

1 A P P E A R A N C E S: (Continued)

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I N D E X

W I T N E S S E S

	Direct	Cross
Joseph H. Lubinski	566	571-Mr. Popowsky 591-Mr. Tanski 633-Ms. Allen 642-Mr. Pitscavage 665-Mr. Colafut 688-Mr. Vendor 691-Mr. Popowsky 695-Mr. Tanski

I N D E X

E X H I B I T S

Marked for Identification

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1 JUDGE MINDLIN: We are convening for further
2 hearings in this matter.

3 Have all interested parties or their counsel signed
4 the appearance sheet? If anyone hasn't, the sheet is being
5 circulated.

6 Are there any miscellaneous matters before we
7 proceed with the hearing?

8 MR. POPOWSKY: Your Honor, I believe we have a
9 motion to compel outstanding, concerning certain matters
10 that were raised at the last hearing. And I wondered if
11 Your Honor would like to rule on that at this time.

12 MR. THOMAS: We received that motion on Friday
13 and we have ten days to respond and we are going to respond.

14 JUDGE MINDLIN: Does that answer your situation?

15 MR. POPOWSKY: As long as we get it before the
16 next, well, --

17 JUDGE MINDLIN: Before the close of the hearings.

18 MR. POPOWSKY: Before the close of the hearings,
19 yes.

20 JUDGE MINDLIN: Is there any other problem about
21 that? Apparently not.

22 Any other matter of that kind or any other kind?

23 MR. THOMAS: Your Honor, we have distributed an
24 additional statement of testimony by Mr. Lubinski to the
25 parties and we are going to identify it today. We have

1 prepared a map which will be marked for identification as
2 P G & W Exhibit M, a U.S. Geodetic survey map for the purpose
3 of showing with more specificity the ski slope on the water-
4 shed of No. 5 and the location of the civic arena and the
5 motel, not being on the watershed of either No. 5 or Stark.

6 We agreed to supply the letter to stockholders
7 from the 1972 annual report, the transcript, page 154, and
8 I frankly do not recall, there was a Trial Staff's request;
9 we have that material. We have Exhibit N, which is a
10 response to data requests made in the record at the last set
11 of hearings and one covers the contribution to LIFE, and the
12 other covers the news release, the question of conservation
13 of water.

14 We agreed to supply for the record, I think the
15 request was made in the transcript at page 164, the docket
16 number in respect to the merger out of which Pennsylvania
17 Enterprises was created. And that docket number is A. 98472.

18 We are prepared to proceed this morning any way
19 that Your Honor desires. We have Mr. Gooch and Mr. Lubinski
20 here. Somebody has indicated that they want some further
21 cross.

22 There are, also, I think four or five witnesses of
23 SLIBCo. that have not been crossed.

24 We have distributed, maybe six weeks, two months
25 ago, P G & W's appraisal of the 425 acres involved. We had

1 hoped to have our appraiser here at this set of hearings. He
2 is from Philadelphia and he is out of the city for 10 days.
3 We ask leave to call him at the next set of hearings or to
4 stipulate his appraisal into the record, whichever the
5 parties desire.

6 And that is about it as far as preliminary matters
7 that we know of.

8 JUDGE MINDLIN: Well, we may proceed then with your
9 witness?

10 MR. THOMAS: Yes.

11 JUDGE MINDLIN: We have received some of the other
12 material, for example from SLIBCo., but suppose we proceed
13 with what you have. Will you call Mr. Lubinski?

14 MR. THOMAS: Mr. Lubinski.

15 JUDGE MINDLIN: Who has been sworn.

16 MR. POPOWSKY: Your Honor.

17 JUDGE MINDLIN: Yes.

18 MR. POPOWSKY: Could I preliminarily ask for
19 permission to do some further cross examination of Mr.
20 Lubinski on materials that I obtained from P G & W and from
21 the Department of Environmental Resources, since the last
22 set of hearings?

23 MR. THOMAS: Why don't we get our preliminary
24 identifications out of the way and then you can cross
25 examine him on whatever you want.

1 MR. POPOWSKY: Thank you.

2 MR. THOMAS: Is that satisfactory?

3 MR. POPOWSKY: Yes, thank you.

4 JUDGE MINDLIN: We shall do that your way,
5 Mr. Thomas.

6 MR. THOMAS: We ask, Your Honor, that it be
7 marked for identification as P G & W Exhibit M, a United
8 States Department of the Interior Geological survey showing
9 the Avoca triangle of Pennsylvania. May it be so identified?

10 JUDGE MINDLIN: It may, yes.

11 (Whereupon, map was produced and marked
12 for identification as P G & W Exhibit M.)

13 MR. THOMAS: We ask that it be marked for
14 identification as P G & W Exhibit N, responses to data
15 requests made in the record on September 26, 1979; there are
16 two items. The first of which is answered by Mr. Gooch
17 as to what contribution the company has made to any
18 organization related to the Montage project. And item no. 2
19 is an answer by Mr. Lubinski in response to a request that
20 the company supply a copy of a press release to conserve water
21 in 1977 or 1978; the release was in 1978. May it be so
22 identified?

23 JUDGE MINDLIN: It may.

24 (Whereupon, responses to data requests
25 were produced and marked for identifi-
cation as P G & W Exhibit N.)

1 MR. THOMAS: In both instances, we have given three
2 copies of Exhibit M and Exhibit N to the reporter and have
3 distributed copies to the parties who are present.

4 We ask that there be marked for identification
5 as P G & W Statement No. 3 at this docket number, witness,
6 Joseph H. Lubinski, and it is supplemental and additional
7 testimony by Mr. Lubinski and was distributed to Your Honor
8 and to the parties of record on November 1, 1979.

9 May it be so identified?

10 JUDGE MINDLIN: Yes.

11 (Whereupon, additional testimony was
12 produced and marked for identifica-
tion as Statement No. 3.)

13 JOSEPH H. LUBINSKI, having been previously duly
14 sworn, testified as follows:

15 DIRECT EXAMINATION

16 BY MR. THOMAS:

17 Q Mr. Lubinski, I show you what has been marked for
18 identification as P G & W Statement No. 3, and ask you if
19 this is additional testimony which you had prepared in
20 question and answer form for purposes of this proceeding?

21 A Yes, sir.

22 Q If I were to ask you the questions contained in
23 P G & W Statement No. 3, would you give the answers stated
24 therein?

25 A Yes, sir.

1 Q Are there any corrections or additions that you
2 desire to make at this time to this testimony?

3 A There are no corrections or additions to make at
4 this time.

5 Q Mr. Lubinski, are the answers contained in P G & W
6 Statement No. 3 true and correct to the best of your knowledge,
7 information and belief?

8 A To the best of my knowledge and information, they
9 are true and correct.

10 Q If Your Honor please, we offer in evidence P G & W
11 Statement No. 3.

12 JUDGE MINDLIN: Is there any objection?

13 (Discussion off the record.)

14 JUDGE MINDLIN: Are there any objections to the
15 admission of Statement No. 3?

16 Statement No. 3 is admitted; there are no
17 objections.

18 There are a number of maps circulating. I suggest
19 that some of the parties share.

20 MR. THOMAS: If Your Honor pleases, I believe it
21 was at the last set of hearings somebody made reference to a
22 letter addressed to Mayor Joseph; I believe he is mayor of
23 Duryea, the letter dated April 19, 1977, and directed to
24 Mayor Joseph by Mr. Hansen, former chief executive officer of
25 P G & W; it was marked for identification as Trial Staff

1 Exhibit No. 7. At that time, the Trial Staff did not have
2 a clean copy. And we agreed to provide a clean copy. And I
3 want the record to show that we have given to the parties
4 today a clean copy of this exhibit.

5 JUDGE MINDLIN: Are we ready then?

6 MR. THOMAS: No, I have two more things to do.

7 BY MR. THOMAS:

8 Q Mr. Lubinski, I show you what has been marked for
9 identification as P G & W Exhibit M. Was this exhibit prepared
10 by you or under your supervision and direction?

11 A This Exhibit M was prepared under my supervision
12 and direction.

13 Q And would you state just very briefly what the
14 exhibit shows and the purpose of the exhibit?

15 A The exhibit shows the watershed areas of Stark,
16 No. 5, and it shows the relationship; it shows the location
17 of the motor inn site, the civic arena site and the ski
18 slopes and their relationship to the watersheds. Specifically,
19 the civic arena and the motor inn site are not on public
20 water supply watersheds.

21 Q Does this exhibit show the land contours?

22 A It shows the land contour in 20-foot contours.

23 Q Thank you. I show you what has been marked as
24 P G & W Exhibit N, which are responses to data requests made
25 in the record on September 26, 1979. I direct your attention

1 to item 2 of that exhibit. Was the answer to item 2, being
2 at transcript page 289, we were requested, "Could we be
3 supplied with a copy of that press release (to conserve water
4 in '77 or '78) if it is available from the Company?"

5 Are you responsible for the answer and the supplying
6 of that release?

7 A I provided the information in preparation of that
8 release.

9 Q Thank you very much.

10 Going back to Exhibit M, Mr. Lubinski, just off the
11 edge of the No. 5 Reservoir watershed, there is a small, black
12 block. Is that the chalet that you understand that is
13 proposed to be built on the ski slope?

14 A There are four black blocks in there that represent
15 the location of the proposed chalet.

16 Q That chalet is not carried on the legend of the
17 exhibit, is it?

18 A It is not marked as such.

19 Q But that is what the blocks are for?

20 A That is correct.

21 MR. THOMAS: Thank you.

22 The witness is available for cross.

23 JUDGE MINDLIN: Do the other parties have a
24 preference about order?

25 MR. THOMAS: I might note for the record, this

1 witness had been extensively crossed before, and he was
2 called back, other than for new material today, I thought
3 for the Consumer Advocate. But I could be wrong in that
4 respect.

5 Am I right or wrong? Maybe it was Mr. Tanski, I
6 don't recall.

7 JUDGE MINDLIN: Let's see where we are now.

8 All right, Consumer Advocate.

9 MR. POPOWSKY: I was just going to say, he was in
10 the process of being cross examined by Mr. Tanski, I believe.

11 MR. TANSKI: Since that time, Your Honor, the
12 Consumer Advocate has requested to cross examine further
13 on the material that was mentioned earlier. I would prefer
14 if he would do that first.

15 JUDGE MINDLIN: Go right haead.

16 MR. POPOWSKY: Thank you.

17 Your Honor, I would like to have the material that
18 I just passed out, labled Monthly Turbidity Values for No.
19 5 Reservoir (1974-1977) marked as Consumer Advocate, I believe
20 it's Exhibit No. 4.

21 JUDGE MINDLIN: That's right. That paper may be
22 marked.

23 (Whereupon, document entitled Monthly
24 Turbidity Values, etc. was produced
25 and marked for identification as
Consumer Advocate Exhibit No. 4.)

CROSS EXAMINATION

1
2 BY MR. POPOWSKY:

3 Q Mr. Lubinski, have you had an opportunity to take
4 a look at the material which was just passed out and marked
5 as Consumer Advocate Exhibit No. 4?

6 A Yes, I have.

7 Q Were you familiar with that document at all before
8 I passed it out?

9 A I believe I had seen that before it was supplied to
10 your office.

11 Q Could you describe what is set forth in that
12 document?

13 A It is a tabulation of turbidities that were
14 recorded at No. 5 Reservoir; not recorded, but samples taken
15 at No. 5 and the turbidity measured in P G & W's laboratory.

16 Q And according to this document, when were these
17 samples taken?

18 A The precise dates these samples were taken is not
19 known. They were taken at a random basis, at least one a
20 month.

21 Q Are these, to your knowledge, the only turbidity
22 samples that were taken by P G & W during that period?

23 A To the best of my knowledge, they were the only
24 turbidity samples that were taken.

25 Q Then, as far as you know, P G & W has no other

1 records indicating what the turbidity levels at Reservoir
2 No. 5 were during the period 1974 to 1977?

3 A These are the only ones that I know of.

4 Q And have you taken any samples of turbidity since
5 that date?

6 A Since that date; I really couldn't answer that.

7 Q Could you state, according to this document, what
8 were the mean turbidity readings during each of those years,
9 according to your samples?

10 A The means were in the vicinity of one turbidity
11 unit.

12 Q I see. And what was the highest turbidity reading
13 ever recorded on your samples?

14 A The maximum, 2.3.

15 Q Now, I believe at the last set of hearings, I
16 questioned you concerning the maximum federal turbidity
17 standards. Could you describe what the maximum permissible
18 turbidity is permitted without filtration?

19 A The maximum without filtration is one, unless a
20 waiver is granted whereby the turbidity levels can go up to
21 about five, provided you have adequate disinfection, proof
22 of adequate disinfection.

23 Q And has P G & W been able to obtain waivers as to
24 other sources to allow turbidity up to five?

25 A We have turbidity waivers, have been granted to us.

1 I don't think we have any as high as five, but possibly in
2 the neighborhood of three. They vary, depending on the
3 turbidity levels that we have been reporting to EPA since
4 June of 1978.

5 Q Could you say approximately how many such waivers
6 you have obtained?

7 A Possibly 10, 12.

8 Q At the last set of hearings, I believe at page 354,
9 you stated that turbidity at No. 5 Reservoir ranged as high
10 as 10 turbidity units. Could you tell me where you obtained
11 that information and what indicated to you that the turbidity
12 did reach that level?

13 A I would say it could possibly get up to 10. You
14 want to bear in mind that these turbidities were not taken,
15 they could be significantly higher at some times, particularly
16 after a high and extreme run-off period. I think 10 might be
17 a little high for No. 5.

18 Q But you have no actual readings that have ever
19 indicated a turbidity higher than 2.3?

20 A Not during this reporting period.

21 Q Now, I just want to clear up one thing. When No. 5
22 was in service, was it necessary to visit the No. 5 Reservoir
23 every day to check the chlorinators?

24 A It was necessary, it is necessary when you have a
25 reservoir in continuous, potable water service, it is necessary

1 to visit it every day.

2 Q And were these turbidity samples taken at the time
3 that the reservoir was visited?

4 A It is very likely the man that was checking the
5 chlorinators also checked, took the samples, for turbidity.

6 Q And what was entailed in taking a turbidity sample?

7 A It is just a matter of opening the test tap and
8 letting it run a little bit and putting it into a sample jar.

9 Q So then turbidity samples could have been taken at
10 any time during those four years on any day?

11 A That is correct.

12 Q Now, you say in your most recent direct testimony
13 at page 3, which was handed out today, that you were asked
14 whether the construction of a ski slope on No. 5 watershed
15 gave you reason for concern in respect to water quality and
16 supply. And your answer was no. You went on to explain your
17 reason.

18 In addition to the ski slope, there will be, I
19 believe it is shown on your map, the construction of a, it
20 was referred to as a chalet, and portions of the Montage
21 access road would also be on the watershed for No. 5.

22 MR. THOMAS: Would you point out, Mr. Popowsky,
23 where that access road is?

24 MR. POPOWSKY: I'm sorry, I don't see it on this
25 map. Is it on the other map?

1 Q Do you know if any of the access road is on ...

2 A As you look at the map, No. 5 watershed is outlined
3 in red. And just two, short, very short branches of the
4 access road to the site are on, actually there is no access
5 road on No. 5 watershed.

6 Q I see. So, there will not be any road leading
7 from the access road to the chalet? The people will walk
8 from the --

9 MR. THOMAS: Read it back, please?

10 (The following question was read back by the
11 reporter:)

12 "I see. So, there will not be any road leading
13 from the access road to the chalet? The people will walk
14 from the --"

15 A I would assume that at that location between where
16 the roads end to the chalet there will probably be a parking
17 lot of some type.

18 Q Is the parking lot shown on this map? Is that one
19 of those black blocks there?

20 A No, no. The parking lot would be generally in that
21 flat area that would be approximately, the highest contours
22 on the map, and they would be probably 1540. There is a
23 small area there, right on the plateau, that would be the
24 parking lot which would flow in two directions; it would
25 drain in two directions.

1 Q I just wanted to ask then, will that additional
2 construction, in addition to the ski slope, does that affect
3 your opinion as to whether you have any concern with respect
4 to the water quality at No. 5?

5 A No, as indicated in my testimony, all of this
6 construction will have to be done in compliance with DER
7 regulations for sedimentation and erosion control. And in
8 my experience, I think that they have really tightened up
9 their standards and regulations. And it can be readily done
10 without any adverse effect.

11 Q Have you reviewed any plans by the developers of
12 Montage? Do you know if those plans have been done?

13 A I am familiar with the regulations that DER have
14 for erosion and sedimentation control. And I would most
15 certainly believe that they would be done in compliance with
16 those regulations. They are quite rigid.

17 Q And it is your feeling that if they comply with the
18 regulations, that would sufficiently protect No. 5?

19 A That would adequately protect the watershed, the
20 quality of the water.

21 Q Would your opinion change if there were additional,
22 or any residential development done in the area surrounding
23 Montage?

24 A Could I ask what area are you talking about
25 specifically?

1 Q Well, there was an area that was originally
2 proposed for or conceived for residential development at the
3 initiation of the plans for Montage; are you familiar with
4 those plans?

5 A Those plans were concepts and really not plans,
6 Montage plans. These are, to the best of my knowledge, this
7 is Montage; the ski slope, the civic arena and the motor inn.

8 Q I see. But if those plans were to go into effect,
9 those conceptual plans.

10 MR. E. PREATE: We object to this, Your Honor.
11 This is strictly conjecture.

12 MR. THOMAS: There are no plans in existence.
13 If he would rephrase his question and get some specificity
14 in it, I have no objection if the witness answers.

15 JUDGE MINDLIN: I think the objection is overruled.
16 We can deal with a concept. The evidence indicates the
17 concept has been entertained and it remains to be seen
18 whether the concept provides a sufficiently defined problem
19 to answer the question of affect on the watershed lands.
20 So, I will let it stand for now.

21 MR. THOMAS: Your Honor, at least could we have
22 the question rephrased because the question as phrased now,
23 proposed plans. There are no proposed plans. If he could
24 rephrase the question, I have no objection.

25 JUDGE MINDLIN: Yes, you may be correct in that

1 respect. May we have the question back, please?

2 Or, do you care to restate it?

3 MR. POPOWSKY: Well, we have a copy of this PEI
4 annual report of 1975 which has these conceptual plans on
5 them. I could show them to Mr. Lubinski.

6 JUDGE MINDLIN: All right, the objection now, it
7 seems to have been narrowed down to your use of the word
8 "proposed plans." Can you state your question in different
9 terms?

10 MR. POPOWSKY: The concept that was espoused on
11 this map which is basically another copy of the U.S. G.S.
12 Map with different marks on it.

13 JUDGE MINDLIN: Mr. Lubinski, are you familiar
14 with the map representation on the cover of the 1975 annual
15 report?

16 A Yes, I have seen it. But I would like to have a
17 copy here in front of me so I could direct my answers.

18 JUDGE MINDLIN: Yes. You may.

19 MR. POPOWSKY: Do you have that, Your Honor?

20 JUDGE MINDLIN: Yes, I do.

21 BY MR. POPOWSKY:

22 Q Have you had an opportunity to take a glance at that
23 map?

24 A Yes.

25 Q Is that also a U.S. G.S. map of the area?

1 A It is basically a U.S. G.S. map.

2 Q And does that show additional development; that is,
3 in addition to what is shown on the map that was presented as
4 Exhibit M today?

5 A To me, it looks like there is some additional,
6 the concept shows some additional roads and those black blocks,
7 I'm not so sure what they are.

8 Q Well, is that property, as far as you know, also on
9 No. 5 watershed?

10 MR. THOMAS: Which one, what part of it?

11 MR. POPOWSKY: I'm sorry.

12 MR. THOMAS: Where the black dots are shown?

13 MR. POPOWSKY: Yes.

14 A I would say they are on No. 5 watershed.

15 Q Now, I simply wanted to know whether that, if that
16 additional concept were put into effect, would that affect
17 your opinion as to your concern over the No. 5 Reservoir?

18 A This is really a concept. And without detailed
19 plans and how it was to be built, it is somewhat difficult for
20 me to give you, express an opinion. It may or may not have
21 an adverse effect. But without detailed plans on the thing,
22 how it's proposed to be constructed.

23 Q That's fine. I don't expect you to be able to
24 determine from looking at that whether it would have an
25 adverse effect. I simply wanted to know whether it would, in

1 response to your answer where you said you did not have any
2 concern because of the ski slope, I would like to know
3 whether you would have concern, at least sufficient concern
4 to want to review any further development.

5 A With the concept that is there, I think I would
6 have to express some concern, what is proposed there, and
7 would have to take a real close look at it.

8 Q And what would your concern be?

9 A The concern would be that I would assume possibly
10 turbidities.

11 Q There would be an increase in turbidity?

12 A Turbidities, the type of sewage treatment facilities
13 that would be putting in.

14 Q Do you know, by the way, what type of sewage
15 facilities have been proposed for the present project?

16 MR. THOMAS: Read it back, please.

17 (The following question was read back by the
18 reporter:)

19 "Do you know, by the way, what type of sewage
20 facilities have been proposed for the present project?"

21 MR. THOMAS: Now, by "present project" you're
22 talking about the chalet, the motor inn?

23 MR. POPOWSKY: No, I'm not concerned with the motor
24 inn and the convention complex because I understand that
25 they are not on ...

1 MR. THOMAS: You're talking about the chalet?

2 MR. POPOWSKY: Yes.

3 A I am not certain whether they propose to hook that
4 into the existing sewer systems or whether they propose to
5 put in an on-site treatment plant.

6 JUDGE MINDLIN: In any event, are the provisions
7 for water supply and sewage disposal subject to DER law and
8 regulations?

9 A Very much so.

10 Q Is it possible that the sewage from the chalet
11 would have any effect on Reservoir No. 5?

12 A They wouldn't put any facility; any facility that
13 they put in there, if it would affect No. 5, it wouldn't be
14 approved, or a potential effect on No. 5 would not be approved.

