALITY MANAGEMENT PERMIT~~  
**WATER QUALITY MANAGEMENT PERMIT**

NO. 1976403-A1

<p><b>A. PERMITTEE (Name and Address)</b></p> <p>Clyde E. Yohey          560 Montour Boulevard          Bloomsburg, PA 17815</p>	<p><b>B. PROJECT LOCATION</b></p> <p>Municipality <u>Main Township</u></p> <p>County <u>Columbia County</u></p>
<p><b>C. TYPE OF FACILITY (For industrial wastes, type of establishment)</b></p> <p>Flow Equalization Tank</p>	<p><b>D. NAME OF <del>WATER</del> AREA SERVED, <del>XXXXXX</del>NO., ETC.</b></p> <p>Wonderview Development</p>

<b>E THIS PERMIT APPROVES:</b>	<p><b>1. Plans For Construction Of:</b></p> <p>a. <input type="checkbox"/> Pump Stations, Sewers and Appurtenances      b. <input checked="" type="checkbox"/> Sewage Treatment Facilities      c. <input type="checkbox"/> Industrial Wastes Treatment Facilities</p> <p>d. <input type="checkbox"/> Injection Well      e. <input type="checkbox"/> Outfall &amp; Headwall      f. <input type="checkbox"/> Stream Crossing      g. <input type="checkbox"/> Impoundment</p>
	<p><b>2. The Discharge Of:</b></p> <p>a. <input type="checkbox"/> Treated      b. <input type="checkbox"/> Untreated      c. <input type="checkbox"/> Sewage      d. <input type="checkbox"/> Industrial Wastes</p>
	<p><b>3. Discharge To:</b></p> <p>a. <input type="checkbox"/> Surface Water</p> <p>b. <input type="checkbox"/> Ground Water</p> <p align="center">Name of Stream to which discharged or drainage area in which groundwater discharge takes place or impoundment is located.</p>
	<p><b>4. Preparedness Prevention, Contingency (PPC) Plan</b> <input type="checkbox"/></p> <p><b>5. An Erosion and Sedimentation Control Plan</b> <input type="checkbox"/></p> <p align="center">Project Area is <u>N/A</u> Acres</p>

**F. THIS APPROVAL IS SUBJECT TO THE FOLLOWING CONDITIONS:**

1. ALL CONSTRUCTION, OPERATIONS, PROCEDURES AND DISCHARGE SHALL BE IN ACCORDANCE WITH APPLICATION NO. 1976403-A1 DATED November 1, 1990 ITS SUPPORTING DOCUMENTATION, AND AMENDMENTS DATED None SUCH APPLICATION, ITS SUPPORTING DOCUMENTATION AND AMENDMENTS ARE HEREBY MADE A PART OF THIS PERMIT.

2. CONDITIONS NUMBERED 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22 OF THE Sewerage STANDARD CONDITIONS DATED September 2, 1983 AND CONDITIONS NUMBERED All OF THE EROSION CONTROL STANDARD CONDITIONS DATED 1985 WHICH CONDITIONS ARE ATTACHED AND MADE PART OF THIS PERMIT.

3. SPECIAL CONDITIONS DESIGNATED A WHICH ARE ATTACHED AND ARE MADE A PART OF THIS PERMIT.

**G. THE AUTHORITY GRANTED BY THIS PERMIT IS SUBJECT TO THE FOLLOWING FURTHER QUALIFICATIONS:**

1. IF THERE IS A CONFLICT BETWEEN THE APPLICATION ON ITS SUPPORTING DOCUMENTS AND AMENDMENTS AND THE STANDARD OR SPECIAL CONDITIONS, THE STANDARD OR SPECIAL CONDITIONS SHALL APPLY.

2. FAILURE TO COMPLY WITH THE RULES AND REGULATIONS OF THE DEPARTMENT OR WITH THE TERMS OR CONDITIONS OF THIS PERMIT SHALL VOID THE AUTHORITY GIVEN TO THE PERMITTEE BY THE ISSUANCE OF THE PERMIT.

3. THIS PERMIT IS ISSUED PURSUANT TO THE CLEAN STREAMS LAW, ACT OF JUNE 22, 1937, P.L. 1987 AS AMENDED 35 P.S. §691.1 ET SEQ. AND/OR THE DAM SAFETY AND ENCROACHMENTS ACT OF NOVEMBER 26, 1978, P.L. 1375, AS AMENDED, 32 P.S. §693.1 ET SEQ. ISSUANCE OF THIS PERMIT SHALL NOT RELIEVE THE PERMITTEE OF ANY RESPONSIBILITY UNDER ANY OTHER LAW.

