

Vicki Anderson
1622 Baltimore Pike
Hanover, PA 17331

February 14, 2015

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Vicki Anderson v. The York Water Company
Docket No. F-2014-2462319

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2015 FEB 25 AM 11:08
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SECRETARY'S BUREAU

Dear Secretary Chiavetta,

Enclosed please find the Answer and New Matter of Vicki Anderson to The York Water Company in the above-referenced proceeding. Please be aware that I am not an attorney. I asked my son, Clifton Smith, who is also not an attorney, to help me prepare these documents as best as possible to be in accordance with the Commission's regulations. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Vicki Anderson

Enclosures

cc: Certificate of Service

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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Vicki Anderson, :
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Complainant :
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v. :
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The York Water Company :
:
Respondent :

Docket No. F-2015-2462319

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FEB 25 2015

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**COMPLAINANT'S REPLY TO RESPONDENT'S ANSWER AND NEW MATTER AND A
COMPAINANT NEW MATTER**

I, Vicki Anderson, file this Reply to The York Water Company ("York Water" or "YWC" or "Company" or "Respondent") Answer and New Matter and file an additional New Matter to the Complaint of Vicki Anderson ("Complainant") pursuant to Section 5.61 and 5.62 of the Pennsylvania Public Utility Commission's ("Commission" or "PUC") regulations, 52 Pa. Code §§ 5.61 and 5.62. Complainant responds to each of the separately number paragraphs of the New Matter as follows:

1. Denied. Complainant reaffirms the denial that she used 38,100 gallons of water during the August 22, 2014 to September 23, 2014 billing cycle.
2. Denied. Complainant is without sufficient information to form a conclusion regarding whether the Company meter reading on September 25, 2014 was consistent with previous Company readings. Complainant points out that the assertions made by the Respondent in this paragraph regarding Radio Frequency meter reading are inconsistent with York Water's official response to the Informal Complaint as noted in the "Company Investigation PRIOR to BCS Contact" section of the Bureau of Consumer

Services (“BCS”) informal complaint form for BCS Case No. 3303029. Complainant highlights this inconsistency as it is yet another instance of YWC’s actions to deceive, manipulate, and intimidate the Complainant as well as to deceive the PUC. Additional information regarding these actions is included in the Complainant New Matter below.

3. Admitted.
4. Admitted.
5. *Admitted in part and denied in part. Complainant is without sufficient information to form a conclusion regarding whether the Complainant direct meter reading on October 1, 2014 was consistent with previous Company readings. Complainant provided a direct meter reading and noted no leak indicators present.*
6. Admitted. Complainant points out that the assertions made by the Respondent in this paragraph are inconsistent with York Water’s official response to the Informal Complaint as noted in the “Company Investigation PRIOR to BCS Contact” section of the Bureau of Consumer Services (“BCS”) informal complaint form for BCS Case No. 3303029. Complainant highlights this inconsistency as it is yet another instance of YWC’s actions to deceive, manipulate, and intimidate the Complainant as well as to deceive the PUC. Additional information regarding these actions is included in the Complainant New Matter below.
7. Admitted in part and denied in part. Company did exchange the meter and Complainant’s property. Complainant is without sufficient information to form a conclusion regarding whether the remaining statement, and therefore denies them.
8. No responsive pleading is required.
9. Admitted.

10. Denied. Complainant denies that the October 20, 2014 meter reading confirms, or is any indication of, the accuracy of the September 23 and 25, 2014 readings.
11. Denied. Complainant is without sufficient information to form a conclusion regarding the statements in this paragraph, and therefore denies them.
12. No responsive pleading is required. However, complainant acknowledges the meter testing results in the pristine environment of a laboratory and asserts that a meter malfunction may still have occurred when the meter was in place at the residence.
13. No responsive pleading is required.
14. No responsive pleading is required. However, complainant acknowledges the meter testing results in the pristine environment of a laboratory and asserts that a meter malfunction may still have occurred when the meter was in place at the residence.
15. No responsive pleading is required.
16. Complainant denies Complainant failed to make a claim upon which relief may be granted.

NEW MATTER

1. Complainant would like to note the following inconsistencies in The York Water Company's response to the *Informal Complaint* and YWC's *Answer to the Formal Complaint*. It appears the Company is attempting to rewrite history, omit facts, and/or clean things up for the impending PUC hearing.
 - a. In the Respondent's New Matter paragraph 2, the Company asserts they performed a re-read of the meter via radio frequency on September 25, 2014. However, in their response to the informal complaint they assert they

dispatched a Company technician to obtain a physical meter reading and verified the leak indicator was not spinning.