15 Q Concerning the Stark Reservoir, could you tell me
16 whether the Stark Reservoir is in the Scranton Division or
17 the Spring Brook Division?

18 A The Stark Reservoir is listed in the Spring Brook
19 Division.

20 MR. POPOWSKY: Your Honor, I have just passed out
21 three documents. I would like to have two of them marked for
22 identification; and if necessary, I will have the third
23 document marked.

24 I would like to mark as Consumer Advocate Exhibit 5
25 the annual water supply report for the calendar year, January 1

1 to December 31, 1977, of the Pennsylvania Gas and Water
2 Company.

3 JUDGE MINDLIN: It may be marked, yes.

4 (Whereupon, annual report, 1977, was
5 produced and marked for identifica-
6 tion as Consumer Advocate Exhibit No. 5.)

7 MR. POPOWSKY: And as Exhibit No. 6, the annual
8 water supply report of the Pennsylvania Gas and Water
9 Company for the calendar year, January 1 to December 31,
10 1978.

11 JUDGE MINDLIN: That may be marked.

12 MR. POPOWSKY: Thank you.

13 (Whereupon, annual report, 1978, was
14 produced and marked for identifica-
15 tion as Consumer Advocate Exhibit No. 6.)

16 BY MR. POPOWSKY:

17 Q Mr. Lubinski, could I ask you to refer to the 1977
18 report which has been marked Exhibit 5.

19 JUDGE MINDLIN: Should we not note that they are
20 reports to the Department of Environmental Resources?

21 MR. POPOWSKY: Yes, that's right.

22 Q Could you, Mr. Lubinski, describe just basically
23 summarize what these reports signify?

24 A These are report forms that we are requested to
25 submit to DER on an annual basis, information concerning water
supply.

Q And is this a report, could you indicate whether

1 this is for the Scranton Division or the Spring Brook Division?

2 A This refers, this is the Scranton Division.

3 Q I see. Can you refer to page 5 of the report?

4 MR. THOMAS: Which one?

5 MR. POPOWSKY: I'm sorry; Exhibit 5.

6 MR. THOMAS: Thank you.

7 Q And at the bottom, it names a person to contact
8 regarding this report; and can you tell me who is the person
9 named?

10 A That person is myself.

11 Q Joseph H. Lubinski.

12 A That's correct.

13 Q Now, you referred to attachment sheet no. 1, which
14 is the last page of the exhibit.

15 Could you describe what is contained in that
16 attachment?

17 A It is a source, it's a tabulation of our intakes,
18 impounding dams and storage reservoirs, well water.

19 Q And is Reservoir No. 5 included on that list?

20 A Yes.

21 Q And could you tell me what the storage capacity for
22 Reservoir No. 5 is listed on that?

23 A 32 million gallons.

24 Q Now, would you turn back to page 5.

25 JUDGE MINDLIN: Is Stark listed?

1 MR. POPOWSKY: No, I believe Stark is listed on
2 the Spring Brook.

3 JUDGE MINDLIN: Yes, I'm sorry.

4 Q Could you please read for the record the question
5 and answer which is contained at the top of page 5?

6 A "If capacity in any part of the supply is
7 inadequate or will be inadequate within the next five years,
8 what is your schedule for improvements which will provide
9 adequate capacity, including interconnections with other
10 public water supplies?*

11 Q That was the question. Can you read what the
12 answer was?

13 MR. THOMAS: The answer is there in the exhibit;
14 it speaks for itself.

15 JUDGE MINDLIN: Yes, but we don't want to fish
16 around when reading the record, so let's read it into the
17 record here.

18 MR. THOMAS: I hope you keep that principal in
19 mind; thank you.

20 JUDGE MINDLIN: We try to keep all principles in
21 mind.

22 Q Go ahead, please.

23 A "Supply with the next five (5) years will barely be
24 adequate to meet the demand. Long range plans call for
25 implementing the Susquehanna River as a major source of supply.

1 An application was filed in 1973 with the Pennsylvania
2 Department of Environmental Resources for permission to
3 withdraw 110 m.g.d. from the Susquehanna River to meet the
4 projected increase in demand. This application will also be
5 subject to the review and approval of the Susquehanna River
6 Basin Commission."

7 Q Thank you. And could you tell me what is the date
8 on which that statement was made, which the report was filed?

9 A It's dated March, 1978.

10 Q That is March 8, 1978?

11 A That's correct.

12 Q So, then, is it correct to say that as of March 8,
13 1978, the position of your company was that supply within the
14 next five years would barely be adequate and that there would
15 be a need to obtain additional water from the Susquehanna
16 River?

17 A With the information we had at that time, there
18 was some indication that there might be shortcomings in the
19 total supply, subsequent; and a lot of that in this report
20 was based on information, projections made by our outside
21 consultant. Since that time, we reviewed that information.
22 The projections, demand projections have not materialized,
23 and we withdrew our application to withdraw from the
24 Susquehanna River and we will be pursuing other measures
25 to make sure the adequacy is there.

1 Q I see. Could you tell me whether similar statements,
2 statements similar to the one which you just read were made
3 in reports for prior years with DER?

4 A I would suspect that probably that period; '75, '76,
5 '77, that the text of our reporting was basically the same.
6 However, if you look at the one in '78, that is the report
7 for '78. That is no longer the situation.

8 Q I see. I was just about to get to that.

9 But, Your Honor, I have copies of the four prior
10 reports which I was not going to, one of which I gave to you
11 for 1976. I would be willing to stipulate to what Mr.
12 Lubinski just said, that there are similar statements in those
13 prior year reports concerning the need for more water.

14 MR. THOMAS: I have no objection to what is in the
15 report. I have no objection as far as not producing the
16 report. I don't know what relevancy it has here. I object
17 on the grounds of relevance. It is the company's current
18 position as far as water supply, not what they thought it
19 was going to be in '74, '75, '76, '77.

20 JUDGE MINDLIN: That was a statement. We haven't
21 recognized it as an objection.

22 MR. THOMAS: I said I objected on those grounds,
23 on the ground of relevancy. I will not ask counsel, that
24 counsel be required to produce the report, if my witness says
25 that similar statements were made. I object ^{to it} on the grounds

1 of relevancy.

2 JUDGE MINDLIN: The objection is overruled.

3 Does that statement, to your knowledge, Mr. Lubinski,
4 appear in the several reports to which the Consumer Advocate
5 has referred?

6 A I am certain that it appeared in the '76 report.
7 Whether it appeared in the '75 report I could not say
8 without having it in front of me. But it may possibly have
9 indicated the same posture, based on the projections that
10 were made, which again I say did not materialize. We stopped
11 and took a look at this and we have other alternatives than
12 the Susquehanna River.

13 JUDGE MINDLIN: I must interrupt you, Mr. Lubinski.
14 That is not the question before us now. The only question
15 before us is the similarity of statements.

16 Let's go off the record for a moment.

17 (Discussion off the record.)

18 BY MR. POPOWSKY:

19 Q Mr. Lubinski, have you just taken a look at the
20 statements for the years 1974, 1975, 1976 and 1977?

21 A Yes.

22 MR. THOMAS: By record, you mean the report to DER?

23 MR. POPOWSKY: Yes.

24 A Yes, I have.

25 Q And do they each contain a statement which is

1 substantively similar to the one which you just read into the
2 record concerning the 1977 report?

3 A That is correct.

4 Q Thank you. Now, you made reference to the report
5 which was filed in, it was filed on March 14, 1979, for the
6 calendar year, January 1 to December 31, 1978. Is it
7 correct that at page 5 of that report which has been
8 introduced or identified as Exhibit No. 6, is it correct that
9 at page 5 of that report there is no such statement?

10 A I think the response to the last question on page
11 4 carries over into page 5.

12 Q Okay.

13 A It is basically the same type of question and the
14 response is there, and the response there indicates the
15 position as we see it at the end of 1978 or in March 14, 1979.

16 Q I see. Could you give that statement for the
17 record?

18 A I will read the question and the response.

19 "Will supply capacity be adequate during the next
20 five years?" The answer, check mark, "Yes." Pennsylvania
21 Gas and Water Company's estimate of its Spring Brook and
22 Scranton Reservoir and supply system safe yield is
23 approximately 102 million gallons per day. The company's
24 estimate of the average, daily delivery to both systems in
25 1978 was approximately 89 million gallons. On the basis of

1 this information, and barring any unprecedented increase in
2 demand or severe drought, the supply capacity should be
3 adequate within the next five years."

4 Q Now, can you tell me what occurred or what your
5 company did between the time it filed the 1977 report and
6 by the way, these reports are both for the Scranton Division,
7 is that correct?

8 A All of the reports I have here are for the Scranton
9 Division.

10 Q Could you tell me what the company did between the
11 1977 and the 1978 reports which indicated to you that there
12 was no longer going to be a demand problem during the next
13 five years?

14 A It was a review of the projections for increases
15 in demand which we looked at and saw that those projections
16 were not materializing and concluded that the safe yield was
17 adequate for the period mentioned in the report.

18 Q Did you conduct a formal study; are there any
19 written reports indicating to the company that there was a
20 change in demand or in their demand projections?

21 A We tabulate the water that is delivered to the
22 system on an annual basis and those tabulations did not
23 indicate any increase in demand. Also, there has been in
24 the Scranton system, particularly, a significant decrease in
25 the water, meter water sold in the Scranton Division. And I

1 think that there is an exhibit in the testimony.

2 Q Could you tell me whether you conducted similar
3 reviews during the prior five years; 1974, '75, '76, '77;
4 prior four years, that is?

5 A Well, we had the information, we saw what we were
6 delivering to the system. And that, hey, that you need some
7 period of time to see whether that has gone up or down. There
8 may be one year that may be down a little bit; another that
9 is up. So, you need some appreciable number of years to be
10 able to see whether those projections are materializing or
11 not materializing, to establish a trend.

12 Q Then, it was not until 1978 that you recognized
13 this trend that changed your opinion; is that correct?

14 A That is correct.

15 We saw indications of it not materializing, but
16 we didn't want to jump to any quick conclusions on the matter.

17 MR. POPOWSKY: That's all I have, Your Honor.
18 Thank you.

19 JUDGE MINDLIN: I notice that this is the
20 Scranton Division, in referring to capacity, the reference
21 is to both divisions. Is my recollection correct? We have
22 some evidence about the interconnection between the two
23 systems.

24 A There is a minor connection to transfer water there.
25 However, the ratio, the safe yields to deliver to the system

1 are approximately the same in both divisions. Say, for 1978,
2 the safe yield of the Scranton Division is approximately 43,
3 44. We delivered 38 million a day. For Spring Brook
4 Division, the safe yield is approximately 58 million gallons
5 per day and the delivery to the system was approximately 49
6 million. So, the ratios are comparable.

7 MR. THOMAS: If Your Honor, please, may I ask
8 him off the record.

9 (Discussion off the record.)

10 JUDGE MINDLIN: All right, back on the record.
11 Other cross examination?

12 MR. TANSKI: Yes, Your Honor.

13 CROSS EXAMINATION

14 BY MR. TANSKI:

15 Q Good morning, Mr. Lubinski.

16 A Good morning, Ted.

17 Q Mr. Lubinski, what caused P G & W to apply for
18 an allocation of 110 million gallons a day from the Susquehanna?

19 A I think 1964, '65, we had a drought, right? There
20 was reasonable concern throughout the whole Northeastern part
21 of the country of water suppliers to meet the demands. So,
22 we looked at what the possibility might be in the future, as
23 to what the demands might be in the future. And tried to
24 look, what is down the line to meet these, what may be large
25 increases in demand. And the Susquehanna looked, at the

1 possibility of being a good source of supply to meet these
2 long-range demands.

3 Q When was that drought, sir, again?

4 A 1964, '65. You want to bear in mind during that
5 drought that there were many communities were hauling water
6 in in railroad tank cars. And service was curtailed.

7 We did not want that to happen to P G & W. So,
8 we looked at what is down the line.

9 Q Is it accurate, Mr. Lubinski, to say that you made
10 that application to take 110 million gallons a day because
11 you believed that you needed the water?

12 A That the possibility of needing the water might be
13 there. If we did not apply for that water and we needed it
14 sometime in the future, that water may have been allocated to
15 water suppliers further down the river. They'd just love to
16 have that allocation.

17 Q I see. What part, Mr. Lubinski, did any informa-
18 tion or any opinions that you received from Hickok and
19 Associates play in the formation of your decision to make
20 that application?

21 A I don't quite follow your question.

22 A I believe we have testimony indicating that you did
23 receive certain information from Hickok and Associates, is
24 that correct?

25 A Hickok as an independent consultant prepared a

1 report as to what our demands might be and also where we
2 might get the water if those demands materialized.

3 Q Okay, sir. My question to you is, what part did
4 that report play in your decision to file the application with
5 DER?

6 A You want to bear in mind that application was filed
7 prior to the so called Hickok Report which was dated 1975.
8 The initial application was filed in 1973.

9 Q Did you receive any reports or any information,
10 any opinion from Hickok and Associates concerning your need
11 for water prior to the time that you filed that application?

12 A They made projections and estimates of need prior
13 to that. When the application was filed, they prepared a
14 report indicating demands and needs and as the application
15 was being reviewed, DER requested this additional information.

16 Q Okay, sir, now let me see if I understand your
17 answer. I think your answer was that, yes, you did receive
18 information prior to the filing of the application from
19 Hickok and Associates, is that correct?

20 A Yes.

21 Q Okay, sir. Now, absent that information that you
22 received from Hickok and Associates prior to the filing of
23 your application with DER, would you have filed that applica-
24 tion anyway?

25 A I think that I would have filed an application, just

1 to protect P G & W further down the line, say in 1990, the
2 year 2000 or the year 2020, that water is a very valuable
3 commodity and I would just as soon P G & W have it as some-
4 body down the line. Because if we lost that allocation,
5 somebody else is going to go right after it.

6 Q Well, in any event, in 1973 you did file that
7 application and I take it that to a large part, at least,
8 the application was filed based on your projections of future
9 needs, is that correct?

10 MR. THOMAS: Mr. Tanski, let me have a clarifica-
11 tion in your question. You say, "You filed ..." I assume
12 you mean the company. You say, "Based on your future
13 projections..." I assume you mean the company again, not
14 Mr. Lubinski individually. Would you clarify that, please?

15 Q Yes, I'm referring to the company. Is that a
16 correct statement, sir?

17 A Would you repeat that question; I lost it.

18 Q Okay, I think the question is that in 1973, you
19 did file the application and the filing of that application
20 was based to a large part on the company's projection of
21 future need?

22 A On the possibility of increased demand in the
23 P G & W area.

24 Q Okay. And, well, let's see; now, since we have
25 this distinction between you and the company, let me just

1 make one point clear. The application that was filed with
2 DER was signed by Mr. Hansen, was it not?

3 A I couldn't say specifically who signed the
4 application, but it was probably a corporate officer.

5 Q Okay. And it normally would have been Mr. Hansen,
6 wouldn't it, as president of the company?

7 A I would think so.

8 Q Okay. Now, as chief water engineer, Mr. Lubinski,
9 I take it that you would have advised Mr. Hansen that the
10 application should be filed, wouldn't you?

11 A Yes, he would consult with me on it.

12 Q And in fact, you did do that in this case, did you
13 not?

14 A That is correct.

15 Q And you did that personally; you personally advised
16 him?

17 A Yes.

18 Q Okay. Is it correct, Mr. Lubinski, that it was
19 part of your responsibility as chief water engineer, once
20 that application was filed, to pursue it to try to get the
21 application granted, isn't that so?

22 A That was part of my responsibilities.

23 Q Okay. And in fact, Mr. Lubinski, you were
24 personally the main contact person between P G & W and DER
25 and the Susquehanna River Basin Commission concerning all of

1 those transactions and the application, weren't you?

2 A Any matters of a technical matter were probably
3 referred to me.

4 Q Well, okay, in fact they were, were they not
5 referred to you?

6 A Yes.

7 Q It was your responsibility to pursue that
8 application, wasn't it?

9 A Yes.

10 Q Okay. And in connection with that responsibility
11 you personally sent various pieces of correspondence to DER
12 and to the Susquehanna River Basin Commission, didn't you?

13 A There was correspondence between myself and DER.

14 Q Okay. And you also attended various meetings with
15 DER and the River Basin Commission; right?

16 A There were meetings, but not any great number of
17 meetings.

18 Q Okay. Mr. Lubinski, when did you first determine
19 that the information that you submitted to DER in support of
20 the company's application to take water from the Susquehanna
21 may not be valid?

22 A Well, from the date the report was made, they
23 indicated in the Hickok report, they indicate yearly
24 projections, etc. as output. We knew the output for '75,
25 '76, '77; immediately marked those down and monitored that

1 to see how those projections were materializing.

2 Q Yes, sir. My question is, when did you determine
3 that the information that was in that Hickok report may not
4 be valid?

5 A As I indicated before, I couldn't take one year or
6 two years as indicating that the information was invalid. To
7 get any kind of a validity to a projection you need three,
8 four, five years.

9 Q Yes, sir, I understand that.

10 A And I would say it was about a five-year period
11 that went by before we made that judgment.

12 Q Okay, sir. Now, my question specifically is;
13 when, on what date, in what year did you personally determine
14 that that information may not be valid?

15 A I believe that was at the same time that we
16 withdrew our application or possibly two months before we
17 made, sent the formal letter withdrawing our application.
18 And I'm not going to say the precise date, whether it was
19 in early '78 or late '78.

20 Q It was 1978, though?

21 A I believe so.

22 Q When did you first call to the attention of your
23 superiors, Mr. Lubinski, that that information in that report
24 might not be valid?

25 A That may have been in early '78, mid '78.

1 Q Now, Mr. Lubinski, isn't it a fact that during the
2 course of the processing of that application, and during the
3 course of your interaction with DER, DER communicated to you
4 on several occasions what its position was concerning your
5 application?

6 A Most of that time, that period of time was requests
7 for additional information and no conclusions from DER as to
8 what the status of our application was.

9 Q Why was that additional information requested, Mr.
10 Lubinski?

11 A That was part of the information they were
12 requesting to judge the appropriateness of our application.

13 Q Now, Mr. Lubinski, let me see if I understand
14 your testimony. Are you saying that they simply asked you
15 for more information and never told you why, specifically?
16 Is that your testimony?

17 A They probably may have indicated the reason for
18 requesting the information, but there was no indication of
19 what their actual judgment would be on our application.

20 Q Okay, sir. They did tell you why they wanted this
21 additional information, you say?

22 A That is correct.

23 Q Now, could you tell me what they said to you; why
24 did they want this additional information?

25 MR. THOMAS: Objected to; I don't see where it has

1 any relevancy to this proceeding. We are getting into a
2 trial of an application we withdrew.

3 JUDGE MINDLIN: It's not a collateral matter?

4 MR. TANSKI: No, Your Honor, I don't believe it is
5 a collateral matter. If for no other reason, Your Honor, I
6 think that all of this information is important with respect
7 to the credibility of this witness. There has been testimony
8 in the record that I think is contradicted by some informa-
9 tion that will be supplied through this line of cross
10 examination.

11 JUDGE MINDLIN: What is the substantive value of
12 the testimony of another agency coming through this witness?
13 If the substance of their position is appropriate to your
14 case, isn't that what we need?

15 MR. TANSKI: Your Honor, this matter I would
16 suggest is indeed part of the substance of this case. And
17 I would cite to Your Honor DER versus P G & W, I have the
18 cite in my papers here but I don't have it in my head at
19 the moment. In that case Your Honor holds that wherever
20 environmental questions are raised before the Pennsylvania
21 Public Utility Commission, it is the obligation of the
22 Commission to be satisfied that the provisions of Article I,
23 Section 27 of the Pennsylvania Constitution have been
24 satisfied, will not be controverted somehow by the applica-
25 tion that is before the Commission.

1 And I think that given that requirement, Your Honor,
2 since all of this business about the application to DER has
3 been raised in this proceeding and the fact that it does have
4 some impact on Article I, Section 27, or may have some impact
5 on Article I, Section 27, since all that has been raised,
6 this has to be pursued as a substantive matter in this case.

7 Your Honor, Mr. Buchanan has just handed me a xerox
8 copy of the case that I am referring to. It appears at 335,
9 Atlantic, Second, page 60. And it was decided in 1975,
10 April 10.

11 JUDGE MINDLIN: Well, his handing you the case at
12 this point is very appropriate because we will take a recess,
13 during which we will look at the case.

14 Suppose we take a 15-minute recess until 11:35.

15 (Whereupon, a recess was taken.)

16 JUDGE MINDLIN: Shall we reconvene.

17 All right, we have reviewed the case of Commonwealth
18 of Pennsylvania, Department of Environmental Resources versus
19 the Public Utility Commission, involving an eminent domain
20 matter, in Potomac Edison.

21 It is our conclusion that the case does not answer
22 the question before us. The question before us is the propriety
23 of your question. That is, if we assume that an issue would
24 exist in this case involving Article I, Section 27 of the
25 constitution. That issue is not addressed here. The question

1 is whether you can proceed to raise the issue and create the
2 issue simply by asking this witness whether there was some
3 objection by DER. An objection by DER doesn't create the
4 issue. It has no probative value. In this case to which
5 you referred, DER in fact was an intervenor. So, our
6 ruling is that the objection is sustained.

7 MR. TANSKI: Your Honor, I would continue to
8 submit to Your Honor that this line of questioning has
9 relevance with respect to Mr. Lubinski's credibility and I
10 would like to pursue it for that reason and for none other.

11 JUDGE MINDLIN: What is the issue of credibility?

12 MR. TANSKI: Your Honor, there is significant
13 question as to just what events transpired prior to the time
14 that the land that we're talking about here was removed from
15 the used and useful category; and also, you know, the sequence
16 of events and various contacts with different people prior
17 to the time that the contract was entered into to sell the
18 land. And I submit, Your Honor, that what was happening
19 with respect to the application for the Susquehanna River
20 water is important to that. There has been testimony that
21 suggests that that had nothing to do with the transfer of
22 the land in any way. And I think that through this testimony
23 we can suggest, at least, that that's not the case, that all
24 of this was part of the consideration for transferring that
25 land, part of the thoughts that were in the minds of the

1 parties when that land was being transferred.