DEPARTMENT OF ENVIRONMENTAL RESOURCES

PERMIT ISSUED

DATE December 5, 1990 BY L. Richard Adam  
 ACTING

SPECIAL CONDITIONS  
Water Quality Management Permit No. 1976403-A1  
Clyde E. Yohey (Wonderview Development)  
Main Township, Columbia County

This permit is issued subject to all rules and regulations now in force and the following special conditions:

- A. When construction of the herein approved facility is complete, the permittee shall request a facilities inspection to ensure facilities are constructed as permitted. The Permits Chief shall be notified at (717) 327-3666 when a facilities inspection is needed. The facilities herein approved may not be placed in operation until an inspection has been made and compliance with the permit determined. With prior approval, the requirement for a facilities inspection may be circumvented through certification from a registered professional engineer. The engineer must certify the facilities are constructed as permitted. This certification shall be sent to the Permits Chief prior to start up of the approved facility. Failure to comply with this special condition shall render this permit null and void.

COMMONWEALTH OF PENNSYLVANIA  
 DEPARTMENT OF ENVIRONMENTAL RESOURCES  
 BUREAU OF WATER QUALITY MANAGEMENT

FOR DEPARTMENT USE ONLY

REVIEW AND RECOMMENDATIONS

Name of Applicant: Clyde E. Yohey  
 Project Location: Wonderview Development  
 Main Township: Columbia County  
 App. WQM Permit No.: 1976403-A1

BRIEF DESCRIPTION OF PROJECT AND DISCUSSION (Use Additional Sheets if Necessary)

The applicant requests a permit amendment to install an aerated flow equalization and storage basin. The tank is rectangular in shape with dimensions of 43'6" x 13'6". Tank depth is 12'. The equalization tank is equipped with eight diffusers which will introduce a total of 80 cubic feet/minute to maintain adequate dissolved oxygen and to ensure good mixing. The equalization tank has sloped floors to direct sediment to a sump pit. All solids will be ground and pumped to the treatment tanks. Also included in this amendment is a flow control box with adjustable overflow plates. As stated in the transmittal letter, this equalization tank is considered a 5 year temporary solution. Additional expansion of the development will require another treatment facility. The design meets the requirements of the Pennsylvania Sewerage Manual. There is no interbureau coordination involved with this case. The Act 14 requirements have been complied with. It is recommended that this permit be issued.

CURRENT ESTIMATE OF COMPLETION DATE OF PROJECT (Industrial Wastes Only)

RECOMMENDATION AND ACTION

Approve-- Issue by Region	Approve-- Issue by Central Office	Refuse	Signature	Date
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	REVIEWING ENGINEER <i>Lynn Kyle</i>	12/5/90
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	REGIONAL FACILITIES SECTION CHIEF <i>J.P. ...</i>	12/5/90
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	REGIONAL ENGINEER/WATER QUALITY MANAGER <i>L.N. ...</i>	12/5/90
	<input type="checkbox"/>	<input type="checkbox"/>	DIVISION FACILITIES ENGINEER	
	<input type="checkbox"/>	<input type="checkbox"/>	DIVISION CHIEF	

PERMIT CONDITIONS:

1. STANDARD --
2. SPECIAL (Use Additional Sheets if Necessary) --

APPENDIX B



C O N T E N T S

<u>WITNESSES</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RE CROSS</u>
John A. Yohey	5	33	48	--

E X H I B I T S

<u>NUMBER</u>	<u>FOR IDENTIFICATION</u>	<u>IN EVIDENCE</u>
---------------	---------------------------	--------------------

Wonderview Water Company Statements

1 (Direct testimony of John Yohey)	6	33
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Wonderview Water Company Exhibits

1 (Supplement Number 5)	7	33
2 (Agreement for sale of real estate)	24	33

Wonderview Sanitary Facilities Statements

1 (Direct testimony of John Yohey)	9	33
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Wonderview Sanitary Facilities Exhibits

1 (Supplement Number 1)	10	33
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Any reproduction of this transcript is prohibited without authorization by the certifying reporter.

FORM 1

1 telephone conference. The conference was actually the 18th.  
2 I gave the 17th as the date of the conference, but just to  
3 correct that minor thing.

