

The

PIPELINE

News and Views From WV Bureau for Public Health, WV Department of Environmental Protection, and the Public Service Commission of WV

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The Pipeline

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Making The Most of Customer Complaints

By: Versie Hill, Utilities Analyst
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West Virginia Public Service Commission

RESPONDING TO COMPLAINTS, CRITICISM AND CUSTOMER ISSUES

West Virginians generally, Utilities employees and Public Service Commission Staff are all stakeholders in the successful resolution of complaints, controversial issues and getting answers to tough questions. Our abilities to deal with these situations depend a great deal on the manner we use when we address the issues. It is very unlikely that the number of issues we face on both a personal level and a business level will decrease in the future. The increasing number of differing interests and values that divide our society will produce an endless series of confrontations. Many times there is a “win-lose” sense about these confrontations. “Civility,” a difficulty word to define, has been tied to the Golden Rule (National Civility Center, 2000) and is getting increasing attention in employment arenas. More and more, the inability to deal with a range of problems is being related to the damaging ways in which the problems are being addressed. Burgess and Burgess, (1997) co-directors of the Conflict Research Consortium, University of Colorado acknowledge that civility means more than just being polite to others. It cannot mean simply “role over and play dead” either. Regardless of the considerations we give utility customers, the end result must be a satisfied customer who has paid his water or sewer bill in full. In many disputes, the WV Code, the PSC water or sewer rules, or utility tariffs have already

Continued on Page 2

determined the outcome. Utility employees, PSC Staff and the affected customer can not change the end result, which may infuriate the customer who is expecting RESULTS NOW! These stand-offs are very real and very stressful.

The concept of civility is getting a lot of attention in management of workplace issues. Strategies exist for promoting civility during discussions of controversial matters. These strategies can be used to increase the likelihood of a constructive outcome to the controversial discussions and resolution of complaints.

IDENTIFYING THE ISSUE AND/OR THE COMPLAINT:

Customer complaints are a normal part of conducting business. One of the beginning steps of the complaint process is assurance that all issues are clearly identified.

Listen and Understand

Let the customer/complainant state his position and/or issue without interruptions. Customers want to feel that they are being heard and that their concerns are not trivialized. You can listen and understand exactly the point being made without necessarily agreeing. Emotions disrupt the ability to listen and respond clearly and completely. In many instances, there is familiarity between utility or PSC personnel and the complainant, and it is difficult not to let existing emotions and opinions from past experiences get in the way. We once received a call from a lady who had called us numerous times before to complain about many 'real and imagined' injustices she suffered at the hands of utility or town employees. One day, she claimed her yard was flooded and one foot under water. Although we did not advise her to get a boat, that was our initial reaction. The utility personnel informed us however, that her yard was indeed under water. Of course the lady did not tell us that the service man was already working to repair the leak when she called me and we had not asked either.

Obtain Available Technical Facts

Having substantial facts available will help disputants share their perspectives. All involved parties can then work together to resolve factual disagreements. Not having available factual information substantially increases the likelihood that a situation will be so misunderstood that any solutions accepted will fail to meet the desired goals. Obviously, there are many times when factual issues cannot be resolved. Disputing parties need to explain the reasoning behind their respective interpretations of factual material that is available. Working through disputes with limited factual information calls for a tolerance for ambiguity by all parties while discussions are underway. Documentation is an important tool for both recording customer complaints and utilities responses, but also of any agreements with developers or prospective customers. Updating complaint logs and ensuring signed agreements for service and alternate extension agreements are crucial in solving current and future complaints. These logs can serve as training material for the utility staff. Documenta-

tion also reinforces the required employees' response to various problems that arise routinely so that all customers are treated equally. It is a lot cheaper to have a signed agreement, than later to defend the utility's action at the Commission or in Federal or State Court. Often in municipalities, and to some extent at the Public Service Districts, decisions are made 'on the fly' . It is the unnecessary expenses of those decisions that the customers often end up paying for. Those expenses could have been prevented with a well thought out plan and documentation.

Limit Interpersonal Misunderstandings

"Civility requires that contending parties make an honest and continuing effort to understand the views and reasoning of their opponents" (Burgess and Burgess, 1997). Too many times, opponents work from a basis of inaccurate images, positions and actions of others. Deliberate efforts to distort information and reduce the balanced presentation of views is unacceptable. In small communities this is very common; the distortions date back many years and the truth can never be traced. In those instances, it is very easy to dismiss any customer claim as a personal attack.