2 JUDGE MINDLIN: Do you want to answer that, Mr.
3 Thomas?

4 MR. THOMAS: If Your Honor pleases, there is no
5 issue of credibility here. The company has by its witnesses
6 stated an application was filed with DER. It stated what
7 the application was for. They stated it was based upon
8 recommendations of a consultant. The situation has changed
9 and they have withdrawn the application. There is no
10 credibility here. We don't deny we filed such an applica-
11 tion with Der. But it has no relevancy to this.

12 JUDGE MINDLIN: What specific area of testimony or
13 what specific testimony by this witness is bringing into
14 question by way of credibility? I don't understand.

15 MR. TANSKI: Your Honor, may we discuss it at
16 side bar?

17 JUDGE MINDLIN: Yes.

18 (Discussion off the record at side bar.)

19 JUDGE MINDLIN: We return to the record.

20 BY MR. TANSKI:

21 Q Mr. Lubinski, isn't it a fact that P G & W was told
22 while the application to take water from the Susquehanna was
23 being processed that its existing system would be perfectly
24 adequate if it were operated in a more efficient manner?

25 MR. THOMAS: Objected to.

1 JUDGE MINDLIN: Sustained.

2 BY MR. TANSKI:

3 Q Mr. Lubinski, you'did testify that you withdrew
4 that application for water from the Susquehanna?

5 A That is correct.

6 Q All right. Now, sir, isn't it a fact that P G & W
7 withdrew that application only after P G & W had been advised
8 that the application if it were processed further would be
9 denied?

10 MR. THOMAS: Objected to; that is a collaterol
11 attack. Our reason for withdrawing the Susquehanna River
12 application has no relevancy to the issues in this proceeding.

13 MR. TANSKI: Your Honor, may I, just for the sake
14 of the record, make this statement once. I won't do it again.
15 I don't believe that this is a collaterol matter at all. I
16 think that the question of whether the application to take
17 water from the Susquehanna River has had, has been considered,
18 and in the course of the transfer of this particular land is
19 an issue in this case. It has been raised several times
20 by various parties. So, I think that the subject matter of
21 what I am asking is substantive and perfectly relevant.

22 In addition, I am asking these questions also for
23 the purpose of impeaching this witness.

24 MR. THOMAS: If Your Honor please, our application
25 is not predicated in any way or fashion on the Susquehanna

1 River application. And to delve into what went on in that
2 proceeding which is no longer in existence and which the
3 company voluntarily terminated is a collateral attack.

4 JUDGE MINDLIN: We sustain the objection. We are
5 interested in the substantive questions involved with the
6 adequacy of service, the quality of service. If there are
7 any environmental implications, those implications in a
8 substantive way. And it would seem to me that if the Commis-
9 sion has information of a substantive nature, it ought to be
10 presented positively. We ought not to be involved in this
11 question of implications to be drawn from questions of
12 credibility.

13 The objection is sustained.

14 BY MR. TANSKI:

15 Q Mr. Lubinski, how many customers were served by
16 No. 5 Reservoir prior to the time that it was retired from
17 potable service?

18 A It is very difficult. We were putting out somewhere
19 in the neighborhood of 200,000 gallons a day, in that area.
20 And that went up and down because there was an industry that
21 was served off that that was vacant for some time. But I
22 would say it was less than a half a million gallons a day.

23 Q How many customers would that supply?

24 A How many customers; it's probably mixed commercial,
25 some light industrial in there and residential. If you take

1 an average residential customer, say, a half a million gallons
2 a day, average residential customer using 200,000 gallons a
3 day you can get the number.

4 Q Okay. Did you have to construct any new facilities
5 to serve those customers that would have been served, that
6 were being served by No. 5 prior to its removal from potable
7 service?

8 A Yes, I believe I previously testified to it, that
9 we put in what we call a pressure reducing and regulating
10 station that puts a more reliable source of supply into the
11 area presently being supplied, that was previously supplied
12 by No. 5.

13 Q How much did it cost you to build that pressure
14 reducing station, sir?

15 A I believe the estimate was approximately \$15,000.

16 Q Mr. Lubinski, forgive me for going over something
17 before, we have a slight question about what your testimony
18 was. You said that No. 5 produced, or rather, that a
19 residential customer used how much water per day?

20 A Approximately 200 gallons a day.

21 Q Two hundred gallons a day.

22 A Yes.

23 Q Well, it's in the record; never mind. Thank you.

24 MR. THOMAS: Off the record.

25 (Discussion off the record.)

1 MR. TANSKI: We're back on the record.

2 BY MR. TANSKI:

3 Q Mr. Lubinski, this pressure reducing mechanism that
4 you referred to, does that require any water to be pumped?

5 A No.

6 Q Do you have to pump any water after the time that
7 No. 5 was taken out of service in order to take up whatever . . .

8 A No.

9 JUDGE MINDLIN: May we clarify this. We speak of
10 No. 5 being taken out of service, but it has not been taken
11 out of rate base. It is included in your used and useful
12 land, is that not so?

13 A I could clarify that by continuous potable water
14 service.

15 MR. THOMAS: Your Honor's observation is correct.
16 No. 5 is still in rate base on an emergency basis, but it is
17 out of continuous potable water service. The watershed land
18 was taken out of rate base.

19 JUDGE MINDLIN: When you make your report to DER,
20 do you not include facilities kept for emergency purposes?

21 A Yes.

22 JUDGE MINDLIN: You do include them.

23 Well, we notice from looking at Exhibit No. 6
24 that No. 5 was removed. Now, why was No. 5 removed from the
25 1978 report?

1 MR. THOMAS: That is Consumer Advocate Exhibit No. 6.

2 A Other than the reason we did not use it in 1978.

3 JUDGE MINDLIN: But it was available by your
4 description of its emergency availability for use, for
5 emergency purposes?

6 A Yes, it was; that's right.

7 JUDGE MINDLIN: All right, Mr. Tanski.

8 BY MR. TANSKI:

9 Q Mr. Lubinski, what was the capacity of the Stark
10 Reservoir before it was retired from potable service?

11 A Are you referring to storage capacity or safe yield?

12 Q I am referring to safe yield, sir.

13 A I believe I have testified to that, but it is my
14 recollection that it was approximately two-tenths of a
15 million gallons per day.

16 MR. THOMAS: Just a minute until we see if we can
17 find it.

18 JUDGE MINDLIN: Are we waiting for a question,
19 an answer or what?

20 MR. THOMAS: I think he was looking to see if the
21 number he gave was precisely accurate.

22 Mr. Tanski, we will either find the reference and
23 give it to you or we will have Mr. Lubinski confirm that his
24 two-tenths of a million safe yield is correct.

25 MR. TANSKI: Okay, can we proceed, then?

1 Q Now, Mr. Lubinski, did you have to construct any
2 sort of facilities in order to replace whatever service was
3 lost when Stark was taken out of service?

4 A No, sir.

5 Q Mr. Lubinski, you testified earlier that your
6 present system supply significantly exceeds the demands
7 that are placed on the system, is that accurate, sir?

8 A I believe I testified that the safe yield of the
9 Scranton Division is approximately 44 million gallons a day
10 and the average daily water delivered to the system is
11 approximately 37 or 38 million gallons a day.

12 Q Okay, so the supply exceeds the demand?

13 A That is correct.

14 Q All right. And you also testified that No. 5
15 Reservoir has a very small safe yield. I think you said it
16 was .75 million gallons a day, is that right?

17 A That's approximately correct.

18 Q Well, Mr. Lubinski, isn't it a fact then that No. 5
19 Reservoir will never be needed to deal with any emergency?

20 A There is the possibility; it's remote. If we had
21 a problem on the Lake Scranton system we could supply some
22 water from the No. 5.

23 Q I'm sorry, if you had a problem with Lake Scranton?

24 A That's right.

25 Q You could use No. 5 to take care of that problem?

1 A We would be able to supply a portion of that
2 territory.

3 Q Well, Mr. Lubinski, isn't it true that since No. 5
4 only has a safe yield of .75 million gallons a day, that any
5 emergency that could conceivably arise would probably be more
6 easily and efficiently dealt with from some other source
7 other than No. 5?

8 A You want to bear in mind that the safe yield
9 point, three-quarters of a million safe yield, the capability
10 of No. 5 at periods of adequate water supply is significantly
11 greater than the three-quarter million gallons a day.

12 Q Yes, sir, I understand that. My question is,
13 though, since No. 5 is a relatively small reservoir, and
14 that is an accurate fact, is it not?

15 A That is relatively correct.

16 Q Okay. Isn't it true, sir, that any emergency that
17 could conceivably arise could be more easily and efficiently
18 dealt with by using some other reservoir than No. 5?

19 A If there was another reservoir interconnecting it.
20 In other words, you couldn't, say if we had a problem with
21 Lake Scranton, to take an extreme example, we couldn't use
22 Brownell water which is in Carbondale to supply No. 5
23 territory.

24 Q Okay, well, what reservoirs does No. 5 supply or
25 is it connected to so that it can supply them?

1 A The only one that would supply the No. 5 territory
2 would be Lake Scranton, reducing Lake Scranton pressure in a
3 limited sense, because of the piping connections, part of
4 our Roaring Brook system which we referred to as the No. 7
5 system.

6 Q Only those two?

7 A That's correct.

8 Q Mr. Lubinski, isn't it a fact that the primary
9 usefulness of No. 5 Reservoir is to provide P G & W with a
10 partial supply source for low flow augmentation of the
11 Susquehanna?

12 A I wouldn't say that is a fact.

13 MR. THOMAS: Objected to.

14 JUDGE MINDLIN: Objection overruled.

15 Q That's not true is what you're saying?

16 A That is not true.

17 Q All right. Mr. Lubinski, when did you last take
18 water from Johnson's Pond?

19 MR. THOMAS: I object. What relevancy does
20 Johnson's Pond have to this proceeding?

21 JUDGE MINDLIN: We will overrule the objection. It
22 is more expeditious to have an answer than to get an argument.

23 A I knew we took water out of Johnson's Pond, '64,
24 '65. If we pumped any water out of Johnson's Pond since
25 then it was a relatively small amount. We may have drawn

1 some out in the mid '70's.

2 Q The mid '70's?

3 A Yes, I am not, I would like to, I would have to
4 check the record to give you the precise years, but since
5 '64 and '65, there has been very limited amounts pumped from
6 Johnson's Pond.

7 Q Okay, sir, well, in the mid '70's or whenever the
8 last time was that you actually did use Johnson's Pond, why
9 did you have to use it?

10 A I want to point out that Johnson's Pond is a source
11 of supply that we have available to us in periods of relative-
12 ly dry, relatively low rainfall or low runoff. That is a
13 source of supply that we have the right to use and it is
14 considered in our computations of safe yield.

15 Q Yes, sir, I understand that you have the right to
16 use it. My question to you is, why did you use it the last
17 time that you did use it?

18 A We pump water out of Johnson's Pond when the level
19 in the storage system on Roaring Brook starts to go down to a
20 level that we feel we should pump that water to keep the levels
21 at a point where we will not have to curtail water, or consider
22 curtailing water.

23 Q Okay, sir, so if I understand your testimony, the
24 last time that you used Johnson's Pond which was sometime in
25 the mid 1970's there was a prospect of having to curtail

1 Roaring Brook.

2 A When you say the prospect, I would put it in
3 another way; the potential.

4 Q Now, Roaring Brook, sir, that is No. 7, is it not?

5 A Well, that is the Elmhurst-Curtis system.

6 Q Okay. Is the system that is fed by Johnson's
7 Pond, whenever you need to use Johnson's Pond, is that same
8 system also fed by No. 5, or can it be fed by No. 5?

9 A No.

10 Q It cannot be fed by No. 5.

11 A No.

12 Q What is the safe yield of Johnson's Pond, sir?

13 A The safe yield of Johnson's Pond, approximately
14 2.09 million gallons a day.

15 Q Mr. Lubinski, you reviewed the Hickok report when
16 it was first submitted to your company, did you not?

17 A I certainly read it, yes.

18 Q I believe you testified earlier that you had some
19 questions about the contents of that report at that time, is
20 that accurate?

21 MR. THOMAS: Would you point to anyplace in the
22 record, Mr. Tanski; I don't recall that testimony.

23 MR. TANSKI: No, sir, I'm sorry, I can't point to
24 the record. I know it's in there. Let me ask the question
25 this way.

1 Q Isn't it true, Mr. Lubinski, that you had some
2 doubts about the accuracy of the information in the Hickok
3 report when you reviewed it?

4 A I don't think my testimony was along that terminology.

5 Q Yes, sir, I'm asking you right now to tell me. Did
6 you have any doubts about the accuracy of any of the informa-
7 tion in the Hickok report when you reviewed it?

8 MR. THOMAS: Objected to unless there is more
9 specificity in the question.

10 JUDGE MINDLIN: In what respect?

11 MR. THOMAS: He is just taking --

12 JUDGE MINDLIN: Was there a point; did you on
13 different occasions turn to the Hickok report for review?

14 A Yes, and particularly, I reviewed their projections
15 which there was considerable amount of question as to how
16 accurate their projections were.

17 Q Okay, sir, and of course --

18 A Not only myself but the DER and other people
19 questioned those projections.

20 Q Okay, I have just been pointed to the place where
21 it appears in the record.

22 Your Honor, the testimony that I am referring to
23 is on page 269 and what Mr. Lubinski says here is, "I would
24 say this. Now, Hickok makes projections and from the time
25 that report was made until the time we withdrew our

1 application, we could readily see that the projections were
2 not valid."

3 Now, that is your testimony, right, sir? I mean,
4 I just read it from the record.

5 Okay, now, since that is your testimony, Mr.
6 Lubinski, I would like to know whether you personally made
7 what you saw, what you readily saw as the invalidities in
8 the Hickok report, whether you made your management aware of
9 what you saw, of your exceptions to that report?

10 A Not at the time the report was first presented,
11 but I think I called attention to this, that the projections
12 were not materializing at the time we withdrew our application.

13 Q Was that the first time that you called attention
14 to that fact, sir?

15 A I believe so, because of the fact that as I
16 have previously testified, in order to determine the
17 validity of the projections you need some period of time to
18 get an accurate determination; how that projection is
19 materializing.

20 Furthermore, the Hickok report in its conclusions
21 indicate that the report should be reviewed on a periodic
22 basis. I think five years, as to the accuracy.

23 Q In your previous testimony, Mr. Lubinski, you
24 testified that P G & W has been taking certain actions to
25 promote conservation of water in the system. Sir, I would

1 Q And what actions have you taken to implement the
2 conclusions that were reached as a result of that study?

3 A We have set up a program or advised management
4 that we will be pursuing this program with a target date
5 probably in the neighborhood of the year, 2000, to have all
6 the flat-rate customers converted to meters. You want to
7 bear in mind that this conversion is quite expensive. And
8 in addition to the meters, in some instances you have to go
9 in, renew services, put curb shut offs in, so that you can
10 cut into the customer's pipe to put the meter in. It's
11 capital intensive, and labor intensive. So, it's not
12 feasible to go into a crash program on it.

13 Q The program that you're talking about is simply
14 to have everybody metered, is that right?

15 A That is correct.

16 Q And I'm sorry, you said you would have that
17 completed by what year?

18 A We have tentatively set a target date somewhere
19 around the year, 2000.

20 Q What percentage of your customers that are not
21 metered have been metered since the time that you implemented
22 this program?

23 A We have been converting it, probably at the rate
24 of 1200 to 1500 a year. But we have not implemented any
25 kind of a crash-type program.

1 Q Yes, sir. My question is, that 1200 or 1500 a
2 year, how long has that been going on; how many years have
3 you been doing this, by the way?

4 A Let me say this; that we have a policy, all new
5 customers are metered. There is no more flat rates. When
6 we change, an existing building is sold, we go in and put a
7 meter in and take it off the flat rate account. And that
8 has been going on for some period of time.

9 Q Okay, what period of time; how long?

10 A I could not readily give you the date when that
11 became company policy. But it has been a significant
12 length of time.

13 Q What percentage of your customers, Mr. Lubinski,
14 still are not metered?

15 A I believe we have somewhere in the neighborhood
16 of about 55,000 private customers.

17 Q What percentage of your customers, Mr. Lubinski,
18 still are not metered; what percentage is what I am asking?

19 A If you have 140,000; 55,000 over 140,000, you can
20 arrive at the percentage.

21 Q Okay, roughly a third still are not metered, is
22 that it?

23 A It's roughly a third.

24 Q Okay. Mr. Lubinski, why did you conduct that
25 study that was begun sometime after 1975?

1 A It was another prudent study to take to see where
2 we're headed and how much water we can conserve by converting
3 from flat rate to metered customers.

4 Everybody has been promoting converting flat-rate
5 customers to metered customers, but nobody really had any
6 kind of a real determination as to how much water can you
7 save, how much it will cost.

8 Q Did you personally institute this study?

9 A I personally supervised this study.

10 Q All right. And that was in 1975 that it began,
11 right?

12 A 1975, '76, in that time frame.

13 Q Isn't it a fact, Mr. Lubinski, that that study
14 was begun specifically because DER told you that you are
15 losing a great deal of water in your system?

16 A I would not say DER's comment on it had that much
17 impact on that, our decision to go ahead with that study.
18 There was a need for it. And I would not say that DER's
19 comment pushed us into this study.

20 Q I see. Mr. Lubinski, would you explain, please,
21 how the length of a water transmission line might limit the
22 amount of water that can be transmitted through the line?

23 A The basic way of measuring volume capabilities,
24 if you put a certain amount of water, say through a thousand
25 foot of pipe, you're going to lose what we call head or

1 friction losses. As a result of those friction losses, the
2 longer the line is, you will be losing more pressure, and the
3 capability of delivering water at the end of that transmission
4 line will be diminished, based on the length and the friction
5 coefficient inside the pipe.

6 Q If I understand what you're saying, sir, the
7 actual quantity of water that can be transmitted is not
8 diminished one iota; it's simply the pressure that's
9 diminished, is that right?

10 A The quantity, because the amount of water that
11 you could deliver at the end of the line is dependent on
12 the pressure or head that you have available at the outlet.

13 Q Okay. Sir, what did you mean when you referred in
14 your previous testimony to maintenance of a gradient; what
15 does that mean?

16 A Maintenance of a gradient; that means keeping the
17 pressure level, keeping the pressure at a certain particular
18 level. Gradient and pressure are two terms that are
19 synonymous.

20 Q What is the difference or what is the interaction
21 between maintaining a gradient and transferring water from
22 one system to another system?

23 MR. THOMAS: Read the question, please.

24 (The following question was read back by the
25 reporter:)

1 "What is the difference or what is the interaction
2 between maintaining a gradient and transferring water from
3 one system to another system?"

4 A To maintain a gradient, you do not necessarily
5 have to put in the full capability of that pipe line at that
6 particular thing. Sometimes it might require 50 gallons a
7 minute, 25 gallons a minute, 100 gallons a minute to maintain
8 pressure, that by going through this pressure regulating.

9 Q Okay, sir, what I am asking you is simply for an
10 explanation of a technical point that I don't understand.
11 In your previous testimony you were asked, I believe, about
12 the interconnections between the Scranton Division and the
13 Spring Brook Division. And with respect to that testimony
14 you spoke about maintaining a gradient. And the implication
15 of your testimony is that one division cannot serve the
16 other division; all that can be done is that this gradient can
17 be maintained.

18 I don't understand that. I would like for you to
19 explain to me how maintaining a gradient does not involve
20 transferring water from one system to the other.

21 A There is a transfer of water. But the amount of
22 water that is necessary to maintain the gradient is not that
23 great. And I did testify that the amount of water that could
24 be transferred from the Scranton to the Spring Brook system
25 is limited because of the length of the supply lines.

1 Q Of course, if there weren't sufficient water in
2 one division to give adequate pressure, you could easily
3 take care of that by introducing water from the other
4 division, isn't that so?

5 A That is presently what we are doing.

6 Q So, in other words, really the P G & W system
7 operates as a whole even though it is broken down into these
8 two divisions?

9 A There is an interconnection there and that water
10 is transferred, a minimum amount of water is transferred from
11 the Scranton to the Spring Brook Division.

12 Q And it is because of those interconnections that
13 neither division, as long as it was connected to the other
14 one, could be to such a point where it couldn't be used,
15 isn't that so?

16 JUDGE MINDLIN: Read it back, please.

17 (The following question was read back by the
18 reporter:)

19 "And it is because of those interconnections that
20 neither division, as long as it was connected to the other
21 one, could be to such a point where it couldn't be used,
22 isn't that so?"

23 MR. THOMAS: If counsel would clarify.

24 A I don't understand your question.

25 Q Let me see if I can explain it.

1 As long as there is a connection between the
2 Scranton Division and the Spring Brook Division, there is
3 no danger of either division getting so low or having such
4 little pressure that it will not be able to provide service,
5 isn't that correct?

6 A You are oversimplifying a rather complex situation
7 here. When we're talking about division, we talk about the
8 Spring Brook Division which starts basically in the Moosic
9 area and extends as far south as Nanticoke and Shickshinny.
10 To say that general statement, that one would be able to
11 supply the other is not totally correct. In other words,
12 what we're able to do is maintain pressures in the small,
13 northern end of the Spring Brook Division.

14 Q Okay. In any event, though, Mr. Lubinski, Stark
15 Reservoir is in the Spring Brook Division, is that correct?

16 A That is correct.

17 Q Isn't it a fact, Mr. Lubinski, that some of your
18 dams are in need of very costly repair?

19 A In need of costly repair?

20 Q Yes, sir.

21 A I think we're doing some maintenance work, and
22 we're making some engineering studies to make determinations
23 as to whether we'll be making significant capital improvements.

24 Q Well, you have been instructed to make significant
25 capital improvements by DER, have you not?

1 A We have not been instructed by DER to make signifi-
2 cant capital improvements.

3 Q Okay.

4 A They sent a list of recommendations and as they
5 regard capital improvements, they are in the nature of
6 suggesting or recommending engineering studies, and we have
7 some of those presently under way.