4 And at this point, the five documents, the two  
5 statements and three exhibits are accepted with two exhibits  
6 on the water side and one exhibit on the sewer side.

7 (Whereupon, the documents  
8 marked as Wonderview Water  
9 Company Statement No. 1 and  
10 Wonderview Water Company  
11 Exhibits Nos. 1 and 2 were  
12 received into evidence.)

13 (Whereupon, the documents  
14 marked as Wonderview  
15 Sanitary Statement No. 1  
16 and Wonderview Sanitary  
17 Exhibit No. 1 were received  
18 in evidence.)

19 JUDGE CHRISTIANSON: I think Consumer Advocate has  
20 some cross, but let's go off the record briefly before we go  
21 forward with them.

22 (Discussion off the record.)

23 JUDGE CHRISTIANSON: We can proceed then with cross-  
24 examination by Consumer Advocate.

25 CROSS-EXAMINATION

BY MS. SHERIDAN:

Q Good morning. My name is Barrett Sheridan, for  
the Office of Consumer Advocate.

With regard to the rate filings you've prepared for

1 both the water and sewer company, am I correct that the  
2 customer account for the water company includes four  
3 apartments in the property identified as the ski lodge?

4 A Right, yes.

5 Q And are the four apartments of the ski lodge also  
6 customers of the sewer company?

7 A Yes.

8 Q And with regard to the other customers of the  
9 water company, are there any other apartments served?

10 A There's two other buildings below the ski lodge  
11 which we treat as two separate customers, those two  
12 buildings.

13 Q And how many units are in each?

14 A I don't know exactly how many units are in each  
15 one. The buildings themselves are slightly larger than a  
16 house. I don't know how many apartments are in them.

17 Q Under the Companies' current effective tariff, am  
18 I correct that there are two different rates, one for a  
19 single residence and one for commercial, dormitory?

20 A For?

21 Q Water company.

22 A Water company usage?

23 Q Correct, the water company's --

24 A Well, we're working on putting them on meters,  
25 and then it will be a flat rate per meter and then per

1 gallon. So --

2 Q With regard to the water company's current  
3 tariff --

4 A Current tariff?

5 Q -- the effective tariff, am I correct that  
6 there's a rate for single homes and a second rate for what's  
7 identified as commercial/dormitory?

8 A I don't actually know, to tell you the truth. I  
9 don't know my current tariff because I did not make that  
10 current tariff.

11 JUDGE CHRISTIANSON: We can check it.

12 MS. SHERIDAN: Just a moment.

13 JUDGE CHRISTIANSON: We can even have the Company  
14 take it subject to check, perhaps.

15 MR. NIESEN: Do you have a copy of our existing  
16 tariff?

17 MS. SHERIDAN: Yes, I do. I'm just making sure I'm  
18 pulling out the correct document.

19 (Counsel Sheridan perusing documents.)

20 MS. SHERIDAN: Your Honor, let the record reflect I'm  
21 handing Mr. Yohey a document that is a copy of the complete  
22 Wonderview Water Company tariff.

23 (Document handed to witness.)

24 BY MS. SHERIDAN:

25 Q I direct your attention to the last page

1 (indicating).

2 A Okay.

3 Q Am I correct that it reflects two different rate  
4 categories, one for residential service per family, and a  
5 second rate category for commercial, dormitory?

6 A Yes. It says definitely commercial/dormitory.  
7 As far as commercial property goes, I don't think our -- we  
8 don't service any commercial property. Our whole  
9 development is residential, okay? I do not know what is in  
10 those two other buildings down there, as far as apartments  
11 or families or anything. As far as "/dormitory," I can't  
12 say they are because I don't know it.

13 JUDGE CHRISTIANSON: Well, they might be considered  
14 commercial just because they're not private residences.

15 THE WITNESS: I treat commercial as being a  
16 commercial use of water. That's how I think of it. I don't  
17 know if that's how it's viewed.

18 JUDGE CHRISTIANSON: Do you know right now if you  
19 bill everybody the same or have --

20 THE WITNESS: Everybody gets billed the same, except  
21 that gets billed twice because it's two buildings.

22 JUDGE CHRISTIANSON: Let's be off the record for just  
23 a moment.

24 (Discussion off the record.)