Keep Trying to Persuade and Allow Yourself to Be Persuaded

"One crucial element of civility is recognition by conflicting parties that it is possible that they are wrong and that the policies advocated by their opponents are actually better" (Burgess and Burgess, 1997). This means that everyone involved in the conflict has an obligation to open-mindedly consider the positions and discussions by opponents, and to attempt to explain one's own position to others involved. It is not always possible for customers to understand utility procedures and policies. To utility employees' credit, they are often very understanding and sympathetic to the customers' plight and go far out of their way to solve someone's problem. Then we get a call at the PSC and all the customer's problems are blamed on the utility's service man who "obviously does not know what he is doing!"

More Persuasion, More Exchange, Less Force

Stable and long-term changes are best made using persuasion in which parties are converted to the opponent's point of view or through negotiation resulting in mutually beneficial trade-offs. The use of force should be minimized as much as possible. Utility boards must practice this all the time when planning water or sewer service extensions; choosing the most feasible routes, obtaining funds, asking prospective customers to raise some of the funding themselves or through 'self help' projects. Inevitably, there are always residences left without the service, and the owners cannot be convinced that the project planning was a fair process.

HANDLING THE PROBLEM:

If the problem is a service failure, take ownership of the error. If the problem is i.e. an un-

paid bill, state the facts in a non-condescending manner. As Utility employees and also Public Service Commission representatives, whether positive or negative, our attitudes will spill over onto customers. While politeness is a part of traditional definitions of “civility,” several other strategies exist as well.

Separate Win/Win from Win/Lose Issues

Disputing parties should try to view the conflict in ways that allow win-lose confrontations to be seen as win-win opportunities. When this is not possible, everyone involved should accept that political and legal institutions will be called upon to make the difficult decisions. The deferred payment agreement offered by utilities can be seen as a win / win solution. The customer has a chance to dig himself out of a hole (financially), and the utility still receives the revenue. Also, the Alternate Extension Agreements signed with developers are beneficial to both the utility and the developer. Maybe you can identify some of your utility policies that are beneficial to all parties, either customers, developers, or prospective customers.

Separate the People from the Problem

When this is done, the “we vs. them” animosities are reduced and the problem-solving becomes less focused on the one individual or one group. Constructive problem-solving strategies then can come into play. When issues are decided by municipal councils, this is often difficult. When everybody knows one another and the positions each have taken previously, it is difficult to keep an open mind. Available documentation of the issues (such as minutes of previous meetings) and historic practices is often very helpful in settling down the emotions.

Use Fair Process

“Civility requires that the public issues be addressed by a process that is fair in both appearance and fact” (Burgess and Burgess, 1997). The public should have an opportunity to give honest input and have it considered. Procedural delays introduced to stall discussion of alternative procedures and allow for the status-quo to continue are counter-productive to promoting civility. For the Public Service Commission this is a very important issue. The PSC must be seen as an impartial decision maker, however, considering the tariff rate issues and various conflicts the Commission decides upon, this is often a difficult mission but one we strive to do every day.

Limit Escalation

Escalation is the most destructive action in a dispute. This can happen accidentally or with intent, but the result is an intensifying cycle that destroys honest problem solving. De-escalation and escalation avoidance strategies need to be used to reduce this problem. For example, providing a break in the discussions will give everyone involved a needed distance between the contending emotions. When reassembling, the list of ground rules for

discussion should be reviewed. Board members can elect to defer taking decisions and choose to place the issue on the agenda for the next meeting. For utility employees this can be often difficult because of the time limits where a customer service will be terminated for delinquent utility bills. The customer is cornered, either pay or loose water or sewer service.

MAKE THE MOST OUT OF COMPLAINTS

A recent article in The Wall Street Journal titled “Making the Most of Customer Complaints” included a number of things that can be done after the complaint has been resolved.

Establishing a complaint database allows the Utility to determine patterns and commonality and to discover other underlying problems. **Learn from failures** by analyzing what went wrong and take steps to prevent reoccurrences. **Give feedback** to the customer within a reasonable time and let them know that not only is the problem resolved but other preventive steps are being taken. **Ask the question:** are we solving this problem ‘every week’? Documentation of disputes will give you that answer.

Although the Customer, the Utility, and the Public Service Commission are all, from time to time, stakeholders in handling service failures and disputes; the initial stakeholders are the Customer, the Utility Representative. The solution to a complaint should be more important than the time consumed by the conflict. Often existing policies and rules are difficult to apply to different situations and the application of the various rules and policies become very academic. The rules and policies created by management (and regulatory agencies) should leave sufficient room for the creative application by the frontline employees. Without that authority, the people who are representing the organization become handcuffed and only able to repeat the rules and policies with no real ability to negotiate a solution with a customer.