8 Q All you've been told is to make engineering
9 studies, is that your testimony?

10 A They recommended some engineering studies that
11 might result in capital expenditures. They made recommenda-
12 tions as regard to some maintenance. And we are implementing
13 those recommendations.

14 Q I see. Mr. Lubinski, is it true that the only
15 time that your company would be required by EPA to build a
16 filtration plant on any of your reservoirs is when the
17 turbidity raises beyond one turbidity unit and you cannot
18 get an exception or waiver, is that correct?

19 A I think you are oversimplifying what EPA's position
20 is on the matter. EPA will grant turbidity waivers up to five,
21 if you can document, and you had those particular turbidity
22 levels, and you were able to document that you disinfected
23 entirely.

24 Furthermore, EPI, APA, the last information we
25 have is that they are evaluating the results of these

1 instances where the turbidity levels exceed five; for instance,
2 in tabulating that data as to the number of occurrences that
3 the turbidity exceeds five or one or whatever you have for
4 the waiver. And they are taking that into consideration so
5 that they can make an evaluation of whether, hey, is it
6 10 occurrences a year, that you ask the water company to
7 build a very expensive filter plant and maintain that
8 expensive plant. There has not been any fixed policy on that.
9 It is still under study.

10 JUDGE MINDLIN: Have you finished, Mr. Lubinski?

11 A Yes.

12 JUDGE MINDLIN: Is this a good time for our lunch-
13 eon break?

14 MR. TANSKI: Your Honor, I have a few more
15 questions, but it might take ...

16 JUDGE MINDLIN: We will take our luncheon break.
17 Let's go off the record for just a moment.

18 (Discussion off the record.)

19 JUDGE MINDLIN: Suppose we break until 1:45. That
20 will give us a little extra time.

21 (Whereupon, the noon recess was taken.)

22 JUDGE MINDLIN: I think we are ready to resume.

23 MR. TANSKI: Thank you, Your Honor.

24 BY MR. TANSKI:

25 Q Mr. Lubinski, do you presently have any filtration

1 plant on any of your reservoirs?

2 A Yes. We have what we call the Hillside Filter
3 Plant which treats the Huntsville Reservoir water. And in
4 Forest City we have another small plant.

5 Q Where was that, sir?

6 A At Forest City.

7 Q Do you have any plans presently in construction?

8 A Any plans presently in construction, no.

9 Q Am I correct in understanding, Mr. Lubinski, that
10 all of your existing reservoirs fall within the present
11 turbidity standards of EPA?

12 A Yes. Occasionally we exceed the maximum contaminated
13 level for turbidity and you would see that report in a
14 newspaper.

15 Q Okay, in other words, there is no present need or
16 you are not aware of any present need to build any sort of a
17 filtration plant on any of your existing reservoirs, is that
18 right?

19 A At this particular date, in the way that the EPA
20 regulations are set up, and continuing review of their regu-
21 lations, we see no immediate construction of filter plants.
22 However, that may change.

23 Q Is there any eminent concern about an eminent
24 requirement to build a filtration plant anywhere?

25 A You would have to define your term, eminent.

1 Q Okay.

2 A Within the next two or three years, I would say no.

3 Q Okay, fine. Mr. Lubinski, is there any roadway
4 presently in existence through the Stark or the No. 5 water-
5 shed land, other than that access road to Montage?

6 MR. THOMAS: By roadway, would you specify public
7 or private.

8 Q Either way, I don't care; is there any road,
9 private, public, what have you?

10 A From where to where, Mr. Tanski?

11 Q I don't know, sir. I am asking you, is there any
12 roadway on that land, on that watershed land, anyplace other
13 than the Montage access road?

14 A There is no Montage access road there now.

15 Q Okay. Referring to P G & W Exhibit M, we see on
16 that exhibit a line that is called an access road, right?
17 And we see also the area outlined in green that is the Stark
18 watershed, I presume, and the area up in the upper right-hand
19 corner which is a partial view of the No. 5 watershed, is
20 that right?

21 A That is correct.

22 Q Okay, now, that land there and including the rest of
23 the No. 5 watershed that doesn't appear on this map, is there
24 any roadway, public or private, on any of that land, anyplace,
25 at this time?

1 A Roadway, per se, no. I think there is probably an
2 access to a fire tower to the northeast, probably not shown
3 on this map.

4 Q Mr. Lubinski, I ask you to look at a line that
5 appears in the upper right-hand portion of this map, I will
6 point it out to you here. One end of it is right at the very
7 right-hand edge of the map, just above the numbers, 4580,
8 that are off the map. And it proceeds, I guess it is a
9 southerly direction down to the bottom of the piece of
10 paper, that line.

11 A Generally in a southwesterly direction.

12 Q Can you tell me what that line represents, please?

13 A I would think that might be a, hardly fair to call
14 it a road, but a pathway, more or less, to allow people to
15 get up in there to fight forest fires.

16 Q How wide is it, sir?

17 A How wide is it? Probably not any wider than for
18 one vehicle.

19 Q It is wide enough for one vehicle?

20 A Probably.

21 Q What kind of a surface does it have, sir?

22 A What kind of a surface; I would say it's probably a
23 dirt surface. It's not a hard surfaced road, that's for sure.

24 Q Okay. I take it that that is a private road.

25 A Private road or private path, whatever way you want

1 to call it.

2 Q And it is owned by your company, is that right?

3 A I think we own that land in that particular area.

4 Q Okay. Well, I guess that means that you own the
5 road, is that right?

6 A I would say so.

7 Q Okay. Did P G & W build that road, sir?

8 A Did P G & W build that road? I don't know whether
9 P G & W cut the brush in there or whether it was done by the
10 forestry department; by forestry department I mean the state
11 foresters for fire protection.

12 Q Has P G & W done; do you know whether P G & W has
13 done anything concerning that road in terms of paving it or
14 putting in drainage ditches or putting anything there that
15 wasn't there before when the land was in its natural state?

16 A I am aware that there was, P G & W participated in
17 cutting what we call a fire path in that wooded area. And I
18 am not so sure that what you see on the map is that particular
19 road, because if you look at the date of this photography,
20 this is 1976. And if it was, I can't tell whether that is the
21 purple color or not.

22 Q Your answer is that P G & W participated in cutting
23 that road, is that right?

24 A A road in that area, but I am not certain whether
25 that is the one that is shown on the map here.

1 Q Is there more than one road in that general area?

2 A More than one road?

3 Q Yes, sir.

4 A If you look at the map, just between the words,
5 Roaring and Brook, you see sort of a double-lined thing.
6 That indicates a roadway. Two broken dotted lines, that
7 represents low classification roadway.

8 Q That is also, I guess, a private road owned by your
9 company?

10 A That's on our property.

11 Q Okay. And did P G & W build that road, sir?

12 A Not within my knowledge, but it was probably cut
13 by us, cut through there.

14 Q Can you tell us how long that road has been there?

15 A I would say that road was in there for some
16 significant length of time. It was there in 1946, anyhow.

17 Q Okay. How long was the other road that you were
18 talking about earlier as being a path for fire equipment;
19 when was that built, do you know; the first road that we
20 were talking about, sir?

21 A Possibly two, three years ago. When you say a
22 road, I'm not so sure you're using the right terminology. I
23 was aware that there was what we call a fire block built in
24 that thing, where if you have a forest fire it gives a barrier
25 so the forest fire won't continue. But I have no knowledge of

1 anything specifically as a road being built in there.

2 Q All right, let me see if I understand that. Are
3 you saying, sir, that that is not a road but merely a fire
4 break; is that your testimony?

5 A That is my understanding, that it is a fire break,
6 a vehicle can pass over it because you cut the brush, etc.

7 Q And there has been no paving done for the purpose of
8 making it useable as a roadway, is that right?

9 A I could not answer that with any; there may have
10 been some areas where they may have brought in some gravel or
11 something where you had a bad drainage situation.

12 Q Okay. Mr. Lubinski, does P G & W have any intent
13 to further improve this fire path or fire break that we are
14 talking about?

15 A Not to my knowledge.

16 Q Okay. Mr. Lubinski, you previously testified that
17 there was an application or there was a plan to build an inter-
18 state highway across District No. 5 watershed land about 10
19 years ago, that that was opposed by your company then and I
20 think you also testified that if the same kind of a road were
21 going to be built today in the same place you would also
22 oppose it today; do you recall that?

23 A I recall that.

24 Q Okay. Mr. Lubinski, isn't it true that the amount
25 of area that that proposed road, the amount of No. 5 watershed

1 land that that proposed road would cover was about 60 acres?

2 A I can't recall the acreage, but I do recall that
3 that proposed connection between Route 81 to what would now
4 be, now is 384, at that time was being talked about as being
5 84, that road would come off 81 and continue through the No. 5
6 watershed and in addition to the No. 5 watershed, a portion
7 of William's Bridge, a part of Spring Brook watershed and
8 Elmhurst. And that was the reason we objected to it. It was
9 not only No. 5 but those other watersheds.

10 You want to bear in mind, when you build a four-
11 lane super highway that the cuts and fills are significant
12 and they would have a bad effect on watersheds and water
13 supply; not only from the standpoint of turbidities. But
14 those cuts have an effect on ground water. You make a cut
15 and it cuts into the normal ground water table, those cuts
16 have a tendency to drain into the highway drainage system
17 and into the river, and it's lost in periods of dry flow when
18 it's needed.

19 Q You testified previously, Mr. Lubinski, that if you
20 had to replace your gravity system with water from some lower
21 source, it would have to be pumped and that that pumping would
22 be very costly; do you recall that testimony, sir?

23 A Yes.

24 Q Of course, if you had to do that, if you had to
25 perform that pumping you would also have to consume in the

1 process a great deal of energy of one kind or another; would
2 you not?

3 A That is self evident.

4 Q Okay. Mr. Lubinski, you were the chief water
5 engineer for P G & W at the time that Mr. Hansen was the
6 chief executive officer, were you not?

7 A I became chief water engineer shortly after Mr.
8 Hansen became president.

9 Q Okay, so it's accurate to say that you in fact
10 held that position throughout most of Mr. Hansen's tenure?

11 A That is correct.

12 Q Okay. And of course, Mr. Lubinski, in that capacity,
13 sir, were you responsible directly to Mr. Hansen?

14 A No. My immediate supervisor was the vice president
15 of operations.

16 Q Vice president of operations, who was he, just so
17 we have a name?

18 A Mr. Espe, Ron Espe.

19 Q And then Mr. Espe, I take it, reported to Mr. Hansen?

20 A That is correct.

21 Q All right; now, at that time, Mr. Lubinski, you
22 knew, did you not, that it was your chief executive officer's
23 stated desire that the company's watershed land be made
24 available for development, didn't you?

25 MR. THOMAS: I object to that with some specificity.

1 I don't recall this record shows that to be a fact.

2 MR. TANSKI: Your Honor, we have an awful lot of
3 testimony concerning, well, I hesitate to even use the word.
4 We have a great deal of testimony concerning what I have
5 called plans on the part of the company to make watershed
6 land, a vast majority, a large quantity of watershed land
7 available for development, and to in fact proceed with that
8 plan. And the company has indicated that it has disavowed
9 any present association with anything that was proposed by
10 Mr. Hansen and has said that all of those plans, if they were
11 plans, were Mr. Hansen's plans.

12 Q But I am asking Mr. Lubinski here, that isn't it
13 true that as chief engineer, water engineer for the company,
14 you were well aware of what Mr. Hansen's desires were?

15 A I was aware of the concept that Mr. Hansen had in
16 mind, and the concepts that he had in mind at that time were
17 based on information that he had available at that time that
18 has changed significantly.

19 Q Yes, sir, my question is; at that time you were
20 well aware of that, weren't you?

21 A I was aware of the concept, but any precise plans,
22 there were none.

23 Q Okay, thank you very much.

24 I have nothing further, Your Honor.

25 JUDGE MINDLIN: All right, other parties, other

1 counsel?

2 All right, Ms. Allen.

3 CROSS EXAMINATION

4 BY MS. ALLEN:

5 Q Mr. Lubinski, I would like to ask you a few things
6 about the road. Where does this road start, the road that,
7 on this dotted line on the Avoca quadrangle? The fire lane,
8 the road that you are saying is a fire lane?

9 A Yes.

10 Q Where does it start?

11 A I am not so certain where it starts. It may start
12 on 307 or it may start off our road from 307 to Lake Scranton.
13 I don't know the precise location.

14 MR. THOMAS: May I inquire, Ms. Allen, whether she
15 is speaking of the road Mr. Tanski cross examined on?

16 MS. ALLEN: Yes, I see the end of it but I don't
17 see the start of it. I was wondering where it starts.

18 MR. THOMAS: Just so we know what you are talking
19 about.

20 Q And you say that it may start at 307, is that
21 what you're saying? I'm sorry, would you repeat your answer?

22 A It may start at 307 or the road from 307 that goes
23 around Lake Scranton.

24 Q Now, would you know what the cost of this road was?

25 A What the cost of the road; no. When you say road,

1 I think that is probably misleading, because my understanding
2 is that it was merely a fire break.

3 Q It's a fire break, okay. Well, have you ever gone
4 over this fire lane?

5 A This fire lane?

6 Q Yes.

7 A No, not personally.

8 Q Oh, you have not?

9 A No.

10 Q Do you have the stock report for 1975 in front of
11 you?

12 A Yes, Ma'am, I do.

13 Q Now, you say that this is a geological map, also?
14 They seem similar. Now, I'm not an expert but to me it's a
15 similar map.

16 A It's a similar map.

17 Q Yes. Now, I don't see that fire lane on the 1975
18 annual report but I do see it on this 1976 revised; so then,
19 if you say that, I mean, are fire lanes when they are photo-
20 visioned from the air for the U.S. geological maps, would they
21 show on all maps?

22 A It depends on when it was built. Now, this here,
23 the one that I have in front of me, Exhibit M, that was photo-
24 revised in '69 and '76.

25 Q And this is '75?

1 A That is correct.

2 Q And it's not on there, is it?

3 A It is not on there.

4 MR. R. PREATE: Your Honor, just a point of clari-
5 fication; what road is she talking about? Is it the fire lane
6 road?

7 MS. ALLEN: The fire lane road.

8 MR. R. PREATE: It starts in the upper right-hand
9 corner at 447.

10 MS. ALLEN: No, 4580 on that line.

11 MR. THOMAS: I just wonder what the significance
12 of that road is.

13 MS. ALLEN: Well, it's a fire lane and I was just
14 wondering when it was built, you know, and what the cost was.

15 JUDGE MINDLIN: Well, does it figure in any way in
16 your conception of what this matter is about?

17 MS. ALLEN: Well, yes, it does. See, first of all,
18 he said it's a fire lane, Mr. Lubinski. But he hasn't
19 traveled over it. So I'm just wondering, is it a fire lane
20 or, you know, is it a road? And I thought possibly if I knew
21 the cost of it, it would also lead me to know if it was beyond
22 a fire lane.

23 But I do have another question. Maybe I can clear
24 it up.

25 Q Would it be necessary to install drain pipes on a

1 fire lane?

2 A Well, when you construct a fire lane, it serves
3 two purposes. Number one, a fire break, also to provide some
4 reasonable access for some vehicles to get through there.

5 Q Are there pipes under the road, do you know, drain
6 pipes?

7 A Drain pipes, I don't know. I see where it crosses
8 one little creek. I would think that would be a very logical
9 place to put a drain pipe in there. I might add, that the
10 nature, the way that is indicated on the map, the key to the
11 map would indicate that that is a very low type of road.

12 Now, if you look at the super highways they are a
13 solid color. Lesser roads are shown in another type of
14 matter. So, that would indicate that that is hardly more
15 than a path, a very low-type road.

16 Q Well, what about, I'm not too up on this, but what
17 about that double line then? Does that mean that's a higher
18 grade road than this single-line?

19 A Higher grade road?

20 Q Yes.

21 A Their interpretation of it would be higher grade,
22 yes. But just those two dotted broken lines, that is a very
23 low classification.

24 Q But this here single dotted line seems to be a
25 different color.

1 A It's a different color because if you notice,
2 those buildings that are more or less a purplish color,
3 they were added after the original photography was made.

4 MS. ALLEN: And Judge Mindlin, I was wondering
5 about the cost of the road because I know that the amount of
6 money that Pennsylvania Gas and Water donated, and I wanted
7 the total cost of this road, and then I was going to total
8 them, you know, to see what the cost of the Pennsylvania Gas
9 and Water has expended, and they're not going to do anything,
10 you know, with the land. This was my purpose of asking the
11 cost.

12 MR. THOMAS: There is no connection between this
13 fire lane or path or whatever it is and the Montage project.

14 JUDGE MINDLIN: How would you see a connection
15 between the road and the acreage involved in this matter?

16 MS. ALLEN: Well, see, on applications and drawings
17 that were submitted with federal applications there was a road
18 from 307 on some of the applications.

19 JUDGE MINDLIN: Well, what is the connection with
20 the tract that we are involved or the involved watershed land?

21 MS. ALLEN: Well, part of it does go through the
22 No. 5 watershed of this fire lane.

23 JUDGE MINDLIN: Part of what goes where?

24 MS. ALLEN: This here fire lane. In fact, I would
25 say quite a bit of it is in the No. 5 watershed.

1 JUDGE MINDLIN: Suppose that is so. What is the
2 significance of it?

3 MS. ALLEN: Well, I wanted to know if they were
4 going to update the road, you know, like make it a road
5 rather than a fire lane.

6 JUDGE MINDLIN: Are there any plans, presently, to
7 improve that road?

8 A To improve that road; I know of no plans to improve
9 that road. You want to bear in mind that that is an area
10 that is subjected to frequent forest fires. And that was
11 the purpose of that road and the fire break.

12 MS. ALLEN: Well, I was just noticing, Your Honor,
13 that it does stop very close to the 425 acres.

14 JUDGE MINDLIN: Well, his testimony is that there
15 is no intention or plan to improve it.

16 MS. ALLEN: No intention; okay, thank you.

17 BY MS. ALLEN:

18 Q Now, are you aware of the aerial photography
19 surveying and mapping of the Nesbitt Reservoir and vicinity
20 done for the Pennsylvania Gas and Water Company?

21 A We have been surveying a considerable amount of
22 our properties, establishing property corners where they
23 have not really been established.

24 Q Did you survey and map all of your land or just
25 the Montage area?

1 A We made surveys throughout the entire company,
2 anywhere from Forest City down through Nanticoke.

3 Q Now, the Nesbitt Reservoir, do you know how recently
4 that was surveyed and photographed and mapped?

5 MR. THOMAS: Objected to, Your Honor. Nesbitt
6 Reservoir has nothing to do with this case.

7 MS. ALLEN: Well, actually, the Montage area is
8 outside of it but it's included in the whole overall of the
9 survey.

10 MR. THOMAS: Your Honor, the only thing we are
11 interested in in this proceeding is 425 acres, and as you have
12 outlined the issues, as to whether or not the sale of those
13 425 acres will affect the adequacy of service. And I don't
14 see where anything else has anything to do with it.

15 JUDGE MINDLIN: What connection is there in your
16 mind?

17 MS. ALLEN: Well, Pennsylvania Gas and Water, they
18 aerial photographed and surveyed not 425 acres but according
19 to calculations here, 15 to 20 thousand acres.

20 JUDGE MINDLIN: Yes.

21 MS. ALLEN: Of the land surrounding the Montage
22 project. And it was done in March of 1976. And I thought it
23 was quite relevant, you know, for their future plans. This
24 is what I was trying to find out.

25 JUDGE MINDLIN: Was there, in fact, in March of what

1 year, did you say?

2 MS. ALLEN: 1976.

3 JUDGE MINDLIN: 1976; an extended survey program.

4 A That is a separate department from mine, but I was
5 aware that there was extensive surveying being done in that
6 area as well as other areas in the company. It's to try to
7 improve our mapping system and defining our property lines.

8 Q Mr. Lubinski, was that the first time that you
9 did it or had you done that in previous years? I mean,
10 this is a policy you do, or ...

11 A We have done it in previous years; certain areas
12 where the mapping was poor.

13 Q Do you know the cost of this, of preparing this?

14 MR. THOMAS: Objected to, has no relevancy to the
15 issues.

16 A The cost of preparing what?

17 JUDGE MINDLIN: Just a moment.

18 MR. THOMAS: Your Honor has a duty.

19 JUDGE MINDLIN: All right. We want to extend the
20 kind of latitude that a layman might expect. But as a layman,
21 though, you also have to see that there must be some connec-
22 tiveness between these things.

23 Counsel for the company is concerned, properly,
24 that certain standards be met in the introduction of this
25 testimony. So, we must ask you again to bear in mind

1 generally and to tell us specifically what the connection is
2 there with the cost, the expenditures.

3 MS. ALLEN: Well, Your Honor, I thought the total
4 costs including the donations, that would have been very
5 high just to be concerned with 425 acres. A lot of money
6 was spent.

7 JUDGE MINDLIN: But we're not involved in a rate
8 proceeding here.

9 MS. ALLEN: I see.

10 JUDGE MINDLIN: If the intention of your questioning
11 is to address the probability of an overall plan to develop
12 other lands, some latitude will be allowed you. But to
13 fair it out these details, without any connection to an
14 issue, we could extend to you as a courtesy. But I don't
15 think, procedurally, we should do that.

16 MS. ALLEN: Well, can I get back to this after I
17 discuss it with counsel?

18 JUDGE MINDLIN: It probably would be a good idea
19 that you did.

20 MS. ALLEN: Yes, I will do that. And I will
21 be finished for now, Your Honor.

22 JUDGE MINDLIN: Thank you.

23 Other parties?

24 All right, sir.

25

CROSS EXAMINATION

1
2 BY MR. PITSCAVAGE:

3 Q Mr. Lubinski, you testified previously that Stark
4 and No. 5 Reservoir were being held for emergency use. Now,
5 you have given one such possible use in testimony today. Are
6 there any other uses intended for these two reservoirs?