- b. In the Respondent's New Matter paragraph 6, the Company asserts they offered to perform a meter test. However, in their response to the informal complaint they claim the Complainant requested the test.
- c. In the Company's response to the Informal Complaint the Company asserts the Complainant agreed to a payment plan but the Company omitted the fact that the Complainant continued to dispute the bill and that Customer Service Supervisor Ms. Colon told Complainant no additional recourse was available to seek relief since the YWC meter test showed the meter was operating within allowable tolerance.
- d. In the Company's response to the Informal Complaint the company asserted they, "manage a voluntary billing validation process through which the Company identifies accounts whose water use for a billing period exceeds 4X the average consumption for that account. Upon identifying this condition the company obtains a re-read of the meter and attempts to contact the customer via letter, telephone, email, and/or personal contact." However, when Complainant was billed for 12,400 gallons on the July 28, 2014 (bill not in dispute), the Company did not attempt billing validation for this usage level, which was more than 5X times Complainant's average use of 2416 gallons per month up to that point in 2014. This is another example of the inconsistent adherence to policy within YWC and further illustrates the Company's deliberate manipulation of events in order to give the PUC and

customers the false impression that it acts in good faith and in accordance with the law.

2. The Company performed a physical meter reading on October 20th, 2014. During this activity the Company technician had a conversation with private plumber, Ronnie Barnhart, who was also onsite at the time inspecting the home for water leaks. During the conversation, Mr. Barnhart told the Company technician that such a large amount of water (38,100 gallons) could not have been used on the property. *The Company technician responded, "I know. This isn't the first time this has happened,"* a reference to Company errors in reported water usage.
3. On or about January 21, 2015, Company customer service supervisor Natalie Colon, called Complainant to dissuade her from continuing with the Formal Complaint process. During this conversation, Ms. Colon asserted that the Complainant would need to hire a lawyer to pursue the Formal Complaint process, which would cost Complainant additional money.
4. Company representative Susan (last name unknown) and Ms. Colon both failed to provide PUC contact information and informal/formal complaint procedures when Complainant said she still did not agree with the bill after Company tested the meter.
5. On October 24, 2014, Ms. Colon contacted Complainant and told Complainant no additional recourse was available to seek relief since the YWC meter test showed *the meter was operating within allowable tolerance.* Complainant, believing there were no other options, discussed a payment plan with Ms. Colon but still ardently disputed the bill.

6. The Complainant agreement to a payment plan was made solely based on Ms. Colon's lie that Complainant had no additional recourse to pursue relief. It was only after Complainant contacted her son, who successfully discovered the PUC complaint procedures and relayed them to Complainant, that Complainant learned of the PUC points of contact and Informal and Formal Complaint procedures.
7. Pursuant to 52 Pa. Code §§ 56.381 56.382 a public utility is required to inform the *complaining party that a hard copy of its investigation report of the matter in dispute and that the report must contain (among other things): a statement that service will not be terminated pending completion of the dispute process, including both informal and formal complaints, so long as there is compliance with all requirements of the Commission, a statement that if the complaining party does not agree with the utility company report, an informal complaint shall be filed with the Commission to ensure the preservation of all of the complaining party's rights, and a full and complete explanation of procedures for filing an informal complaint with the Commission. The Company did not inform the complainant that a written report of the dispute investigation was available upon request nor did the company provide the contact information of the PUC and procedures for filing an informal complaint. This behavior part of the Company and its designated customer service representatives is inconsistent with the spirit and letter of 52 Pa. Code §§ 56.381 56.382.*
8. Pursuant to 52 Pa. Code § 56.381 utilities shall not issue termination notices based on the disputed subject matter. After learning the resolution of the Informal Complaint, on or about December 16, 2014, the Complainant informed the Company

that the bill was still in dispute and that the Complainant had filed the paperwork to initiate the formal complaint process. However, despite verbal acknowledgement by YWC Customer Service Supervisor Ms. Colon that Complainant had filed a Formal Complaint, the Company threatened Complainant with termination of service by sending two termination warning notices, once on December 18, 2014 and again on January 6, 2015. True and correct copies of the shut off warning notices are attached hereto.

9. Pursuant to Section 65.10 of the PUC's regulation, 52 Pa. Code § 65.10, in the event of a dispute between a customer and a public utility respecting a bill, the utility shall immediately make the investigation required by the particular case and report the *result of the investigation to the customer in accordance with the provisions of Chapter 56, Subchapter F (relating to disputes; termination disputes; informal and formal complaints)*.
10. The York Water Company failed to make the investigation and report the result of the investigation to the Complainant pursuant to 52 Pa. Code § 65.10 in accordance with the provisions of Chapter 56, Subchapter F. Therefore, the relief requested in the Formal Complaint or the request in the final paragraph below, therefore should be granted.
11. The York Water Company disregarded multiple sections of Pa. Code (52 Pa. Code §§§ 56.381 56.382 65.10) in dealing with Complainant's dispute and also threatened, intimidated, and deceived Complainant in an effort to coerce Complainant to pay an erroneous bill in the amount of \$294.93 for 38,100 gallons of

water and to dissuade Complainant from moving forward with the Informal and Formal Complaint processes.

WHEREFORE, Complainant respectfully requests judgment in favor of Complainant Formal Complaint and against Respondent and grant relief to Complainant in the form of reducing Complainant utility bill for the period of August 22, 2014 through September 23, 2014 to a usage level of 3164 gallons which would be billed at \$39.16 (inclusive of the monthly customer charge of \$16.00); this billing level is the Complainant's average usage level for 2014, excluding the 38,100 gallons in dispute.