25 JUDGE CHRISTIANSON: We've been off the record for

1 some discussion of the existing rates and existing charges,  
2 and there's also been mentioned the meter's in place, the  
3 meter just on the water side for the future.

4 Perhaps Counsel can develop it further on the record.  
5 We got into more development off the record than I think  
6 Counsel intended, where we've just been clarifying what the  
7 situation is. We seem to be focusing on existing revenues  
8 at this point, and we're also concerned about the future,  
9 obviously, of the new rates.

10 Go ahead, if you have further to develop.

11 MS. SHERIDAN: Thank you, Your Honor.

12 BY MS. SHERIDAN:

13 Q Mr. Yohey, am I correct that in addition to the  
14 ski lodge, that there are two buildings containing an  
15 unidentified number of apartments served by both the water  
16 company and the sewer company presently?

17 A Yes.

18 Q Am I correct that, to the best of your knowledge,  
19 those two apartment buildings are billed at the water  
20 company's present residential rate, as if they were single  
21 dwellings?

22 A Per building, yes, as to two.

23 Q And that's also correct for the manner the sewer  
24 company presently charges?

25 A Times two, yes.

1 Q Thank you. There was mention of a building  
2 identified, commonly known in the development purposes of  
3 the rate filing, referenced as the ski lodge. Am I correct  
4 that that building contains four units?

5 A Yes.

6 Q And who owns the ski lodge?

7 A The family does, namely myself, two sisters and a  
8 brother.

9 Q Does Mr. Clyde Yohey and/or Joan Yohey own an  
10 interest?

11 A Not anymore, no.

12 Q And am I correct that when you identify yourself,  
13 that you are also -- you've been identified as the operator  
14 of both the water and sewer company?

15 A Yes. My father is the other operator.

16 Q Do you hold any other offices or positions with  
17 regard to the water company?

18 A Ah -- offices or positions?

19 Q Well, maybe you can --

20 A I did the rate filing.

21 Q Let me withdraw that question. Am I correct that  
22 the water filing that you've made with the Public Utility  
23 Commission reflects a John Yohey as treasurer of the water  
24 company?

25 A Well, the water company is a corporation. Yes, I

1 could be treasurer of that. To tell you the truth, I'm not  
2 exactly sure. It's a family corporation and I'm not sure  
3 exactly what office my mother holds and what office I hold,  
4 and my father. My father is President, obviously. But I  
5 don't know if my mother is Vice-President or -- I don't even  
6 know what offices that a corporation needs to have, but I  
7 may be.

8 Q Okay. What is the organization of the Wonderview  
9 Sanitary Facilities?

10 A That's a sole proprietorship.

11 Q And the sole proprietor is who?

12 A Is my mother and father. As a matter of fact, I  
13 think it's just my mother now. It's just my mother's  
14 interest, I believe. I'm not sure.

15 JUDGE CHRISTIANSON: But that's not a corporation?

16 THE WITNESS: No, it's not a corporation. That's a  
17 sole proprietorship. Yes, that's not a corporation.

18 BY MS. SHERIDAN:

19 Q Just so it's clear for the record, when you refer  
20 to your mother and father, you're referring to Clyde Yohey  
21 and Joan Yohey. Is that correct?

22 A Yes, yes, yes.

23 Q Returning to your ownership with other family  
24 members of the ski lodge, was there any transaction between  
25 this ski lodge and the water company?

*Thomas, Thomas, Armstrong & Niesen*  
*Attorneys and Counsellors at Law*

**ORIGINAL** BTL

CHARLES E. THOMAS  
JACK F. ASCHINGER  
CARROLL F. PURDY  
CHARLES E. THOMAS, JR.  
D. MARK THOMAS  
PATRICIA ARMSTRONG  
THOMAS T. NIESEN  
JOHN A. ALZAMORA  
JOHN G. SHORT

212 LOCUST STREET  
P. O. Box 9500  
HARRISBURG, PA 17108-9500  
(717) 255-7600  
FAX (717) 236-8278  
(VERIFY (717) 255-7616)

WRITER'S DIRECT DIAL NUMBER

717/255-7641

September 13, 1993

John G. Alford, Secretary  
Pennsylvania Public Utility Commission  
North Office Building  
P. O. Box 3265  
Harrisburg, PA 17105-3265

**RECEIVED**

SEP 13 1993

SECRETARY'S OFFICE  
Public Utility Commission

In re: Docket No. A-230540  
Application of Wonderview Sanitary Facilities

Dear Secretary Alford:

In respect to your letter of August 18, 1993 in the above referenced proceeding, please be advised that we have not yet received the Proof of Publication from Press Enterprise, Inc. concerning publication of the Notice of the above filing during the weeks of August 30 and September 6, 1993. We will file the Proof of Publication promptly upon receipt from Press Enterprise, Inc. Please contact the undersigned if you have any questions concerning this matter.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By

*Thomas T. Niesen*

Thomas T. Niesen

**SECRETED**

SEP 16 1993

TTN:r:M50  
cc: John Yohey

**DOCUMENT  
FOLDER**

ORIGINAL

*Thomas, Thomas, Armstrong & Niesen*  
*Attorneys and Counsellors at Law*

CHARLES E. THOMAS  
JACK F. ASCHINGER  
CARROLL F. PURDY  
CHARLES E. THOMAS, JR.  
D. MARK THOMAS  
PATRICIA ARMSTRONG  
THOMAS T. NIESEN  
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JOHN G. SHORT

212 LOCUST STREET  
P. O. BOX 9500  
HARRISBURG, PA 17108-9500  
(717) 255-7600  
FAX (717) 236-8278  
(VERIFY (717) 255-7616)

WRITER'S DIRECT DIAL NUMBER

717/255-7641

September 14, 1993

BTL

John G. Alford, Secretary  
Pennsylvania Public Utility Commission  
North Office Building  
P. O. Box 3265  
Harrisburg, PA 17105-3265

In re: Docket No. A-230540  
Application of Wonderview Sanitary Facilities

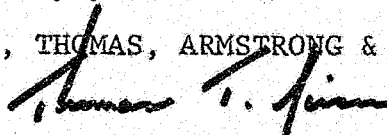
Dear Secretary Alford:

Enclosed for filing in the above referenced proceeding is the original Proof of Publication of Press Enterprise, Inc. concerning publication of the notice of the above filing during the weeks of August 30 and September 6, 1993.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By



Thomas T. Niesen

TTN:r:T48

Encl.

cc: John Yohey (w/encl.)  
Barrett C. Sheridan (w/encl.)

DOCUMENT  
FOLDER

RECORDED  
INDEXED  
SEP 14 1993  
REGISTRATION DIV.

STATE OF PENNSYLVANIA }  
COUNTY OF COLUMBIA } SS:

James T. Micklow, Treasurer . . . . ., being duly sworn according to law deposes and says that Press-Enterprise is a newspaper of general circulation with its principal office and place of business at 3185 Lackawanna Avenue, Bloomsburg, County of Columbia and State of Pennsylvania, and was established on the 1st day of March, 1902, and has been published daily (except Sundays and Legal Holidays) continuously in said Town, County and State since the date of its establishment; that hereto attached is a copy of the legal notice or advertisement in the above entitled proceeding which appeared in the issue of said newspaper on August 31, September 7, 8, 9, 10, 11 . . . . ., 1993 exactly as printed and published; that the affiant is one of the owners and publishers of said newspaper in which legal advertisement or notice was published; that neither the affiant nor Press-Enterprise are interested in the subject matter of said notice and advertisement, and that all of the allegations in the foregoing statement as to time, place, and character of publication are true.

*James T. Micklow*

Sworn and subscribed to before me this 13<sup>th</sup> day of September 1993

*Dennis L. Ashmader*

(Notary Public)

RECORDED  
SEP 17 1993

My Commission Expires

Notarial Seal  
Dennis L. Ashmader, Notary Public  
Scott Twp., Columbia County  
My Commission Expires July 3, 1995  
Member, Pennsylvania Association of Notaries

And now, . . . . . 19 . . . . ., I hereby certify that the advertising and publication charges amounting to \$ . . . . . for publishing the foregoing notice, and the fee for this affidavit have been paid in full.

DOCUMENT  
FOLDER

RECEIVED  
SEP 14 1993  
SECRETARY'S OFFICE  
Public Utility Commission

**PUBLIC NOTICE**

Notice is hereby given that application has been made to the Pennsylvania Public Utility Commission, under the provisions of the Public Utility Code, by Wonderview Sanitary Facilities for approval to offer, render, furnish or supply sewerage service to additional customers in Main and Catawissa Townships, Columbia County, Pennsylvania. (A-230540).