7 A They possibly could be used for low flow augmenta-
8 tion purposes further down the line.

9 Q In other words, in the event of an extremely long
10 period of low rainfall, these reservoirs could be used to
11 augment the supply of water?

12 A That is correct.

13 MR. THOMAS: If Your Honor pleases, just to keep
14 the record straight, my recollection is Mr. Lubinski's
15 testimony this morning in emergency use was to No. 5 and not
16 as to Stark. And Mr. Pit'scavage's question included Stark.

17 Q Well, I said that you indicated some use. And I
18 asked what other additional.

19 MR. THOMAS: He didn't give any example of how he
20 would use Stark. That is my point. I thought your question
21 encompassed that.

22 MR. PITSCAVAGE: Well, it does, it encompasses both
23 reservoirs.

24 MR. THOMAS: There is no example on Stark. Stark
25 hasn't been used since '62; so if you want to know that, you

1 better ask it.

2 Q However, it is being held for emergency use,
3 according to previous testimony, is that correct?

4 A That is correct.

5 Q And then this possible use of this is low water
6 augmentation; in other words, if we had a prolonged, dry
7 period where the water was needed, you would use Stark and
8 No. 5 Reservoirs?

9 A That is correct.

10 Q Okay, that answers my question.

11 Okay, now, while these reservoirs are in service,
12 would they remain filled; since you're not using water from
13 them, would they remain filled about to the overflow level
14 that I presume they would be filled, let's say, during a
15 high precipitation period. And then I would think that they
16 would remain filled since you would not be using the water?

17 A If we were not using the water, they would be
18 basically, stay at the normal designed flow level.

19 Q All right. There would be no reason for the water
20 to be far below the overflow level, then, unless they were
21 used?

22 A Unless they were doing something in the way of
23 maintenance; sometimes we draw these down to maintain these
24 reservoirs.

25 Q I see, okay. Was water taken from the Stark

1 Reservoir late in 1978 or early in 1979?

2 A No.

3 Q It wasn't, okay. All right.

4 A By taken, I mean, put into the distribution system.

5 Q Right, right, I intended that. Okay, did you
6 prepare to use these two reservoirs during that period;
7 you did prepare Johnson's Pond. You went up there and you
8 started the pumps and got ready to use Johnson's Pond. Now,
9 did you also prepare to use water from Stark and No. 5
10 Reservoirs?

11 A No, we did not.

12 Q You didn't?

13 A No.

14 Q Well, it was costly to prepare Johnson's Pond for
15 use and why would you not prepare to use these two reservoirs
16 since it would be, very, you said that you could put them into
17 operation on very short notice, if you needed them.

18 A When you say costly to prepare Johnson's Pond, I
19 don't know what your reference to costly means.

20 Q Well, you had pumps up there that were vandalized
21 and they had to be reconditioned to make them, prepare them
22 for use; you did that, right?

23 MR. THOMAS: If Your Honor pleases, both Mr.
24 Pitscavage and Mrs. Allen, they make a lot of gratuitous,
25 factual statements on the record. I hesitate to object, but

1 I want it understood that it's not testimony.

2 JUDGE MINDLIN: You haven't hesitated this time,
3 have you?

4 MR. THOMAS: No, because I think it's time we stop.
5 He goes on.

6 JUDGE MINDLIN: If he hesitates just a little
7 longer.

8 MR. THOMAS: He might get finished? I would hope
9 so.

10 MR. PITSCAVAGE: Well, I'm only referring to
11 testimony that was presented previously by Mr. Lubinski.

12 JUDGE MINDLIN: We perceive no harmful effects from
13 it; go ahead.

14 MR. PITSCAVAGE: Thank you, Your Honor.

15 BY MR. PITSCAVAGE:

16 Q Okay, well, that's all on that subject. Now, I
17 will get to another. I would like some clarification; I will
18 read a couple of statements from testimony, and there seems
19 to be some ambiguities and I would like to straighten it out.

20 You testified previously that, quote now, from
21 page 252, line 21 of the transcript. "There is a physical
22 connection between the two systems but the primary purpose of
23 that connection is to maintain hydraulic grading with
24 relatively insignificant amount of transfer of water from one
25 system to the other."

1 Then, later in testimony introduced by the attorney
2 for the Consumer Advocate, from the Hickok report, page 260,
3 line 9, again, of the transcript, the report says, "There are
4 three major connections between the divisions making possible
5 deliverance of water from one system to another, depending
6 upon water demand of each system."

7 Now, in your testimony you said there was a physical
8 connection, which would indicate to me one connection. In
9 testimony in the Hickok report, they say that there are three
10 major connections.

11 Now, which is it? Is it three connections or is it
12 one connection?

13 A There are three connections. But again, as I
14 previously testified, I question the use, in the Hickok
15 report, they referenced them as being major connections. You
16 want to realize that it was a consultant that was from out of
17 town. In the complexity of our system, I think it was a
18 misinterpretation on our part, on their part, of what the
19 capabilities are.

20 Q Well, okay. You testified that you did review
21 the Hickok report before it was submitted to DER?

22 A I did not attempt to change any of the matter in the
23 Hickok report because it was an independent report prepared
24 by them.

25 Q Even though you knew that this was inaccurate

1 information, you did not call this to somebody's attention?

2 A This inaccurate information, it is very likely
3 that I noticed that, but I didn't think it was any consequence
4 at that time to make a major issue of it,

5 Q I see, okay. All right, now, what are the sizes of
6 these interconnections and where are they located?

7 A There is one on Keyser Avenue; Main Street, Taylor
8 and on Davis Street in Scranton.

9 Q Okay. What are the sizes?

10 A On Keyser Avenue it is a 12-inch main with a, I
11 believe, a six-inch regulator. I believe the connection on
12 Main Street gets down to a 10-inch. And the one on Davis
13 Street is a 12-inch supplied through a four-inch regulator.

14 Q And there is a third one?

15 MR. THOMAS: He just gave three.

16 Q Okay, pardon me. Now, your statement regarding this
17 hydraulic grading between the systems is not clear. I happen
18 to be an engineer, and it isn't clear to me.

19 A Well, hydraulic grading, for somebody, you know,
20 I can understand that because some of these terms that we
21 use in specialized fields of endeavor become second nature
22 to you and sometimes it's difficult for me to understand that
23 a layman don't understand it.

24 Q Right, I have the same problem.

25 A Let's take the Manuka (phonetic sp.) area; that's

1 the Davis Street thing.

2 There was a period of time there you could see the
3 relatively new buildings there. They put these buildings up
4 and they were concerned about fire protection. The facilities
5 that we had there gave very limited fire protection. So,
6 that was the purpose of that connection from Lake Scranton
7 tying into Davis Street. Not so much the transfer of water
8 but to maintain pressures should the fire occur, the mains
9 in that area, they would be able to maintain the pressures
10 for adequate fire protection.

11 Q And this pressure would be maintained by a flow of
12 water from the Spring Brook Division into the Scranton
13 Division, right?

14 A Through a pressure reducing regulator.

15 Q It would flow whether or not there was a pressure
16 reducing valve, is that right?

17 A If there was no need for water, those pressure
18 reducing valves would stay in the closed position.

19 Q So the pressures are really controlled by the
20 pressure reducing valves?

21 A That is correct.

22 Q Right. Isn't it true that at one time these two
23 systems operated independently of each other; you had the
24 Scranton?

25 A Never.

1 Q Never?

2 A Never.

3 Q Okay, now, have you ever been able to estimate the
4 amount, the quantity of water that could be transferred from
5 the Scranton Division into the Spring Brook Division through
6 these interconnections?

7 A It is very difficult to make an estimate of that.
8 We could estimate the capability, probably, but what is
9 actually being done, you would have to put a meter in to get
10 an accurate determination.

11 Q Okay, so you never determined it.

12 Q Now, if there were a need for more transfer of
13 water from one system to the other, pumps installed on these
14 interconnections, would of course, provide the transfer of
15 much larger quantities of water, okay?

16 A I don't understand your question.

17 Q Okay, let's say we have a need for more water in
18 the Spring Brook Division. We have more water than we need
19 in the Scranton Division. It is desirable to transfer some
20 of the water from the Scranton Division to the Spring Brook
21 Division. We have lines already interconnecting. If you
22 put a pump on the line of that kind, you can force a much
23 larger quantity of water from the one system to the other
24 than would normally be possible without the pumps?

25 A Again, the pumps, the size of the lines has a factor

1 there. And it all depends on what territory in Spring Brook
2 you want to supply. Would it be the higher elevation sources,
3 the lower elevation sources?

4 Q Let's say the lower elevation sources. The pump
5 would cause more water, a pump would give you a higher pressure
6 difference through the pipes that we're talking about; this
7 would allow more water to flow through the pipes, of course.'

8 A But again, how high a pressures do you want to
9 subject those mains to? If they are a 150-pound designed
10 pumps, you don't want to boost, put additional pressure on
11 there that the pipes weren't designed to stand.

12 Q We wouldn't exceed the rate of pressure of the
13 pipe; we would simply stay within that; we still could
14 transfer a considerable amount of water by the use of pumps?

15 A I wouldn't say a considerable amount of water by
16 putting in pumps; I don't think that is a very feasible thing
17 to pursue.

18 Q Well, you have pumps on Johnson's Pond; without
19 the pumps you couldn't use the water from Johnson's Pond.

20 A The purpose of the pumps on Johnson's Pond, it
21 takes water from the Lehigh River which is in the Delaware
22 Basin; it pumps it over a relatively low ridge, in the
23 neighborhood of 10 or 12-foot, pumps it into a stream that
24 eventually gets down into our Roaring Brook system.

25 Q Right, without the pumps you couldn't accomplish the

1 transfer of that water through that pipe.

2 A No.

3 Q Right. Well, the same thing applies to pipes in
4 other locations; you put pumps in to get a larger volume of
5 water through.

6 A Mr. Pitscavage, I think I readily explained to you
7 that the amount that you could pump would depend on how high
8 the amount of water could be transferred, would depend on the
9 size of the pumps, you want to put in, the pressure rating of
10 the pipes, etc., etc.

11 Naturally, if you have higher pressures, you'll
12 be able to deliver more water; I grant you that.

13 Q Well, that's the question here, that's it, okay.

14 A I don't see the significance of it, but that's
15 basically an engineering fact.

16 Q Well, I'll explain the significance for the
17 questioning. You presented a graph here on a previous occasion
18 which indicated that the consumption of water in the Scranton
19 Division was falling off over the years; right, do you
20 remember that?

21 A Metered consumption, yes.

22 Q Yes, right. Now, you also said that the use of
23 water throughout the whole system was fairly flat over the
24 years; right.

25 A That's correct.

1 Q That being the case, since the overall consumption
2 is flat and the consumption in Scranton is falling off, the
3 consumption in the Spring Brook Division must be going up;
4 right?

5 A No, the Spring Brook, the total system is relatively
6 flat.

7 Q Well, then, if the total system is relatively flat,
8 are you saying that the Spring Brook -- strike that, let me
9 ask the question again.

10 Since the total water taken from the two systems is
11 what is taken from the Scranton Division and also from the
12 Spring Brook Division, right?

13 A That's correct.

14 JUDGE MINDLIN: Let's approach it this way. If
15 your total system is flat and one part of the system declines,
16 doesn't another part of the system have to increase?

17 A Yes.

18 MR. PITSCAVAGE: That's the question; thank you,
19 Your Honor.

20 Q Okay, now, we are trying to establish the need of
21 the reservoirs that, No. 5 Reservoir in particular, the possi-
22 ble use of No. 5 Reservoir to supply water because of the
23 need, increased needs in the Spring Brook Division.

24 Now, you could use as indicated by Consumer
25 Advocate, the attorney for the Consumer Advocate, previously,

1 the water that now is not being used for No. 5 could be
2 supplied to part of the Scranton Division. And then water
3 from the Scranton Division could, through these interconnec-
4 tions, be supplied to the Spring Brook Division in order to
5 supply whatever additional needs might be there.

6 A Let me say this, Mr. Pitscavage. That need has not,
7 we are not at that stage where that need is there. As I
8 indicated previously, the safe yield in the Spring Brook
9 Division is approximately 59 million gallons a day. The
10 water delivered to the system in the Spring Brook Division
11 was approximately 48 million. So, that need is not there.
12 Should that need arise, I am not so sure whether we would
13 transfer water from the Scranton Division to Spring Brook
14 or whether we would look at new additional storage, the
15 conservation program, etc.; any number of options available
16 to us.

17 Q Okay.

18 A You are trying to put something on black and
19 white. The conditions changes, the load patterns changes,
20 the regulations change, and we have to be prepared to live
21 with these changes and meet the demands as they occur.

22 JUDGE MINDLIN: The question, however, is; do
23 not these two reservoirs afford you an option which by your
24 testimony is one among other options?

25 A Yes, they do present us an option. And in view of

1 what is going to be built on that ski run, I would think
2 that we would be looking very seriously at putting No. 5
3 back into continuous potable water supply. Particularly, if
4 the access to that facility is improved, whereby we could
5 maintain reliable disinfection and sterilization which is the
6 basic problem at No. 5. Not so much that the water is
7 turbid or the quality is poor, but the reliability to maintain
8 continuous disinfection. And we will maintain that option to
9 put No. 5 back in service, continual, potable service. But
10 there will be any number of factors there before we put it
11 in to be considered.

12 Q Okay, that's fine, okay. Now, is it a fact that
13 on numerous occasions the public has been asked to refrain
14 from unnecessary use of water such as watering gardens and
15 lawns and washing cars because of low water supplies?

16 A Water conservation is nothing new. But there has
17 been particular emphasis on it in recent years for any number
18 of reasons. Now, most of the communities we serve, their
19 waste water is treated. It puts that burden on the sewage
20 treatment plants.

21 In addition to it, isn't it wiser to conserve the
22 water, not waste it, rather than asking the people, the
23 customers, to go in and build expensive, new sources of
24 supply? Isn't that wisdom?

25 Q Well, I agree with you on that, but I am referring

1 to the particular cases when we had low rainfall; normally
2 you do not ask people to refrain from watering their lawns
3 and washing their cars and watering their gardens. It's
4 under conditions of low rainfall when your supplies are
5 getting low that you publish these requests in the various
6 newspapers, isn't that true?

7 A Isn't that the proper time to call people's atten-
8 tion to conservation?

9 A Yes, it is, right. But the fact is that normally
10 you wouldn't ask people to refrain from washing cars and
11 watering gardens and watering lawns? And on these particular
12 occasions of low rainfall, where the supplies were getting
13 low, you did make these requests, indicating that the supply
14 was getting to the point where there was concern by your
15 company?

16 A And that concern, and in the water supply business,
17 what is concern, does not necessarily mean a panic situation.
18 It is not very nice for any community to be without water, or
19 to curtail service. So, on that basis, we have to take a
20 relatively conservative viewpoint.

21 Q All right, okay.

22 Back in 1974 you mentioned a low water period
23 earlier in your testimony back in 1964, I guess it was, where
24 all these reservoirs then in service; Stark, No. 5, Johnson's
25 Pond and so on, were they not all in service?

1 A I don't think we used Stark in the '64-'65
2 drought. But all of Johnson's Pond was in service; No. 5
3 was in service.

4 Q I see. And in spite of the fact that you had these
5 reservoirs in service, you still had a shortage of water
6 that had a serious threat?

7 A We had a shortage of water, but as you recall, we
8 did not ask this business to shut down. We didn't curtail,
9 say that you could only run your water between the hours of
10 8 and 4. I'm sure most of you were familiar with the situa-
11 tion in England two or three years ago, where, hey, the water
12 was off completely, at certain hours of the day.

13 We did not have to do that. We did not have to
14 shut down any industry. We merely asked people to conserve
15 water. Which they, I think they cooperated rather well.

16 Q But there was a danger of all of this, nevertheless;
17 that is why you took these measures?

18 A Well, you want to bear in mind, also, that '64-'65,
19 is the drought of record for this area.

20 Q Okay.

21 A And safe yields or estimates are based on record
22 droughts.

23 Q Okay, is it logical to expect low rainfall periods
24 sometime in the future?

25 A I would think so.

1 Q Now that the utility no longer owns Johnson's
2 Pond, is it possible that this source of water may be lost
3 due to serious pollution or even drawing down of the
4 reservoir?

5 A I have already testified that that water at
6 Johnson's Pond, we retained the right to pump it and we will
7 continue to maintain that right. As far as forest pollution,
8 that water is pumped over the divide and that water flows
9 down through a lengthy stream several miles long which is
10 probably the best purifier of water that you can have.

11 Q But, isn't it true that if they decided to drain
12 that reservoir, that the Pennsylvania Gas and Water Company
13 would have no control over it?

14 A Who would drain it?

15 Q If the owners, the present owners --

16 A The owners cannot drain that pond.

17 Q Well, there is no assurance that they would not do
18 this?

19 A I am pretty sure that is in our agreement that they
20 cannot. We have the water rights to the top four-foot in
21 Johnson's Pond.

22 Q But if the water weren't there, if it were drained
23 it wouldn't be there and wouldn't be available?

24 A Why wouldn't it be there?

25 JUDGE MINDLIN: I think we are getting into an

1 area where we're going round and round the pond.

2 MR. THOMAS: May I insert something. It might help
3 Mr. Pitscavage.

4 Did we not retain the dam breast and the valves
5 and what not?

6 A Yes, we own the control facilities there.

7 JUDGE MINDLIN: And just for the record to satisfy
8 Mr. Pitscavage, is it a proper understanding that under the
9 contractual arrangement, there could be no draw down except
10 if it violated some contractual obligation.

11 MR. THOMAS: That's my understanding. And besides,
12 we retained the ownership of the breast work and the valve
13 work at the dam; they can't touch it. The only way they can
14 do it is they go in there and blow it. They can blow any of
15 our reservoirs out.

16 MR. PITSCAVAGE: Well, there is a possibility.

17 MR. THOMAS: It's like Iran selling the oil off.
18 I don't know whether they did or not.

19 BY MR. PITSCAVAGE:

20 Q Now, regarding the possible contamination of the
21 water in Stark and No. 5 Reservoirs, from installation on the
22 425 and a half acres offered for these installations, you
23 have presented some testimony, written testimony, indicating
24 that you are not concerned about this possibility, right?

25 A That is correct.

1 Q Okay. Now, and we spoke of the planned construction
2 of Interstate 84 through watershed lands of Reservoirs Nos. 5
3 and some other reservoirs. Now, the area involved, according
4 to your testimony, you said that the area involved in actual
5 construction in the Montage project, I think was 80 acres,
6 isn't that right?

7 A Somewhere in that vicinity.

8 Q Somewhere around that. Now, the area is one of the
9 factors that would help determine whether or not, or to the
10 extent of the pollution that might occur?

11 A It's not only the area but the extent of the cuts
12 and fills. When you build a highway you have deep cuts, heavy
13 fills that a capability of maintaining erosion and sedimentation
14 control on that type of construction is far more difficult
15 than just rough grading for a ski slope, etc. They are two
16 different types of construction.

17 Q The building of the ski slopes would require fills
18 and cuts.

19 A Not to the extent of the cuts and fills that you
20 have for highways, where you have anywhere from 30 to 40-foot
21 cuts and fills; the earth work involved is, hey, a hundred
22 times more, five hundred times more than involved in the same
23 acreage on a ski slope.

24 Q Isn't this only an estimate on your part? You
25 can't substantiate that. It could be, it might not necessarily

1 be; you can't substantiate that right now, can you?

2 A What?

3 Q That one hundred times or five hundred times as much.

4 A Well, it all depends on where you're building the
5 highway. When you're building highways in this area, some-
6 times it might be a hundred times, two hundred times, five
7 hundred times the earth work that may be involved on the same
8 acreage on a ski slope.

9 Q On the other hand, it might be very little, right?

10 A You don't build superhighways in this area without
11 having significant cuts and fills.

12 Q Okay, but you can't substantiate the amount of
13 cuts and fills that would be required on this highway, right
14 now?

15 A I don't think I have to substantiate it. You just
16 drive over any of these super, these expressways, where you
17 go through a cut 30, 40 foot deep. You go another mile or
18 so, you see that cut, material from the cut in the 40, 50
19 foot hill; it's obvious.

20 Q But not specifically in this case; you can't site
21 it. Okay.

22 A I don't see any necessity in this particular case
23 because it's so obvious.

24 Q All right, isn't it true that the land that is being
25 offered for Montage installations have not been disturbed for

1 many, many years. And the surface there has been stablized
2 because of the fact that there was not any disturbance for
3 many, many years; is that right?

4 A I think your point that it's relatively stablized
5 is a good point. However, there are, what you have there is
6 rock and you have some areas where you have rock and then
7 you have depositions of clay materials, sandy material. So,
8 it's not totally stablized.

9 Q Well, it never is totally stablized, that's right.

10 A And the ski slope may totally stablize it; at least
11 those areas that the ski slopes are on will be totally
12 stablized. Because when you build a ski slope, you grade it,
13 plan it, and if you don't maintain that vegetative cover on
14 that ski slope, you're going to lose your ski slope.

15 Q There will be some erosion, as there is presently,
16 even though the surface has not been disturbed for many
17 years, there will be erosion even after the ski slopes are
18 built?

19 A They will put that proper vegetative cover and it's
20 very likely and probable that the erosion will be less after
21 they have got good, sound vegetative cover on it than the way
22 it is now.

23 Q You, of course, you would have in addition to the
24 ski slopes, you would also have parking lots; you would have
25 buildings. There would be other installations other than just

1 the ski slopes themselves, right?

2 A I visualize that they will have a little lodge
3 there and probably a shop where they will sell ski equipment.
4 They may have a little restaurant or coffee shop there plus
5 a parking lot.

6 Q Now, the turbidity of No. 5 Reservoir, you said
7 in the past has gone to above the limits required by the
8 controlling agencies, right?

9 A It is possible that it may have exceeded the five
10 MCL.

11 Q If this turbidity is increased as a result of
12 construction and a result of maintaining these installations
13 is it possible that it would be necessary to install additional
14 filtering means in order to make useable that water from
15 No. 5?