Respectfully submitted,

A handwritten signature in black ink that reads "Vicki Anderson". The signature is written in a cursive style with a large initial "V".

Vicki Anderson
1622 Baltimore Pike
Hanover, PA 17331
Phone: 717-476-9220
Email: vanderson1354@yahoo.com

Date: February 14, 2015

West Manheim Township 10-DAY SHUT OFF NOTICE

YOUR WATER SERVICE MAY BE SHUT OFF

Because your sewer bill is past due, we will shut off water to: **1622 BALTIMORE PIKE
HANOVER, PA 17331-9603**

on or after 8:30 a.m. on 12/29/2014.

VICKI ANDERSON
1622 BALTIMORE PIKE
HANOVER, PA 17331-9603

Date: 12/18/2014
Account Number: 113123-388527
Past Due Amount: 552.90

TO STOP THE SHUT OFF, YOU MUST DO ONE (1) OF THE FOLLOWING AT ONCE:

1. Pay the TOTAL amount past overdue to THE YORK WATER COMPANY.
2. Call or email The York Water Company Customer Service Department at (717) 845-3601, 1-800-750-5561 or email customer.service@yorkwater.com. Or, visit The York Water Company, 130 E. Market Street, York, PA to let them know that you made a payment, or to dispute the overdue bill.
3. Call if you or someone in your home has a serious illness or a medical condition. Read the Medical Emergency Notice below.

IF WE SHUT OFF YOUR WATER, YOU MAY HAVE TO PAY THE FOLLOWING CHARGES TO HAVE YOUR WATER TURNED BACK ON:

Past Due Amount	552.90
Turn-on Charge	15.00
Total Amount Due	567.90

MEDICAL EMERGENCY NOTICE

If someone living in your home is seriously ill, we will not shut off your water service during this illness if you do two (2) things:

1. Have a doctor certify by phone or in writing that the illness exists and that the person will be in danger if they do not have water service.
- AND
2. Make arrangements to pay your overdue and current bills by calling or emailing The York Water Company at (717) 845-3601, Toll Free 1-800-750-5561 or customer.service@yorkwater.com.

If you have questions or need more information, please contact:

The York Water Company
Attn: Customer Service Dept.
130 E. Market Street
York, PA 17401-1219
Phone: (717) 845-3601 or Toll Free 1-800-750-5561
Email: customer.service@yorkwater.com

Natalie
PUC 1-800-782
1110 8:30-4:00

West Manheim Township 3-DAY SHUT OFF NOTICE

Manheim
Everett
Jackie PDC

YOUR WATER SERVICE MAY BE SHUT OFF

Because your sewer bill is past due, we will shut off water to:
PUC 1-800-692-7381 - NOT WORKING #
on or after 8:30 a.m. on 01/12/2015.

1622 BALTIMORE PIKE
HANOVER, PA 17331-9603

VICKI ANDERSON
1622 BALTIMORE PIKE
HANOVER, PA 17331-9603

Date: 01/06/2015
Account Number: 113123-388527
Past Due Amount: 552.90

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2. Call or email The York Water Company Customer Service Department at (717) 845-3601, 1-800-750-5561 or email customer.service@yorkwater.com. Or, visit The York Water Company, 130 E. Market Street, York, PA to let them know that you made a payment, or to dispute the overdue bill.
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The York Water Company
Attn: Customer Service Dept.
130 E. Market Street
York, PA 17401-1219
Phone: (717) 845-3601 or Toll Free 1-800-750-5561
Email: customer.service@yorkwater.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Vicki Anderson,	:	
	:	
Complainant	:	
	:	
v.	:	Docket No. F-2015-2462319
	:	
The York Water Company	:	
	:	
Respondent	:	

NOTICE TO PLEAD

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.63, YOU MAY FILE A REPLY TO THE ENCLOSED NEW MATTER WITHIN TWENTY (20) DAYS AFTER THE DATE OF SERVICE. YOUR REPLY SHOULD BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY OF YOUR REPLY SHOULD ALSO BE SERVED ON THE UNDERSIGNED.

Vicki Anderson
Vicki Anderson
Vicki Anderson
1622 Baltimore Pike
Hanover, PA 17331
Phone: 717-476-9220
Email: vanderson1354@yahoo.com

PA P.U.C.
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Date: February 14, 2015

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA FIRST CLASS MAIL

Lindsay A Berkstresser (ID # 318370)
Post & Schell P.C.
17th North Second Street
12th Floor
Harrisburg, PA 17101-1601

Date: February 14, 2015



Vicki Anderson

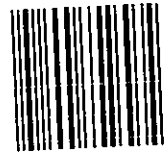
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U. Anderson.
1622 Baltimore Pike
Hanover, PA. 17331



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Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd floor North
P.O. Box 3265
Harrisburg, PA. 17105-3265