Notice is hereby also given that this application may be considered by the Commission without a hearing. Protests or petitions to intervene may, however, be filed with the Public Utility Commission, Harrisburg, with copy served upon applicant on or before September 13, 1993 pursuant to Title 52 of the Pennsylvania Code.

**WONDERVIEW SANITARY FACILITIES**

Counsel for Applicant  
**THOMAS T. NIESEN,**  
ESQUIRE

**THOMAS, THOMAS,  
ARMSTRONG & NIESEN**  
212 Locust St.,

PO Box 9500  
Harrisburg, PA 17108

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
October 21, 1993

In Re: A-230540

(See attached list)

Application of Wonderview Sanitary Facilities for approval to offer, render, furnish or supply sewerage service to additional customers in Main and Catawissa Townships, Columbia County, Pennsylvania.

NOTICE

This is to inform you that a prehearing conference on the above captioned case will be held Tuesday, November 23, 1993 at 10:00 a.m. in an available hearing room, Ground Floor, North Office Building, North Street and Commonwealth Avenue, Harrisburg, Pennsylvania.

The presiding officer in this proceeding is Administrative Law Judge Robert A. Christianson. Judge Christianson can be contacted at P.O. Box 3265, Harrisburg, Pennsylvania 17105-3265; telephone (717) 783-5452.

cc: Judge Christianson  
John Frazier - PIO  
Consumer Advocate  
Bureau of Safety & Compliance  
Law Bureau  
Norma Lewis  
Susan Licon  
Beth Plantz  
Docket Room

Certified Mail  
Receipt Requested &  
Reg. Mail to Complainant

**DOCKETED**  
OCT 26 1993

RECEIVED  
93 OCT 25 AM 8:49  
PA.P.U.C.  
INFO. CONTROL DIV.

**DOCUMENT  
FOLDER**

NVL

*Thomas, Thomas, Armstrong & Niesen*  
*Attorneys and Counsellors at Law*

CHARLES E. THOMAS  
JACK F. ASCHINGER  
CARROLL F. PURDY  
CHARLES E. THOMAS, JR.  
D. MARK THOMAS  
PATRICIA ARMSTRONG  
THOMAS T. NIESEN  
JOHN A. ALZAMORA  
JOHN G. SHORT

212 LOCUST STREET  
P. O. BOX 9500  
HARRISBURG, PA 17108-9500  
(717) 255-7600  
FAX (717) 236-8278  
(VERIFY (717) 255-7616)

WRITER'S DIRECT DIAL NUMBER

717/255-7641

RECEIVED  
NOV 1 11 53 AM  
REG. COMM. DIV.

November 1, 1993

John G. Alford, Secretary  
Pennsylvania Public Utility Commission  
North Office Building  
P. O. Box 3265  
Harrisburg, PA 17105-3265

In re: Docket No. A-230540  
Application of Wonderview Sanitary Facilities

Dear Secretary Alford:

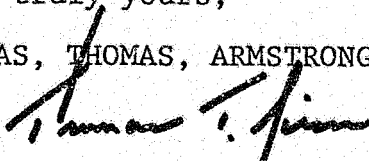
Enclosed for filing in the above referenced proceeding are an original and two (2) copies of the Affidavit of John Yohey. The Affidavit sets forth additional facts in support of the Application at Docket No. A-230540. Please note that in the Affidavit Applicant asks the Public Utility Commission to issue a Certificate of Public Convenience authorizing it to serve 180 customers in the Wonderview Residential Development in Columbia County.

The Affidavit is being filed after discussions with the Office of Consumer Advocate. It is our understanding that the Office of Consumer Advocate will be filing a position letter with the Public Utility Commission based upon the Affidavit.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By

  
Thomas T. Niesen

DISCOVERED  
FOLDER

TTN:r:M68

Encl.

cc: Certificate of Service  
John Yohey (w/encl.)