16 A I would like to reemphasize that I testified to
17 that, that the erosion and sedimentation controls that they
18 would have to take when they're building that slope, and
19 would minimize the turbidity and we would probably be able
20 to maintain the turbidity levels at No. 5 at the same level
21 that they are today.

22 Q Do you have any guarantees in your proposal for
23 sale here which would assure that this would be the case?

24 A I don't think there is any guarantee in there, but
25 that is, everybody is aware of the stringent regulations that

1 DER takes in construction activities of this type.

2 Q But DER regulations are now drawn up specifically
3 for use in the watershed lands that are used for drinking
4 water purposes; these are general. And while they would be
5 desirable, they wouldn't necessarily preclude the pollution
6 of No. 5 Reservoir?

7 A The regulations as they're drawn up is that any
8 activity that you perform on a watershed or stream, that
9 activity cannot, you have to conduct those activities so
10 that they will not downgrade the quality of that water in
11 the stream. If it's a trout stream, you want to build some-
12 thing on, you have got to maintain sedimentation and erosion
13 controls capable so that you won't cause that water to down-
14 grade so that the trout could not survive it.

15 Q Now, from previous testimony, again, page 295
16 of the transcript; pardon me, 294, line 8. "We did not use
17 Johnson's Pond water. We delivered the pumps up there, just
18 turned them over but did not pump any water. And that I
19 might say, that Johnson's Pond is one of the reservoirs that
20 we have the right to take water, and it's considered in our
21 safe yield computations."

22 Okay, now this was previously. Now, today, you
23 said that, well, "perhaps we did pump", today, "perhaps we
24 did pump some water."

25 A The question on 294 refers to the year specifically,

1 1978.

2 MR. THOMAS: It refers to the winter of 1978.

3 A Winter of 1978.

4 Q Winter of 1978 and '79, okay, '78 is good enough.
5 Okay. You said that we did not use, we did not pump any
6 water in that statement. Now, today you said that perhaps we
7 did pump some water, correct?

8 A In a different time frame, Mr. Pitscavage.
9 There is nothing wrong with pumping water out of Johnson's
10 Pond. It's a source of supply that's available for us to
11 use when we need it.

12 Q Well, can you tell us specifically what time frame
13 you had reference to in the testimony that you offered today?

14 A If I recall, I says it may have been somewhere in
15 the mid '70's. I didn't try to remember the precise dates.
16 I know we pumped in '64-'65. And we may have pumped again
17 between '64 and '65 and it's such a natural thing to do
18 when you see you need to pump that you don't try to remember
19 the specific years that you did it in.

20 Q Okay, well, then let me ask you this question.
21 Did you, in late 1978, and/or early 1979, pump water from
22 Johnson's Pond?

23 A We did not pump any water.

24 Q You did not pump.

25 A We delivered the pumps in anticipation of the

1 further lowering of the ... When we brought them in there,
2 we had some rainfall, the water started coming up so we
3 didn't turn them over.

4 We turned them over to see if they were operational
5 but we did not pump any water.

6 MR. PITSCAVAGE: I guess that's all my questioning,
7 thank you.

8 JUDGE MINDLIN: Do you have something for us, sir?

9 MR. COLAFUT: Yes, I have a few questions, sir.

10 CROSS EXAMINATION

11 BY MR. COLAFUT:

12 Q I want to go back to the remark Mr. Lubinski stated
13 about gradients and pressure being synonymous. This thing
14 hasn't been clarified in my mind; I don't believe it has been
15 clarified in anyone's mind. And I want to ask if gradient
16 is not applicable to the size of the pipe, the condition of
17 the pipe, the flow of the water?

18 A I don't know whether I am that good of an instructor
19 to conduct a class in hydraulics. But gradient, you say a
20 gradient. A gradient is, say, like a line as to where the
21 water would reach zero pressure.

22 JUDGE MINDLIN: May I suggest; the witness has been
23 over this a number of times. If there is an engineering
24 difference, I suggest you resolve the difference by presenting
25 some direct testimony. I see no point in going round and

1 round this subject with this witness.

2 MR. COLAFUT: Well, his pressure loss, the pressure
3 loss and the pressure needs of moving water from one area
4 of let's say, or rather, the No. 5 pond with an elevation
5 of 900 feet. He could lose that pressure if his pipes --

6 JUDGE MINDLIN: Sir, what I'm saying to you,
7 excuse me for interrupting; what I'm saying to you, if my
8 suggestion isn't intelligible to you from a procedural
9 standpoint, speak to one of the attorneys here who are
10 representing certain of the public interest.

11 I am saying that we can resolve this, if there is
12 conflict, by a little bit of direct testimony by some
13 engineer. But to go through this process of redefinition
14 of gradient and pressure and the rest of it, I think we
15 are spending a long time on something that he has testified
16 to and may otherwise be resolved simply.

17 MR. COLAFUT: Okay.

18 BY MR. COLAFUT:

19 Q On the lines that Pennsylvania Gas and Water
20 maintains, how old are some of the overhead lines?

21 A We have lines that are as old as 1860.

22 Q 1860; you're saying about 120 years old?

23 A Yes.

24 Q What is your plans for replacing those lines,
25 because the turbidity comes from the lines as well, does

1 it not?

2 A The program for replacing lines is one as to, the
3 basic premises is to replace those lines where primarily
4 smaller lines that are inadequate to pass fire flows or
5 general service.

6 However, the bigger lines, because of their size,
7 the reduction in the cross sectional area, the loss of their
8 capacity is very insignificant. If you refer to, we have 36-
9 inch lines that were put in at the turn of the century. We
10 ran tests on those and the coefficients are in the neighbor-
11 hood of 90 to 100, which represents a loss of maybe only five
12 or ten percent of their original capacity. In the smaller
13 sizes, that is not totally true. But even in the smaller
14 sizes, some of those old pipes that were put in where they
15 had good, terse-yield linings on them, some of them, you
16 open them up, they're as good as new. But you go down the
17 street to another area where the lining wasn't as good, they
18 may be badly tuberculated.

19 Q Well, one other problem with these older pipes is
20 that they are frequently busting, and the water being lost,
21 sometimes undetected, sometimes it comes up in the middle of
22 streets.

23 A Whenever there is a leak, a known leak, we get in
24 and repair it as fast as we possibly can. And leaks are
25 reported to us in any number of ways. Noise on the water

1 surface, appearing at the surface; we repair all our known
2 leaks promptly.

3 Q I was just wondering about replacement of the lines
4 because these leaks are occurring very frequently, are they
5 not?

6 A I don't know what you refer to as frequently.

7 Q Well, I won't go into that.

8 On this chart of Scranton water consumption, which
9 seems to peak around 1968 and levels off until 1970 and then
10 drops down, oh, somewhat over 7,000 to 5,000, what is that,
11 in gallons per year? A million, five thousand gallons per
12 year. Can you attribute this to the cost of water going up
13 for the consumers in Scranton due to sewer treatment charges
14 being based on metered consumption?

15 A I would think that had a significant effect on it.
16 And if you noticed, the industrial --

17 JUDGE MINDLIN: Excuse me, I must maintain some
18 control over this. We are not involved in a rate case. We
19 are not involved in a general examination of the system.
20 We are involved in a specific line of inquiry.

21 MR. COLAFUT: Your Honor, may I address the
22 significance of this? Since the year, 1964-'65, when there
23 was a shortage, there was wasted consumption by a lot of
24 residents. And in situations where people are metered by
25 the sewer authority for consumption of water and they cut

1 back on consumption, and as a consequence of cutting back
2 they do not, there cannot be that much conservation should
3 another drought occur.

4 MR. THOMAS: I don't see where it has any relevancy
5 and it is so highly speculative.

6 JUDGE MINDLIN: I think it would be a good time to
7 take a recess.

8 (Whereupon, a recess was taken.)

9 JUDGE MINDLIN: All right, let us resume.

10 Why don't you restate another question now.

11 MR. COLAFUT: Restate that last question?

12 JUDGE MINDLIN: Any question; go right ahead.

13 BY MR. COLAFUT:

14 Q Mr. Lubinski, since the 1964-'65 drought, the
15 consumption in Scranton has dropped because, possibly because
16 of the imposition of sewer fees for water consumption for
17 treatment of the used water; would that not reflect on the
18 lessening of consumption in a new drought, since these
19 people are not starting from as high a level of consumption
20 as they were in the 1964?

21 A You want to bear in mind that I don't think those
22 sewer rental rates, particularly in the Scranton-Dunmore area,
23 are going to stay stable. They're going to continue to go up.
24 And there are also any number of conservative measures that
25 you can take in your own home to reduce consumption. So, you'

1 see the advertisements now of these water closets that
2 substantially use, use substantially less water than the
3 ones most of us have in our homes today. You have orifices
4 that you can put in your showers. You have teenage daughters
5 that they turn the showers on, it sounds like Niagara Falls.
6 You could put that type of device in that will considerably
7 reduce consumption.

8 Those are only two. There are other conservation
9 measures that these residents can utilize.

10 Q All right. In 1978, you stated that there was a
11 dry season in which during the four-month period, June through
12 September, you had 11 inches in rainfall. What was it in
13 1964-'65?

14 A That is very difficult for me to try to remember.
15 I would say it probably might be comparable. I looked at it
16 and my recollection was that that rainfall was somewhat
17 comparable. But it's not, you take any specific period,
18 that's not the final answer; '64-'65 was an extended over a
19 two-year period.

20 Q Well, how would you characterize that? Mr.
21 Pettinato talked about 50-year floods and 100-year floods.
22 Was that a 100-year drought or is that expected to be
23 repeated in a short period of time?

24 A Well, I don't like these terms, 50-year drought,
25 100-year drought, because they are misleading. You could

1 have what they refer to as a 100-year drought twice within
2 20 years. They are misleading.

3 And another factor here is the rainfall pattern in
4 our area. You want to bear in mind, we extend all the way
5 from Forest City on the north to Nanticoke on the southern
6 end, something like 60 miles. And our geography is such
7 that we may have tainfall in one area and not on another.
8 And the rainfall records as they're recorded in the Avoca
9 Airport are not the total picture.

10 Q What worries me is this great discrepancy in the
11 Hickok report and the statement or the projections that
12 Pennsylvania Gas and Water, I presume, you made afterward
13 that you have a safe water yield of a safety factor there
14 of seven million gallons of water a day. How were these
15 projections arrived at? How was that information of safe
16 water yield arrived at quantitatively?

17 A That's a rather complicated computation using
18 empirical charts, watershed areas, storage to the particular
19 watershed. Our safe yield estimates are based on what we
20 refer to as sudbury tables that were developed for New
21 England and modified for this area, updated to reflect the
22 droughts that occurred since those tables were originally set.

23 Q Were those also available to Hickok?

24 A Hickok's safe yield is approximately the same as
25 what we are utilizing today; somewhere in the neighborhood of

1 102, 103, 104 million gallons a year.

2 Q And safe yield, you say, is the quantity of water
3 expressed in millions gallons per day that a source can
4 deliver in extreme drought conditions?

5 A That is correct.

6 Q By my understanding of this, in extreme drought
7 conditions, your dam would still be filling up; you have
8 more water.

9 A I think you have a misunderstanding there, Mr.
10 Colafut.

11 Q Maybe I have a misunderstanding but I see a surplus
12 of millions of gallons a day, depending on whether you're
13 talking in the Scranton area or the entire picture.

14 A I think you are interpreting this as day to day;
15 the safe yield is over an extended period of time. Say,
16 like, some days of the year, some months of the year, our
17 water that is put into the system is higher than other times.
18 And the water that we have in storage is part of the factor
19 that enters into safe yield computations; the amount of storage
20 capacity, rather.

21 Q The amount of storage capacity.

22 A Enters into the estimate of safe yield.

23 Q That is entirely unclear. I don't see how you can
24 get a surplus of safe yield of so many millions of gallons of
25 water a day during extreme drought conditions and not have

1 water discharging into the streams.

2 A You want to bear in mind when a safe yield, when
3 you are in the safe yield situation of extreme drought, the
4 levels in the storage are going down.

5 Q The levels are going down.

6 A In the extreme droughts, yes

7 Q So, safe yield ...

8 A Let me say this, Mr. Colafut. It's not necessary
9 to have a reservoir full right up to its designed capacity
10 to continue to supply water.

11 Q I am trying to get a concept of safe yield. Now,
12 I find that safe yield, the reservoirs are going down, the
13 streams are drying up. The water company draws water from
14 the streams as well, does it not?

15 A You want to bear in mind that we have a significant
16 amount of storage, roughly 20 billion gallons storage
17 capacity in our entire system; something like 8 billion in
18 the Scranton Division and approximately 12 billion in the
19 Spring Brook Division.

20 And in periods of dry stream flow, less rainfall,
21 we draw on that storage to supply our customers.

22 Q Well, then, safe yield would have a time factor
23 involved, would it not? If you have a safe yield for so
24 many days or so many weeks?

25 A I don't quite follow. Sure, time is involved.

1 Sure, time is involved, certainly.

2 Q So, safe yield, then, should be expressed also in
3 terms of time, not alone in surplus millions of gallons.

4 A Well, I am not about to rewrite the water textbooks
5 and redefine safe yield.

6 Q All right. In your report, number three, the
7 question, "Did factors of accessibility and vandalism influence
8 your decision to remove No. 5 as a continuous supplier of
9 potable water?" You said, "Yes, definitely."

10 Accessibility and vandalism; that is on page 2 of
11 your P G & W Statement No. 3.

12 How does vandalism occur and why is it such a
13 problem when the reservoir is inaccessible?

14 A These kids can get in there on motor bikes; they can
15 walk in there.

16 Q They can get in there on motor bikes and walk?

17 A That's correct.

18 Q Is it kids that get in there?

19 A Well, there is adults, but we all know who, what
20 age group are the ones that tend to vandalize property for
21 reasons unknown to me.

22 Q You talked about gunfire and burning, I believe.

23 A That's correct.

24 Q High-powered rifle and damage to the installations
25 there. One of the questions this prompts is, the part that

1 hunters play in the area.

2 A I don't think an honest-to-God hunter would take a
3 high-powered rifle and put bullet holes through a water
4 supply facility. He is not a hunter. He may have a rifle
5 but that doesn't make him a hunter.

6 Q Well, people who hunt, shall I say, who happen to
7 go in there with high-powered guns, they are not motorcycle
8 riders, are they?

9 JUDGE MINDLIN: Mr. Colafut, I don't think it
10 would be probable for us to pursue these vandals. There
11 is testimony that vandalism has taken place. Do you
12 question that testimony?

13 MR. COLAFUT: The thing that disturbs me about the
14 vandalism in this report is that the gas and water company
15 permits certain hunting groups to hunt on their lands and
16 expells other hunting groups, if my news reports is right,
17 based on their feelings about Montage.

18 MR. THOMAS: That is not accurate.

19 MR. COLAFUT: That has been reported widely in the
20 press.

21 JUDGE MINDLIN: Now, we're going to foreclose that.
22 We somehow need to control our zeal for pursuit of everything
23 that we have read in the press and everything that our mind
24 may suggest. I suggest you turn to another topic.

25 MR. COLAFUT: All right.

1 Q On filtration of water, your filtration plant
2 and this disinfection, can you describe the process and tell
3 us what occurs in filtration? Do you take the solid,
4 particulate matter out during the filtration process?

5 A A filtration process, you generally take the raw
6 water, add some chemicals to coagulate it, make it in larger
7 particles; that is what they call a pretreatment. Then you
8 pass it over filtered media that takes out those large
9 particles before it's filtered through it.

10 Q How about dissolved impurities?

11 A The dissolved, the coagulation process takes some
12 minerals and matter that is the soluble state and causes them
13 to precipitate out to solid particles.

14 Q How much of that do you get, and what chemicals
15 do you add? I know you add chlorine.

16 A Chlorine is not --

17 Q It's a disinfect.

18 A It's a disinfectant chemical.

19 Q Okay, what chemicals do you add to the water and
20 how much per gallon of water?

21 A Generally it's alum that's added; alum is the most
22 popular coagulant.

23 MR. THOMAS: Are we talking about filtration now?

24 MR. COLAFUT: We're talking about filtration.

25 MR. THOMAS: Thank you.

1 Q Okay, alum takes out certain dissolved particles,
2 you say.

3 A Alum is the chemical that causes the soluble
4 material to precipitate out. It's a chemical that takes fine
5 materials in there that act to seed and it makes these
6 particles larger, so that they could be readily filtered out.

7 Q Well, that has to do with turbidity problems, does
8 it not?

9 A Turbidity and some solubles; filtration is an aid
10 in minimizing iron in the system.

11 Q Some iron in it; can you give me an idea of what
12 contaminants this alum will take out and what percentage of
13 the contaminants it will take out?

14 A There are so many contaminants; there are
15 toxic contaminants, there are aesthetic contaminants. I
16 think it would take me the rest of the week to fully go over
17 that list. But basically in filtration process, the treatment
18 plants are built primarily, let's say this to try to simplify
19 it, to reduce turbidity; and some solubles, particularly
20 iron and manganese that are the most troublesome elements in
21 the water supply system.

22 Q On review of the projections, you stated that a
23 review of the projections showed that you would have enough
24 water for the next five years.

25 A I believe I testified to that.

1 Q Mr. Gooch here envisioned an industrial development
2 as a result of Montage in his testimony. Did you review this
3 with the prospect of some substantial industrial development
4 occurring in this period?

5 A I would say that the Montage project would be a
6 seed for, Montage itself is an industrial project. But it
7 is not a very water-intensive user as such.

8 Q Montage itself, I'm saying, the industrial
9 development encourages or brings about; how much industrial
10 development and translated into water consumption, how much
11 water consumption do you foresee in your projections?

12 A I wish I could give you a very precise answer on
13 that. That would make the planning process extremely simple.
14 In the Scranton area we have a safe yield margin of
15 approximately 4 or 5 million gallons a day. And it's very
16 hard for me to visualize in the next two or three years or
17 five years, taking on customers that would be using millions
18 of gallons a day because industry tends to conserve, recycle.
19 So that we're not talking, by the time these industries
20 come in, we will have continued to monitor what their useage
21 is, what our safe yield is and make those necessary, do the
22 things that are necessary so that we can maintain an adequate
23 supply for existing customers plus some margin of safety for
24 future growth.

25 Q Let me ask you, quantitatively, say, is there an

1 accuracy figure of 10 percent, 20 percent on your projections,
2 50 percent?

3 A On what projections?

4 Q Of future needs for water.

5 A You're asking me how accurate my projections are?

6 JUDGE MINDLIN: No, let's perhaps, expedite it
7 this way. Did you, or to your knowledge, anyone in the
8 company, on the basis of what Montage might be expected to
9 generate in the way of development, attach a factor of
10 increased water need?

11 A If you're talking about the Montage project itself,
12 the civic arena, the motel.

13 JUDGE MINDLIN: No, no, let's put it this way.
14 Did the company take into account, as I believe the testimony
15 indicates perhaps in a general way, that the Montage project
16 included within its sponsorship a consideration of general
17 development in the area. Did the company attach any
18 projection of water needs to the projection of economic
19 development which would result from the Montage project.

20 A I don't think nobody in the company tried to put a
21 specific number on it other than my judgment of what that
22 might be.

23 Q What was that?

24 A I would say, and as I previously mentioned, it is
25 very hard for me to visualize P G & W taking on customers

1 that use a million gallons a day, per se. Probably 200,000
2 gallons a day, the type of customers I could visualize that.
3 So, with the four million gallon a day safe yield, it would
4 take 10 industries using in the neighborhood of 200,000
5 gallons a day.

6 Q All right, this is only a hunch, though; it has no
7 scientific basis. Your projections are kind of --

8 JUDGE MINDLIN: I think we all know that. I think
9 we all know that. If any area were able to project that the
10 precise nature of the development, they would be an area
11 equal to seers.

12 MR. COLAFUT: However, Your Honor, the Hickok
13 report was drastically different.

14 JUDGE MINDLIN: Well, the Hickok report is not at
15 the heart of this. You have witnesses here from the company
16 testifying, And I think it's time we faced up to it, that
17 the Hickok report is not to be used as a kind of measuring
18 stick of what the situation might not be by reason of its
19 being different from what is being said now.

20 If any of the parties, including the Consumer
21 Advocate and the Commission Trial Staff have expertise to
22 apply to this, they would be expected to apply it. But we
23 have trouble enough pursuing the company's judgment without
24 pursuing the judgment of people who are not here to explain.

25 MR. COLAFUT: Okay, I will disregard, drop that

1 aspect.

2 Q I would like to ask you, the conceptual plan here
3 that was presented to the stockholders in their 1975 annual
4 report; were you in fact the man who conceived this plan?

5 A No.

6 Q You weren't the man; do you know who did it?

7 A The concept was, we probably retained some engineer-
8 ing firm to show this concept or put it on.

9 Q But you had to tell them that you were looking for
10 some kind of a project; I mean, you hired them for a
11 purpose. Somebody had to define for the engineering firm
12 what they were supposed to design and present.

13 A I am not familiar with the directions anybody
14 gave to anybody else as to, "Give me a concept of what we
15 should do with this particular area."

16 Q You had no knowledge of this; did you have knowledge
17 of this before it was finally designed, before it was --

18 MR. THOMAS: You're talking about the cover?

19 MR. COLAFUT: I am talking about the concept on
20 the cover, yes.

21 MR. THOMAS: The cover on the 1975 annual report;
22 did you have knowledge of it before the report went out?

23 A I don't think so.

24 Q You had no knowledge that this amount, this area;
25 were you with the water division at that time?

1 A Yes.

2 Q And that this amount of watershed land was going to
3 be used for or being planned in an engineering firm contracted
4 to develop that area?

5 A You want to bear in mind that the situation was
6 far different in 1974 and 1975 when this concept was prepared
7 and again, I would like to emphasize the standpoint of a
8 concept. A concept does not necessarily mean, as though it's
9 going to be carried out in total. It's a concept for some-
10 body to look at and pass judgment on it.

11 Q It was significantly thought of to present it to
12 all the stockholders; it was not something taken lightly,
13 apparently.

14 MR. THOMAS: Pure argument, if Your Honor please.

15 JUDGE MINDLIN: That is an argument that you can
16 make.

17 MR. THOMAS: I also might point out that Mr. Nolan
18 who was with Bellante, Clauss, Miller and Nolan at that time,
19 if that's the right name, has already testified to this on
20 pages 426 and 442 of the testimony.

21 And this witness has indicated he had no knowledge
22 of it. It wasn't within his province. It wasn't his job
23 to get an annual report out.

24 MR. COLAFUT: But he was a water engineer for the
25 company.

1 MR. THOMAS: And he has testified that he did not
2 see the design before it was put in the annual report of the
3 stockholders and he had no input on it. And Nolan has
4 testified how it did come in; his firm was hired to do it.

5 JUDGE MINDLIN: Can we not for purposes of this
6 case, all of us, reasonably agree that the Montage project
7 is supposed to have a viability not only for itself but for
8 its generative power in the development of the area?

9 Didn't the witnesses say that? Didn't Father Byron
10 testify with respect to certain attractive features; without
11 going into the truth or falsity of it. Isn't that what it's
12 projected for?

13 Would you agree; is that a reasonable statement as
14 far as you are concerned, Mr. Colafut?

15 MR. COLAFUT: Well, I see it somewhat differently.
16 I see the Montage project from my point of view as a plan to
17 develop a remote area, one of their most remote areas of
18 watershed lands to enhance the value of the real estate in
19 that area.

20 MR. THOMAS: If Your Honor pleases.

21 JUDGE MINDLIN: That is not at odds with what I
22 have said. What I have said is we can all agree about the
23 manner in which Montage has been cast at the core and all
24 radiating away from the core.

25 Now, whether you or other people differ from it

1 and have other notions about it is something that, if it is
2 brought into a proper form, can be placed on the record.
3 Against the caution that I said earlier. We are not going
4 to debate the economics or the predictive powers of those
5 who have cast this project in the terms in which they have
6 cast it.

7 What we are concerned about in that respect is
8 whether or not from the very direction of the witnesses, they
9 did in fact, come from several directions, come to some
10 agreement about what this project is supposed to signify.

11 Is that a fair statement?

12 MR. THOMAS: I agree with your statement if tacked
13 onto it is what the record shows that Montage today is entire-
14 ly different from where it may have started out, in Lieutenant
15 Governor Kline's office in Harrisburg that Mr. Pettinato
16 testified to. That is where the whole concept started.
17 The idea seems to be here that P G & W has some other thoughts.
18 Our witnesses have testified to the contrary. And still we
19 persist in this type of cross examination.

20 I think it's irrelevant and improper.

21 JUDGE MINDLIN: Well, once again, we don't want
22 to foreclose, but I would like to, within my responsibilities,
23 to try to keep this within some sort of a framework.

24 MR. POPOWSKY: Your Honor, can I just comment that
25 in line with what Mr. Thomas has said, I think in my mind a

1 distinction must be drawn between the possible development of
2 the entire Scranton area as a result of Montage, which was
3 testified to by SLIBCo. witnesses, and the potential develop-
4 ment of the remaining watershed surrounding Montage.

5 JUDGE MINDLIN: That is true.

6 MR. POPOWSKY: I believe that is very relevant.

7 JUDGE MINDLIN: That is a distinction, that is an
8 element. That is a characterization of what may happen,
9 whether or not it was indeed planned.

10 MR. POPOWSKY: I just want to say to that extent the
11 latter matter; that is, the development, the potential develop-
12 ment of the watershed land around Montage, I think is very
13 relevant to these proceedings as opposed to the general
14 development of the Scranton area.

15 JUDGE MINDLIN: We don't want to open up a debate
16 at the moment, but ...

17 MR. THOMAS: Well, I respectfully submit that I
18 have listened to cross examination of my witnesses for the
19 last hour and a half that have been pretty argumentative.
20 And I haven't objected, only a few times.

21 JUDGE MINDLIN: We submit it respectfully, and the
22 record will note it.

23 I did suggest, Mr. Colafut, that you and the other
24 lay witnesses ought to have talked to counsel to sort of cast
25 your minds along the directions of a method for proof. A

1 method for establishing, first, the acceptability of a
2 position and then its pursuit.

3 Go ahead.

4 MR. COLAFUT: I think it's significant.

5 JUDGE MINDLIN: We will bear with you, reasonably.

6 MR. COLAFUT: If the water engineer of the company
7 was not consulted when the plans for development of certain
8 areas, he being a subordinate, to those who developed the
9 plans, would naturally defend them.

10 JUDGE MINDLIN: Well, let me ask you this, just to
11 clarify. Perhaps this will be useful.

12 Whether or not the specific area; that is the water-
13 shed area, may be opened up to development of one kind or
14 another, be it residential or some other kind of a development,
15 is largely perhaps governed by the nature of the area, by
16 some reasonable economic projections; but isn't governed at
17 all by whether or not they entertain that notion on the back
18 of an annual report or not.

19 It's something to be dealt with in terms of what
20 the inherent potentialities may be and whether the Commission
21 would have some basis within the context of this case to
22 take those potentialities into account.

23 That is in effect what you're saying. Isn't that
24 what the Consumer Advocate is saying?

25 MR. POPOWSKY: I believe so; except to the extent

1 that we --

2 JUDGE MINDLIN: Maybe not the way I said it.

3 But what I am trying to get at is, we don't have to pursue
4 what you conceive to be changes in position of the company
5 and this witness' responsibility for a representation on the
6 back of an annual report. I mean, we are not detectives
7 here entirely.

8 MR. COLAFUT: Okay, I will ask one last question.

9 JUDGE MINDLIN: But don't go saying to anybody
10 that we didn't give you a fair chance.

11 MR. COLAFUT: All right, I'm going to ask one more
12 question.

13 JUDGE MINDLIN: Go ahead.

14 BY MR. COLAFUT:

15 Q Does not Montage supply the potential for the
16 construction of golf courses, condominiums, developments in
17 the area, as envisioned on this annual report?

18 MR. THOMAS: What area; I object.

19 MR. COLAFUT: The area as described in this annual
20 report, the areas outside --

21 JUDGE MINDLIN: Well, the report speaks for itself.
22 Or if there is ambiguity, if there are golf courses shown on
23 there, fine. If they are not shown on there, we have a
24 different situation.

25 Now, do you feel that placing a ski slope on the

1 top of Montage Mountain will ultimately lead to golf courses
2 in the area; is that what you are saying?

3 MR. COLAFUT: Yes, it provides potential.

4 JUDGE MINDLIN: Why ask this witness?

5 MR. THOMAS: It's a watershed area.

6 JUDGE MINDLIN: Just a moment, gentlemen. If he
7 says no, you're not going to accept it, anyway. So, don't
8 you understand?

9 MR. COLAFUT: Okay, I will have no further questions.
10 Thank you, sir.

11 JUDGE MINDLIN: Have you been effectively afforded
12 now?

13 MR. COLAFUT: Well, I think I have asked my share
14 of questions and I am satisfied.

15 JUDGE MINDLIN: All right, I hope you are.

16 We try to bring these things out in the open, so
17 that the public will have a sense of fairness about this.
18 But we must have some sense of what is involved in rational
19 proof directed to a rational issue under the law.

20 Any other questions of this witness?

21 MR. VENDOR: Your Honor, I have a few questions.

22 CROSS EXAMINATION

23 BY MR. VENDOR:

24 Q Mr. Lubinski, do you have a copy of Consumer
25 Advocate No. 6 in front of you? It is the annual water

1 supply report for the calendar year, 1978.

2 A For the year, 1978; yes, sir, I do.

3 Q Let me direct your attention to the bottom of page
4 1 and the bottom of page 2. There is a note at the bottom of
5 each page, isn't there?

6 MR. THOMAS: I missed the question. Could I have
7 it read back, please?

8 (The following question was read back by the
9 reporter:)

10 "Let me direct your attention to the bottom of page
11 1 and the bottom of page 2. There is a note at the bottom of
12 each page, isn't there?"

13 A I see the note.

14 Q And just to clear up something in my mind, can
15 you tell me what the difference is between consumer units
16 and customers, as your company defines it?

17 A Consumer units, that would be, there would be one
18 meter but it could supply two, taking the most simplest
19 example, but it could supply two separate residences. In
20 other words, one pays the water bill, one meter, but there
21 are two separate families in that.

22 MR. THOMAS: Would a good example, Mr. Lubinski,
23 be an apartment house that has four apartments?

24 A Four apartments but one customer, four consumer
25 units. In other words, four families or four rental units

1 for one meter.

2 Q And therefore, isn't it true that if you compare
3 this 1978 report to the 1977 annual water supply report,
4 that a reduction in the figures for present, or rather a
5 reduction in the figures for the projected total domestic
6 connections, both for the two year and the five year, which
7 appear on page 1 of each report do not reflect either a
8 reduction in customers or a reduction in consumer units from
9 1977 to 1978?

10 A What that figure is showing there is the number
11 of, I would have to see the '77 report. Now, if you look
12 at the '77 report, we showed that domestic units, 55,323.
13 The '78 report shows that in terms of customers. However, if
14 you go across the line there, the projections for increase
15 are based on the way it was reported for that particular year.

16 Q But we are comparing two different things, aren't
17 we?

18 A For that individual year, the basic thing, the
19 projection increase is probably relative to the number of
20 connections that are reported there.

21 Q Isn't there a projection decrease from 1977 to
22 1978?

23 A No, no.

24 MR. THOMAS: May I go off the record a minute?

25 JUDGE MINDLIN: Yes.

1 (Discussion off the record.)

2 BY MR. VENDOR:

3 Q And finally, let me direct your attention to
4 P G & W Exhibit M which is the map that was supplied today.
5 Has the company ever investigated the effect that the
6 proposed ski slopes that are indicated on this map would
7 have on the run off of water into the No. 5 Reservoir?

8 A I have seen the report prepared by SLIBCO.'s
9 engineer and they addressed that particular issue. And I can
10 agree with the conclusions that he reached that the amount,
11 the increase in run off as regards to flood flow
12 would be insignificant or practically nill. And I believe I
13 testified to that under cross examination in the June 4
14 hearings.

15 MR. VENDOR: I have no further questions, Your
16 Honor.

17 MR. POPOWSKY: I hesitate to ask, but I would like
18 to ask just a few more questions on matters that were
19 brought up in other parties' cross examination.

20 JUDGE MINDLIN: All right, go ahead.

21 MR. POPOWSKY: Thank you.

22 CROSS EXAMINATION

23 BY MR. POPOWSKY:

24 Q Mr. Lubinski, you stated in answer to a question
25 by Mr. Tanski, I believe, that while the minimum safe yield

1 of Reservoir No. 5 was approximately three-quarter million
2 gallons per day, that the actual yield that could be produced
3 from No. 5 would be substantially greater, is that correct?

4 A Yes, an instantaneous draw on it, particularly in
5 periods of high rainfall could be significantly higher than
6 that.

7 Q Do you have any idea how much higher?

8 A I would have to make a hydraulic computation on it.
9 It might be a million and a half, two million.

10 Q In response to a question by Mr. Pitscavage, you
11 discussed the DER regulations concerning the erosion and
12 sedimentation standards. I believe, and correct me if I am
13 wrong, that you testified that these standards would prevent
14 any construction or development which would downgrade the
15 use of the water which would be the subject to that erosion
16 and sedimentation.

17 A The basic philosophy in the regulations, and I
18 think it goes back further, well, the philosophy of the law
19 is this. That you are not, you can't permit the type of
20 activity that would downgrade the water in that particular
21 stream. For instance, the criteria for erosion and
22 sedimentation control on the Susquehanna is not as stringent
23 as, say, on the stream that is of a water quality that will,
24 native brown trout can survive in it.

25 Q Are the regulations more stringent for watershed

1 land around reservoirs that are in current potable water
2 service than they are for the reservoirs which are only in
3 emergency service?

4 A I don't think there is any differentiation there.

5 Q Now, one last question. Judge Mindlin asked you
6 why the Reservoir No. 5 was not included in the 1978 water
7 supply report.

8 A I will be honest with you. I can't give you an
9 honest answer why that was ...

10 Q What I was going to ask you is whether -- well,
11 could I go off the record for one moment?

12 JUDGE MINDLIN: Yes.

13 (Discussion off the record.)

14 JUDGE MINDLIN: If you will be good enough, Mr.
15 Lubinski, would you repeat your observation?

16 To put it in the context, in an off-the-record
17 discussion it was noted that the Stark Reservoir is included
18 in the Scranton-Spring Brook annual water report. And now,
19 you were about to explain your reaction to it, the omission
20 of No. 5 from the Scranton Division report.

21 MR. POPOWSKY: Excuse me, Your Honor, it was on
22 the Spring Brook report.

23 Q For 1978.

24 A Stark was listed on the Spring Brook report. No. 5
25 was not listed on the Scranton report. The reason why Stark

1 was listed and No. 5 was not listed, I honestly do not know
2 why No. 5 was off the No. 5 report.

3 MR. POPOWSKY: That's all I have, thank you.

4 MR. TANSKI: Your Honor, may I ask some more
5 questions?

6 JUDGE MINDLIN: How many more?

7 MR. E. PREATE: Your Honor, I object to this
8 round of questioning again. This is going around and
9 around. At this point, may I say something, Your Honor?

10 JUDGE MINDLIN: Yes, go ahead.

11 MR. E. PREATE: The Consumer Advocate reprents
12 apparently a group of citizens. The Trial Examiner for the
13 PUC represents the PUC. I represent a large group of
14 consumers of public that is interested in Montage.

15 At this point, I must object to this continous
16 round of questioning. You have allowed some of the lay
17 witnesses, the lay questioners, wide latitude. We have not
18 objected to it, both the utility and SLIBCo., with the idea
19 that perhaps they should be given the full right to question
20 the witness. Some of it was argumentative. We could have
21 objected to it. Some of it was an expounding of theory,
22 questioned back and forth. At this point, Your Honor, the
23 record is getting rather large. Most of it is insignificant,
24 not relevant, no rational relationship to the issues which
25 you propounded at the beginning of this hearing.

1 And I must object to this continued questioning,
2 Your Honor.

3 JUDGE MINDLIN: The matter is a matter within the
4 discretion of the Presiding Officer and we feel that our
5 discretion indicates that we should allow some additional
6 questions now. But we do it with full confidence that
7 whatever has happened is not being unduly extended.

8 So, go ahead.

9 MR. TANSKI: Thank you, Your Honor.

10 RE CROSS EXAMINATION

11 BY MR. TANSKI:

12 Q Mr. Lubinski, you said that iron and manganese
13 are the most troublesome elements in a water system. Can
14 you tell us briefly what iron does, what manganese does
15 that makes them troublesome?

16 A Iron and manganese are troublesome elements that
17 they could be, they are troublesome from an aesthetic stand-
18 point. Iron and a combination of iron and manganese, when
19 you put it in your hot water heater, you heat it, if they
20 are in a soluble state, they will precipitate out. They
21 will make your hot water dirty. It will make the water, if
22 you're cooking, you put a pot of water on to cook some
23 vegetables, you heat that water, that iron and manganese
24 will precipitate out and it won't kill you but it doesn't
25 look very good.

1 Q Do either iron or manganese do anything to pipes,
2 water pipes?

3 A Does iron and manganese do anything?

4 Q Yes, do they destroy or ...

5 A No, iron and manganese are not considered elements
6 that contribute to the corrosiveness of water.

7 MR. TANSKI: One more question, Your Honor, I'll
8 be through.

9 JUDGE MINDLIN: All right.

10 BY MR. TANSKI:

11 Q Mr. Lubinski, isn't it a fact that many of the
12 leaks in your company's system are not detectable because
13 the leaking water flows into abandoned mines and never
14 appears on the surface

15 A I would say that that is probably a fair statement.
16 Some of these leaks are undetectable.

17 Q Thank you, sir.

18 MR. TANSKI: That's all, Your Honor.

19 JUDGE MINDLIN: I trust nobody has an overwhelming
20 urge to ask any more.

21 MR. THOMAS: We reserve our right to redirect,
22 Your Honor.

23 JUDGE MINDLIN: All right, Mr. Lubinski, you may
24 step down. Thank you.

25 A Thank you, Judge.

1 JUDGE MINDLIN: Off the record.

2 (Discussion off the record.)

3 JUDGE MINDLIN: We are recessing until 10 o'clock
4 tomorrow morning.

5 (Whereupon, the proceedings were adjourned.)
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C E R T I F I C A T E

I HEREBY CERTIFY that the proceedings are contained fully and accurately in the notes taken by me on the within cause; and that this is a true and correct transcription of same, to the best of my ability.

IN WITNESS WHEREOF, I have here unto subscribed my hand this 16th day of November, A.D., 1979.

Kathryn LeStrange
Kathryn LeStrange

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Exhibit
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PG&W Exhibit No. N
Docket Nos. A-00101
and I-79040
Witness:
Date: 11/7/79

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RESPONSES TO DATA REQUESTS
MADE IN THE RECORD ON
SEPTEMBER 26, 1979

<u>Item</u>	<u>Witness</u>
1	J. G. Gooch
2	J. H. Lubinski

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Q. (T. 245) "To keep this within the bounds of relevancy and presently allowing counsel for the Company to take the matter under advisement, we ask the Company to consider reviewing its records and responding to the question by providing data on the contributions which were made to any organization or organizations related to the Montage project."

A. The Company's only contribution which was made to any organization "related to the Montage project" was a contribution in January, 1977 of \$151,250 to LIFE.

- Q. (T. 289) "Could we be supplied with a copy of that press release (to conserve water in '77 or '78) if it is available from the Company?"
- A. A copy of the October 6, 1978 news release requesting water users to eliminate wasting of water is attached hereto.

During the period from June 1 to September 30, approximately eleven inches of rainfall was recorded at the area's U.S. Official Weather Station in Avoca.

The rainfall recorded for this four month period is the lowest since the 1964-1965 dry spell. As a result of this below normal rainfall during the period that is very critical for the maintenance of stream flows, Pennsylvania Gas and Water Company's reservoir storage levels are below normal.

In the company's Spring Brook Division, as of September 30, the water remaining in storage was approximately 61% of capacity and in the Scranton Division 67% remains in storage.

At some of our most visible reservoirs the capacities are less than the Division total.

At Lake Scranton the level was approximately 20 feet below the normal flow line with approximately 50% remaining in storage. At Watres Reservoir the level is approximately 24 feet below normal with approximately 45% remaining in storage.

Mr. Joseph Lubinski, chief water engineer for the utility stated there was no immediate cause for alarm at this time as the water available should meet the needs of our customers. However, Lubinski requested that water be conserved during this Fall season. If water users can eliminate wasting of water it would be helpful in avoiding water supply problems should the rainfall go below normal over the next two or three months.

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Q. Can you provide a description of the private road from Lake Scranton to No. 5 Reservoir that must be traveled to maintain the chlorinating and metering station at No. 5 Reservoir?

A. The private road from Lake Scranton into No. 5 Reservoir is approximately 3 miles long. The road originally a mining path was built to follow hillside contours as much as possible and as a result has many sharp small radius turns with steep dropping sides and no shoulders. Because of the slope on which it is built the width is limited to a single lane as narrow as seven feet requiring caution in traveling. Because of these turns and narrow widths winter travel requires even greater caution and clearing of snow for passage is extremely difficult and time-consuming.

Q. In addition to chlorine are there any other materials needed at No. 5 to maintain and operate the chlorinating and metering station which must be brought in over this road?

A. Yes, one of the most important other materials is propane gas to provide heat to the buildings that is necessary to maintain and operate the chlorine and metering equipment. The propane is delivered to the site in 100 lb. capacity steel cylinders.

Q. Does the access road to No. 5 Reservoir create monitoring and patrolling problems for PG&W?

A. Yes. Because of the poor accessibility for patrolmen, damage to facilities and vandalism has been a continuing problem at No. 5 Reservoir.

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Some examples of the vandalism and damage include: holes in the protective steel plate doors have been made by high powered rifles, the concrete housing for the propane tanks which provide the means for maintaining an appropriate temperature level required for chlorination and metering have been turned over, the wooden floor in the structure has been torn up and burned, enclosures for the chlorine equipment have been torn out and dumped into the screen chamber, and intake screen and bar grates have been torn out and damaged.

In addition, litter, including beverage bottles and cans are deposited in the area and sometimes thrown into the reservoir.

All this damage must be corrected and then monitored prior to use of Reservoir No. 5.

Q. Did the factors of accessibility and vandalism influence your decision to remove the No. 5 Reservoir as continuous supplier of potable water?

A. Definitely, the difficult accessibility, the continuing problems of surveillance and the ongoing vandalism and damage to the lands and facilities and the length of time required to check and monitor the operation and maintain the disinfection process gives concern as to the reliability of assuring bacteriologically acceptable potable water.

Q. Are you familiar with what facilities are proposed to be constructed under the Montage Triangle Project and the location on which they are proposed to be constructed?

A. Yes, proposed are a ski slope, a civic arena and a motor inn.

The civic arena will be constructed approximately one-half mile southeast of Rte. 81 and the motor inn is proposed to be constructed

at the Davis Street exit of Rte. 81. Both sites are not on water supply watersheds. The ski facilities will be constructed partially on No. 5 and the Stark Reservoir watershed. See Exhibit M attached hereto.

- Q. Does the fact that a ski slope will be constructed on No. 5 watershed give you reason for concern in respect to water quality and supply at No. 5 Reservoir?
- A. No. The construction of the ski slopes will not have any adverse effects on the water quality or supply at No. 5 Reservoir for the following reasons. As required by existing Department of Environmental Regulations construction must be done in compliance with those regulations dealing with erosion and sedimentation control. Upon completion, the ski slopes will be provided with a permanent vegetative cover. This vegetative cover provides equivalent or superior water quality to the presently existing rocky, scrubbrush terrain.