SLV

Before The  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of : Docket No.  
Wonderview Sanitary Facilities : A-230540

AFFIDAVIT OF  
JOHN YOHEY

COMMONWEALTH OF PENNSYLVANIA :  
: ss.  
COUNTY OF COLUMBIA :

RECEIVED  
COMM. 1 P. 5. 01  
U.S. DIV.  
REG. CONTROL

Before me, a notary public, this date, personally appeared John Yohey of 91 Dutch Hill Road, Hemlock Township, Columbia County, Pennsylvania 17815, to me known, who being duly sworn according to law, deposes and says that:

- (1) He is General Manager for Wonderview Sanitary Facilities located at 560 Montour Boulevard, Bloomsburg, Pennsylvania 17815;
- (2) Wonderview Sanitary Facilities is a sole proprietorship owned by Clyde Yohey. WSF furnishes sewage service to 129 customers (126 single family residences and 3 multi-unit apartment buildings) in the Wonderview Residential Development in Main and Cattawissa Townships, Columbia County, Pennsylvania;
- (3) WSF furnishes sewage service pursuant to an Order of the Public Utility Commission ("PUC") entered March 16, 1976, granting WSF a Certificate of Public Convenience at Docket No. A-98490. The Certificate limits WSF's service to no more than 113 single family residences;
- (4) In accordance with the Order of the PUC entered April 20, 1993 at Docket No. R-922369, WSF filed an Application seeking an amendment to its Certificate of Public Convenience to allow it to serve no more than 161 residences (total population 470) in the Wonderview Residential

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FOLDER

Development in Main and Cattawissa Townships,  
Columbia County, Pennsylvania;

- (5) WSF's plant is comprised of the following significant items:

<u>SIGNIFICANT ITEMS</u>	<u>YEAR PLACED IN SERVICE</u>
35,000 Gallon per day Sewage Treatment Plant	1974
35,000 Gallon Equalization Tank	1992
Ultrasound Flow Meter with Recorder	1993

- (6) WSF's plant is designed to treat 35,000 gallons of sewage per day;

- (7) WSF has in place a meter to measure the actual flow of sewage into the treatment plant. This meter was installed in April of 1993. Based on actual meter readings, sewage flow into the treatment plant is 23,000 gallons per day:

June 1993 sewage flow - 23,000 gallons per day  
 July 1993 sewage flow - 23,000 gallons per day  
 August 1993 sewage flow - 22,000 gallons per day

- (8) With 127 customers using the system during this time (i.e. 124 single family residences plus 3 multi-unit apartment buildings), average daily sewage flow per customer is 181.1 gallons (i.e. 23,000 gallons of sewage per day divided by 127 customers);

- (9) With the plant designed to handle 35,000 gallons of sewage per day, WSF has sufficient capacity to treat the sewage of 193 customers (i.e. 35,000 gallons of sewage per day divided by 181.1 gallons of sewage per customer per day);

- (10) WSF believes that a margin of error of 6% is sufficient and that WSF may be certificated to serve 180 customers (i.e. 180 customers times 181.1 gallons of sewage per day per customer equals 32,598 gallons of sewage per day for the total system) (35,000 gallons of sewage per day minus 32,598 gallons of sewage per day equals 2,402 gallons of sewage per day which, if divided by 35,000 gallons of sewage per day, produces a margin of error of 6.8%);

- (11) Although WSF's application seeks authority to serve no more than 161 residences (total population 470), WSF submits that the plant as designed has sufficient capacity to treat the sewage flow from 180 customers; and
- (12) WSF respectfully asks the Commission to issue a Certificate of Public Convenience authorizing it to serve 180 customers in the Wonderview Residential Development in Main and Cattawissa Townships, Columbia County, Pennsylvania.

*John Yohey*

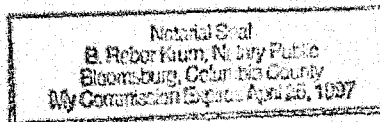
JOHN YOHEY

Sworn and subscribed before me this 29th day of October, 1993.

*B. Robert Kaum*

Notary Public

My Commission Expires:



Before The  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of :  
Wonderview Sanitary Facilities :  
for approval to offer, render, : Docket No.  
furnish or supply sewerage : A-230540  
service to additional customers :  
in Main and Cattawissa :  
Townships, Columbia County, :  
Pennsylvania :

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INFO. CONTROL DIV.