Should there be any short-term problems controlling erosion and sedimentation during construction and the establishment of permanent ground cover, they would be minimal inasmuch as the ski slopes represent a minor fraction of the total No. 5 watershed area. Approximately 20 percent or 80 acres of the 400 acres will be disturbed and make up the ski slopes which is only 1% of the total No. 5 watershed area of 7,600 acres.

Consumer Advocate
Exhibit No. 4
11/7/79

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Dept. of Justice

MONTHLY TURBIDITY VALUES FOR NO. 5 RESERVOIR (1974-1977)

Referred

Note: Grab Samples were taken at the test tap and turbidity measured in the PG&W Laboratory.

	TURBIDITY (NTU)			
	1974	1975	1976	1977
JANUARY	0.7	—	0.37	0.45
FEBRUARY	0.39	1.4	—	—
MARCH	0.43	—	0.62	2.3
APRIL	0.85	0.71	—	—
MAY	1.6	—	0.43	0.53
JUNE	0.54	1.0	0.38	—
JULY	0.72	0.86	0.58	1.05
AUGUST	2.0	0.90	1.5	0.94
SEPTEMBER	2.2	1.0	0.65	—
OCTOBER	1.3	—	—	1.3
NOVEMBER	—	0.81	1.0	0.84
DECEMBER	0.39	—	—	0.70
MAXIMUM	2.2	1.4	1.5	2.3
MEAN	1.01	0.95	0.69	1.01

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Consumer Advocate Ex-5 11/7/79

Department Of Environmental Resources

ANNUAL WATER SUPPLY REPORT

COMPLETE AND RETURN BY MARCH 31 OF CURRENT YEAR TO:

PA GAS & WATER CO
39 PUBLIC SQUARE
WILKES BARRE
PA
710 35001101

18711
001

John McSparran, Chief
Div. Comprehensive Resources
Box 1467
Harrisburg, Pennsylvania 17120

SECRETARY'S OFFICE
PUBLIC UTILITY
COMMISSION

NOTE: A SEPARATE REPORT IS REQUIRED FOR EACH DISTRIBUTION SYSTEM

Report For Calendar Year JAN. 1 to DEC. 31 <u>1977</u>	Data Filled March 8, 1978
Name of Water Utility PENNSYLVANIA GAS & WATER COMPANY	Name of System or Plant SCRANTON
Street and Number 39 Public Square, Wilkes-Barre Center	City, Borough or Township Wilkes-Barre
County Luzerne	Zip Code 18711

INTERCONNECTIONS WITH OTHER UTILITIES

NAME OF OTHER UTILITY	MAXIMUM PRESENT DELIVERY CAPACITY (Gallons Per Day)				
	EMERGENCY SUPPLY FROM UTILITY	EMERGENCY SALE TO UTILITY	BULK SUPPLY FROM UTILITY	BULK SALE TO UTILITY	OTH EXP
Hall Water Company	-	-	-	-	-
Clarks Summit Water Company	-	-	-	500,000	-

PRESENT AND PROJECTED NUMBER OF CONNECTIONS SERVED

PRESENT AND FUTURE MUNICIPALITIES SERVED	PRESENT NUMBER OF CONNECTIONS					PROJECTED DOMESTIC CONNECTIONS
	Domestic	Commercial	Industrial	Bulk Sales	OTHER (Explain)	2 Year
Archbald, Blakely, Carbondale					Public Authorities	
Carbondale Twp, Clinton Twp,					Inter-Department	
Dickson City, Dunmore,					Other	
Tell Twp, Forest City,						
Jermyn, Jessup, Mayfield,	55,323	3267	272	1	510	56,503
N. Abington Twp, Olyphant,						
Scott Twp, Scranton City,						
S. Abington Twp, Throop,						
Vandling						

DOCKETED
DEC 5 - 1979
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DOCUMENT FOLDER

TOTAL WATER REQUIREMENT FOR REPORT YEAR: 32,187,041 11,930,770,000 GALLONS

PEAK DAY'S USE FOR REPORT YEAR: GALLONS 42,860,000 ON Dec. 3, 19 (Date)

WATER REQUIREMENTS FOR THE PEAK DAY OF EACH MONTH OF THE LAST YEAR
(Systems With Less Than 500 Customers Need Not Answer This Question)

MONTH	DATE	GALLONS	MONTH	DATE	GALLONS	MONTH	DATE	GALLONS
JANUARY	28	41,706,000	MAY	18	40,059,000	SEPTEMBER	20	42,079,000
FEBRUARY	9	41,614,000	JUNE	30	40,853,000	OCTOBER	16	40,479,000
MARCH	13	42,794,000	JULY	19	40,350,000	NOVEMBER	12	42,179,000
APRIL	14	39,836,000	AUGUST	18	42,210,000	DECEMBER	3	42,860,000

PRESENT WATER USE

TYPE	NUMBER OF METERED CONNECTIONS	AVERAGE WATER USE (Gallons Per Day)	NUMBER OF NON METERED CONNECTIONS	AVERAGE WATER USE (Gallons Per Day)
DOMESTIC	51,448	7,179,723	3875	1,107,936
COMMERCIAL	3,087	3,011,548	180	359,774
INDUSTRIAL	272	3,593,378	0	0
BULK SALES	1	380,592	---	---
UNACCOUNTED FOR (Leakage, Fire, etc.)	---	---	46%	16,778,167
OTHER - (Specify)	448	236,315	62	67,005

Public Authorities

Inter-Department

32,714,438

DEPENDABLE DAILY OUTPUT OF THE SYSTEM --- SOURCES

STREAM NAME	GALLONS PER DAY	Facilities Which Limit The Total Daily Output	
		Safe Yield, or Minimum Production During Dry Years of Record.	Raw Water Pumps, Treatment Works, Transmission Distribution Systems, etc.)
Lehigh River	2,090,000		
Roaring Brook	15,140,000		
Stafford Meadowbrook	10,120,000		
Little Roaring Brook	1,400,000		
Leggett's Creek	3,470,000		
Grassy Island Creek	1,120,000		
Laurel Run Creek	210,000		

DEPENDABLE DAILY OUTPUT OF THE SYSTEM -- SOURCES (Continued)

Stream Name XXXXXXXXXXXXXXXXXXXX	Safe Yield, or Minimum Production During Dry Years of Record.	Facilities Which Limit The Total Daily Output (Raw Water Pumps, Treatment Works, Transmission & Distribution Systems, etc.)	
		TYPE	CAPACITY
White Oak Creek	330,000		
Rushbrook Creek	1,130,000		
Aylesworth Creek	560,000		
Racket Brook	2,610,000		
Lackawanna River	3,970,000		
Fall Brook	1,380,000		
Sterrick Creek	140,000		
	43,670,000		
WELL NAME			
Hollister Wells	5 MGD for 90 days		
Red Ash Well	19,000		
Nay Aug 1 thru 7	2,000,000		
Barton 1 thru 3	-		
Reynshanhurst 1 thru 4	-		
SPRING NAME	GALLONS PER DAY	TYPE	CAPACITY

RAW WATER INTAKE DAMS, IMPOUNDING DAMS AND RESERVOIRS OPERATED BY THE UTILITY

NAME	LOCATION (Stream Or Body Of Water)	STORAGE CAPACITY (Gallons)
See attached sheet # 1		

FINISHED WATER STORAGE CAPACITY

NAME OF FINISHED WATER RESERVOIR OR STORAGE TANK	CAPACITY IN GALLONS
Abington Industrial Park	500,000
Bell Mountain	400,000
East Mountain	500,000
Maple Street - High Service	50,000
Morgan Manor	470,000

EMERGENCY SOURCES OF WATER SUPPLY UTILIZED DURING THE LAST YEAR

SOURCE	LOCATION	TOTAL QUANTITY USED (Gallons)	DATE UTILIZED

SERVICE CURTAILED TO CUSTOMERS DURING THE LAST YEAR

DATE SERVICE CURTAILED	REASON	NATURE OF RESTRICTIONS

Has the water pressure been inadequate in any part of the system? YES NO If YES, describe.

Have there been any complaints of low pressure? YES NO If YES, explain.

Very few isolated complaints have been received. Of those complaints, some are under study by the Engineering Department and others are in the process of being corrected.

Will supply capacity be adequate during the next 5 years? (Storage should be adequate for any period of facility breakdown and, in all cases, least one day.) YES NO

In the next couple of years, the total Scranton and Spring-Brook system demand is expected to approach 114 m.g.d., which will exceed the present system safe yield of 103 m.g.d.

If capacity in any part of the supply is inadequate or will be inadequate within the next five years, what is your schedule for improvements which will provide adequate capacity, including interconnections with other public water supplies?

Supply within the next five (5) years will barely be adequate to meet the demand. Long range plans call for implementing the Susquehanna River as a major source of supply. An application was filed in 1973 with the Pennsylvania Department of Environmental Resources for permission to withdraw 110 m.g.d. from the Susquehanna River to meet the projected increase in demand. This application will also be subject to the review and approval of the Susquehanna River Basin Commission.

PERSON PREPARING THIS REPORT

Name	David R. Kaufman	Title	Engineer
Address	c/o Pennsylvania Gas and Water Company 39 Public Square, Wilkes-Barre, PA 18711	Date	March 8, 1978
Signature	<i>David R. Kaufman</i>	Phone	(717) 824-8711 Ext.

PERSON TO CONTACT REGARDING THIS REPORT (If Not The Same As Above)

Name	Joseph H. Lubinski	Title	Chief Water Engineer
Address	c/o Pennsylvania Gas & Water Company 39 Public Square, Wilkes-Barre, PA 18711	Phone	(717) 824-8711 Ext.

SCRANTONRaw Water Intake Dams, Impounding Dams & Reservoirs

<u>NAME</u>	<u>LOCATION (Stream)</u>	<u>STORAGE CAPACITY(MI)</u>
Lehigh Pump Reservoir	Lehigh River	80
Lake Henry	Roaring Brook	205
Hollister	Roaring Brook	182 (ten)
Curtis	Roaring Brook	418
Elmhurst	Roaring Brook	1221
Williams Bridge	Stafford Meadowbrook	337
Lake Scranton	Stafford Meadowbrook	2490
No. 5	Stafford Meadowbrook	32
Dunmore No. 3	Little Roaring Brook	18
Dunmore No. 4	Little Roaring Brook	10
Marshwood	Little Roaring Brook	54
Dunmore No. 1	Little Roaring Brook	75
Summit Lake	Summit Creek	210
Maple Lake	Summit Creek	4
LaRue Intake	Summit Creek	1
Griffin Lake	Leggett's Creek	526
Providence High Service	Leggett's Creek	4
Olyphant No. 3	Grassy Island Creek	40
Olyphant No. 2	Grassy Island Creek	58
Olyphant No. 1	Grassy Island Creek	2
Laurel Run	Laurel Run Creek	8
White Oak	White Oak Creek	1.4
Chapman Lake	Tunkhannock Creek - W branch	254
Heart Lake	Rushbrook Creek	46
Rushbrook	Rushbrook Creek	5
Edgerton	Aylesworth Creek	7
No. 7	Roaring Brook	107
No. 4	Racket Brook	255
Brownell	Racket Brook	847
Crystal Lake	Fallbrook	425
Fall Brook	Fallbrook	8
Stillwater	Lackawanna River	264
Brace Brook	Brace Brook Creek	4
Forest City Pump Intake	Lackawanna River	0.5
O'Conner	Sterrick Creek	12
Griffin Intake Dam	Griffin Creek	Insign
Hall Creek Intake Dam	Hall Creek	Insign

ATTACHMENT SHEET # 1

March 3, 1978

Consumer Advocate Et. Co

11/7/79

Commonwealth Of Pennsylvania
Department Of Environmental Resources

ANNUAL WATER SUPPLY REPORT

RECEIVED

COMPLETE AND RETURN BY MARCH 31 OF CURRENT YEAR TO:

PA GAS & WATER CO
39 Public Square
Wilkes-Barre Center
Wilkes-Barre Pa 18702
010 4001101
35001101

John McGarran, Chief
Div. Comprehensive Resources
Box 1467
Harrisburg, Pennsylvania 17120
PM 12:15
SECRETARY'S OFFICE
PUBLIC UTILITY COMMISSION

NOTE: A SEPARATE REPORT IS REQUIRED FOR EACH DISTRIBUTION SYSTEM

Report For Calendar Year JAN. 1 to DEC. 31 1978	Date Filed March 14, 1979
Name of Water Utility PENNSYLVANIA GAS AND WATER COMPANY	Name of System or Plant SCRANTON
Street and Number 39 Public Square, Wilkes-Barre Center	City, Borough or Township Wilkes-Barre
County Luzerne	Zip Code 18711

INTERCONNECTIONS WITH OTHER UTILITIES

NAME OF OTHER UTILITY	MAXIMUM PRESENT DELIVERY CAPACITY (Gallons Per Day)				
	EMERGENCY SUPPLY FROM UTILITY	EMERGENCY SALE TO UTILITY	BULK SUPPLY FROM UTILITY	BULK SALE TO UTILITY	OTHER EXPLAIN
Hall Water Company	-	-	-	-	-
Clarks Summit Water Company	-	-	-	500,000	-
Bell Mountain Water Authority					

PRESENT AND PROJECTED NUMBER OF CONNECTIONS* SERVED

PRESENT AND FUTURE MUNICIPALITIES SERVED	PRESENT NUMBER OF CONNECTIONS*					PROJECTED TOTAL DOMESTIC CONNECTIONS					
	Domestic	Commercial	Industrial	Bulk Sales	OTHER - (Explain)	2 Year	5 Year				
Archbald, Blakely,	DOCKETED DEC 5 - 1979 FOLDER										
Carbondale, Carbondale Twp									Public Authorities		
Clinton Twp., Dickson City									Inter-Department		
Dunmore, Fell Twp., Forest City, Jermyn, Jessup									Other		
Mayfield, N. Abington Twp.											
Olyphant, Scott Twp.,	44,469	2,823	240	1	499	45,358	46,6				
Scranton City, S. Abington Twp., Throop, Vandling	*NOTE: This year's figures are based on number of customers rather than number of consumer units as previously reported in 1977.										

TOTAL WATER REQUIREMENT FOR REPORT YEAR: 12,513,790,000 GALLONS

PEAK DAY'S USE FOR REPORT YEAR: GALLONS 50,172,000 ON 2-5-78
(Date)

WATER REQUIREMENTS FOR THE PEAK DAY OF EACH MONTH OF THE LAST YEAR
(Systems With Less Than 500 Customers Need Not Answer This Question)

MONTH	DATE	GALLONS	MONTH	DATE	GALLONS	MONTH	DATE	GALLONS
JANUARY	14	48,581,000	MAY	17	45,232,000	SEPTEMBER	6	43,800,000
FEBRUARY	5	50,172,000	JUNE	30	44,191,000	OCTOBER	10	42,900,000
MARCH	11	46,537,000	JULY	14	44,263,000	NOVEMBER	7	42,500,000
APRIL	25	45,583,000	AUGUST	30	44,434,000	DECEMBER	28	43,900,000

PRESENT WATER USE

TYPE	NUMBER OF METERED CONNECTIONS	AVERAGE WATER USE (Gallons Per Day)	NUMBER OF NON-METERED CONNECTIONS	AVERAGE WATER USE (Gallons Per Day)
DOMESTIC	Customers 40,673	7,341,378	Customers 3,796	1,118,548
COMMERCIAL	2,650	3,076,493	173	327,879
INDUSTRIAL	240	3,554,345	0	0
BULK SALES	1	359,934	-	-
UNACCOUNTED FOR (Leakage, Fire, etc.)	-	-	53%	18,206,782
OTHER (Specify)				
Public Authorities	437	242,767	62	56,229
Inter-departmental				

DEPENDABLE DAILY OUTPUT OF THE SYSTEM --- SOURCES

STREAM NAME	GALLONS PER DAY	TYPE	CAPACITY
Lehigh River	2,090,000		
Roaring Brook	15,140,000		
Stafford Meadowbrook	9,340,000		
Little Roaring Brook	1,400,000		
Leggett's Creek	3,470,000		
Grassy Island Creek	1,120,000		
Laurel Run Creek	210,000		

*NOTE. This year's figures are based on number of customers rather than number of consumer units as previously reported in 1977.

DEPENDABLE DAILY OUTPUT OF THE SYSTEM -- SOURCES (Continued)

Stream Name WELL NAME OR NUMBER	Safe Yield, or Minimum Production During Dry Years of Record.	Facilities Which Limit The Total Daily Output (e.g., Raw Water Pumps, Treatment Works, Transmission Main Distribution Systems, etc.)	
	GALLONS PER DAY	TYPE	CAPACITY
White Oak Creek	330,000		
Rushbrook Creek	1,130,000		
Aylesworth Creek	560,000		
Racket Brook	2,610,000		
Lackawanna River	3,970,000	Forest City Filter Plant	1 M.G.
Fall Brook	1,380,000		
Sterrick Creek	140,000		
	42,890,000		
WELL NAME			
Hollister Wells	5 M.G.D. for 90 days		
Red Ash Well	19,000		
Nay Aug 1 thru 7	2,000,000		
Barton 1 thru 7	-		
Reynshanhurst 1 thru 4	-		
SPRING NAME	GALLONS PER DAY	TYPE	CAPACITY

RAW WATER INTAKE DAMS, IMPOUNDING DAMS AND RESERVOIRS OPERATED BY THE UTILITY

NAME	LOCATION (Stream Or Body Of Water)	STORAGE CAPACITY (Gal)
See attached sheet #1		

NAME OF FINISHED WATER RESERVOIR OR STORAGE TANK	CAPACITY IN GALLONS
Abington Industrial Park	500,000
Bell Mountain	400,000
East Mountain	500,000
Maple Street - High Service	50,000
Morgan Manor	470,000

EMERGENCY SOURCES OF WATER SUPPLY UTILIZED DURING THE LAST YEAR

SOURCE	LOCATION	TOTAL QUANTITY USED (Gallons)	DATE UTILIZED

SERVICE CURTAILED TO CUSTOMERS DURING THE LAST YEAR

DATE SERVICE CURTAILED	REASON	NATURE OF RESTRICTION
	We have had incidents of service curtailment over the past year. These incidents were due to repair of leaks or relocation of lines made necessary by municipal projects such as sewer installations. These interruptions were of short duration affecting a minimal number of customers.	These incidents were due to repair of leaks or relocation of lines made necessary by municipal projects such as sewer installations. These interruptions were of short duration affecting a minimal number of customers.

Has the water pressure been inadequate in any part of the system? YES NO If YES, describe.

Have there been any complaints of low pressure? YES NO If YES, explain.

Very few isolated complaints have been received. Of those complaints, some are under study by the Engineering Department and others are in the process of being corrected.

Will supply capacity be adequate during the next 5 years? (Storage should be adequate for any period of facility breakdown and, in all cases, least one day.) YES NO

✓ Pennsylvania Gas and Water Company's estimate of its Springbrook and Scranton reservoir and supply system safe yield is approximately 102 million gallons per day. The Company's estimate of the average daily delivery to both systems in 1978 was approximately 89 million gallons. On the basis of this information and barring any unprecedented increase in demand or severe drought, the supply capacity should be adequate within the next five years.

If capacity in any part of the supply is inadequate or will be inadequate within the next five years, what is your schedule for improvements which provide adequate capacity, including interconnections with other public water supplies?

CERTIFIED OPERATORS

NAMES

CERTIFICATE NUMBER

TYPE

CLASS

See Attached Sheet #2

PERSON PREPARING THIS REPORT

Name	David R. Kaufman	Title	Engineer
Address	c/o Pennsylvania Gas and Water Company 39 Public Square, Wilkes-Barre, Pennsylvania 18711	Date	March 14, 19
Signature	<i>David R. Kaufman</i>	Phone	(717) 824-87

PERSON TO CONTACT REGARDING THIS REPORT (If Not The Same As Above)

Name	Joseph H. Lubinski	Title	Chief Water
Address	c/o Pennsylvania Gas and Water Company 39 Public Square, Wilkes-Barre, Pennsylvania 18711	Phone	(717) 824-8

Scranton Division

Certified Operators

(Partial List)

<u>NAME</u>	<u>CERTIFICATE NUMBER</u>	<u>TYPE</u>	<u>CLASS</u>
Joseph Calabro	W1731	1	A
Joseph Lubinski	W1552	1	A
Jim Evans	W2435	1	A
David Kaufman	W3115	1	A
Carl Schreiner	W2615	1	B
Alan Novatski	W2761	1	C
Michael Snell	W3009	1	C
Mark Hilinski	W2977	1	C
Steve Sladicka	W3187	1	C

Attachment Sheet #2

March 14, 1979

SCRANTON

Raw Water Intake Dams, Impounding Dams & Reservoirs

<u>NAME</u>	<u>LOCATION (Stream)</u>	<u>STORAGE CAPACITY (Million G)</u>
Lehigh Pump Reservoir	Lehigh River	80
Lake Henry	Roaring Brook	205
Hollister	Roaring Brook	182 (temporary)
Curtis	Roaring Brook	418
Elmhurst	Roaring Brook	1221
Williams Bridge	Stafford Meadowbrook	337
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Dunmore No. 3	Little Roaring Brook	18
Dunmore No. 4	Little Roaring Brook	10
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Chapman Lake	Tunkhannock Creek - W branch	254
Heart Lake	Rushbrook Creek	46
Rushbrook	Rushbrook Creek	5
Edgerton	Aylesworth Creek	7
No. 7	Roaring Brook	107
No. 4	Racket Brook	255
Brownell	Racket Brook	847
Crystal Lake	Fallbrook	425
Fall Brook	Fallbrook	8
Stillwater	Lackawanna River	264
Brace Brook	Brace Brook Creek	4
Forest City Pump Intake	Lackawanna River	0.5
O'Conner	Sterrick Creek	12
Griffin Intake Dam	Griffin Creek	Insignif.
Hall Creek Intake Dam	Hall Creek	Insignif.

ATTACHMENT #1

March 14, 1979