CERTIFICATE OF SERVICE

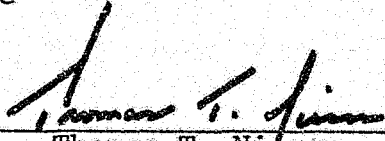
I hereby certify that I have this 1st day of November, 1993,  
served a true and correct copy of the Affidavit of John Yohey,  
upon the persons and in the manner indicated below:

HAND DELIVERY

Honorable Robert A. Christianson  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
North Office Building  
P. O. Box 3265  
Harrisburg, PA 17105-3265

David T. Newcomer  
Pennsylvania Public Utility Commission  
Bureau of Safety and Compliance  
Room G-18  
North Office Building  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Barrett C. Sheridan, Esquire  
Assistant Consumer Advocate  
Office of Consumer Advocate  
1425 Strawberry Square  
Harrisburg, PA 17120

  
\_\_\_\_\_  
Thomas T. Niesen



OFFICE OF CONSUMER ADVOCATE  
1425 Strawberry Square  
Harrisburg, Pennsylvania 17120

RECEIVED

NOV 2 PM 3:56

P.A. R. U. C.  
INFO. CONTROL DIV.

IRWIN A. POPOWSKY  
Consumer Advocate

(717) 783-5048

November 2, 1993

John G. Alford, Secretary  
Pa. Public Utility Commission  
Room G-23, North Office Bldg.  
Harrisburg, PA 17120

Re: Application of Wonderview  
Sanitary Facilities,  
Docket No. A-230540

Dear Secretary Alford:

On September 13, 1993, the Office of Consumer Advocate filed a Protest in the above docket setting forth information and concerns which the OCA believed were not fully addressed in its Application. Based on the Affidavit of John Yohey filed with the Commission on November 1, 1993, the OCA is of the opinion that no controversy of fact remains. Accordingly, the OCA believes that hearings are not required for its benefit.

The OCA respectfully requests that the Commission cancel the scheduled hearings, absent any other protests or interventions.

A copy of this letter has been served on all parties of record, as indicated by the enclosed Certificate of Service.

Sincerely yours,

*Barrett Sheridan*

Barrett C. Sheridan  
Assistant Consumer Advocate

encl.

cc: Hon. Robert A. Christianson  
Wayne Scott - OTS  
Leo Sokoloski - Wonderview  
Residents Association

DOCUMENT  
FOLDER

NOV 04 1993

SLV

CERTIFICATE OF SERVICE

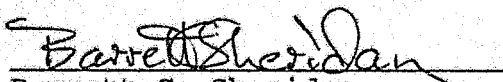
Re: Application of Wonderview  
Sanitary Facilities  
Docket No. A-230540

I hereby certify that I have this day served a true copy of the foregoing document, Office of Consumer Advocate's Letter Requesting Cancellation of Hearings, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 2nd day of November, 1993.

SERVICE BY FIRST CLASS MAIL, POSTAGE PREPAID

Thomas T. Niesen, Esq.  
Thomas, Thomas, Armstrong &  
Niesen  
P.O. Box 9500  
Harrisburg, PA 17108

  
Barrett C. Sheridan  
Assistant Consumer Advocate

Counsel for  
Office of Consumer Advocate  
1425 Strawberry Square  
Harrisburg, PA 17120  
(717) 783-5048

11090

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
November 5, 1993

In Re: A-230540

(See letter dated 10/21/93)

RECEIVED  
NOV 5 PM 2:30  
PA. U. S. DIV.  
INFO. CONTROL.

**Application of Wonderview Sanitary Facilities**

For approval to offer, render, furnish or supply sewerage service to additional customers in Main and Catawissa Townships, Columbia County, Pennsylvania.

**HEARING CANCELLATION NOTICE**

This is to inform you that the hearing on the above-captioned case is cancelled. Information for the cancellation is as follows:

**TYPE:** Prehearing Conference  
**DATE:** Tuesday, November 23, 1993  
**TIME:** 10:00 a.m.  
**LOCATION:** Available Hearing Room, Ground Floor  
North Office Building  
North Street and Commonwealth Avenue  
Harrisburg, Pennsylvania

**DOCUMENT  
FOLDER**

**PRESIDING OFFICER:** Administrative Law Judge Robert A. Christianson

The presiding officer, ALJ Christianson, can be contacted at P.O. Box 3265, Harrisburg, Pennsylvania 17105-3265; telephone (717) 783-5452.

Because all protests against the above-captioned application have been withdrawn the application will be referred to the Bureau of Safety and Compliance for review and report to the Commission.

If you have any questions about this cancellation please call (717) 787-5633.

cc: Judge Christianson  
John Frazier - BPL  
Safety & Compliance  
Law Bureau  
Consumer Advocate  
Norma Lewis  
Stephen Springer  
Beth Plantz  
Docket Room

Certified Mail  
Receipt Requested

**DOCKETED**  
NOV 10 1993

SL V