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Stefan Michael, David Brown and Robert Johnston (2008, September 22). *Making the Most of Customer Complaints*. The Wall Street Journal

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Source Water Protection - Cleaning Up Around Your Wells

By; William J. Toomey
WVDHHR-BPH-OEHS-EED, ERPM II
Source Water Protection Program

One of the most practical ways for a utility to implement Source Water Protection is to examine the area immediately surrounding their well(s) and eliminate potential sources of contamination. This could be a 50-foot radius where no potential contaminant sources should be present (except items directly related to the operation and maintenance of the well itself). Examples of protective steps include moving chemical storage, removing unused chemicals or equipment, providing containment for potential spills of stored chemicals, and preventing chemical mixing or preparation near the well. Also, be on the lookout for any businesses or other facilities within 200 feet of the well that may contribute to contamination, and provide them with educational information about managing their processes to reduce the chance of contamination.

In addition to the immediate cleanup steps you take, also consider some long-term strategies to protect your wells by managing the wellhead protection area, including:

- (1) Working with local planning officials to be aware of potential contaminant sources (such as floor drains not connected to sewer).
- (2) Moving crop production or utilize best management practices to reduce the chance of contamination from nitrate, fertilizers, and pesticides.
- (3) Consider restricting access to the immediate area around the well, as appropriate

The Source Water Protection program has four educational posters on farming, living, working and potential impacts to your source of drinking water to provide information on how to protect our water resources. Uses for the posters may include:

- (1) Educating customers
- (2) Employee education
- (3) Workplace displays

Posters are available on the WVDHHR website at <http://www.wvdhhr.org/oehs/eed/swap/> or by contacting the Source Water Protection program at 304-558-2981.

Grants Received By The National Environmental Services Center

For More Information:
Gerald Iwan (304) 293-4191 Ext. 5584

NESC to Help West Virginia Bureau of Public Health State Grant Will Develop Online Assessment Tool, Training Program

Morgantown, W.Va.—A West Virginia University environmental program was recently awarded nearly \$400,000 from the West Virginia Bureau for Public Health (BPH) to help drinking water systems assess their financial and managerial status.

The National Environmental Services Center (NESC) at WVU will develop an online assessment tool that will allow state drinking water systems to input data to determine how healthy they are with respect to their finances and management. Along with this assessment tool, NESC will create a six-part curriculum designed to train local officials about topics ranging from budgeting to personnel issues to public relations.

“A professional workforce and well operated system are essential in the provision of good drinking water and safeguarding public health,” says Gerald Iwan, Ph.D., NESC director. “And, while larger systems have many resources and staff with expertise in biology, chemistry, engineering, computer applications, and other disciplines, small systems—such as those common in West Virginia—usually have only one or two employees. To help bridge this gap, NESC is creating a comprehensive Water System Evaluation Tool and a Utility Management Training Institute program for the state’s drinking water systems.” The online evaluation tool will be developed over the winter and piloted in 10 communities beginning in spring 2009. Meanwhile, the utility management training program, modeled on a similar endeavor in Kentucky, will be tested at six locations around West Virginia prior to being completed in 2009.

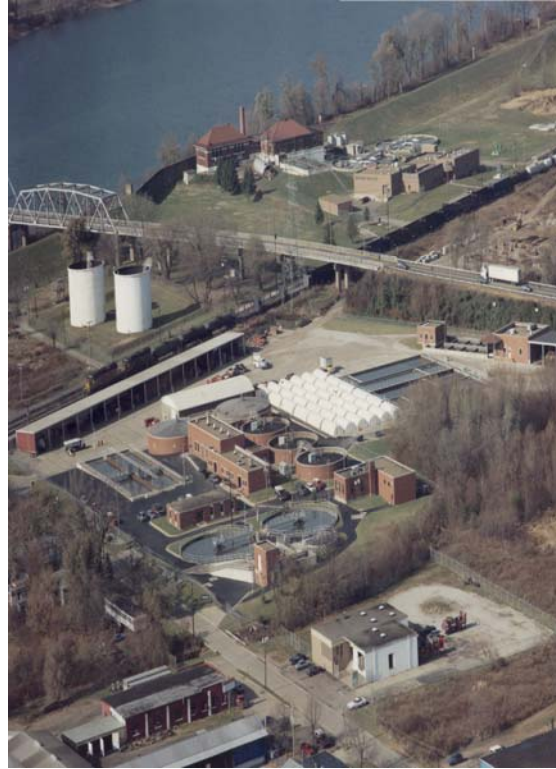
Parkersburg's Improved Wastewater Treatment Facility

By: Rose Brodersen
WV DEP CWSRF

With ever increasing Federal and State regulations, it was necessary to make substantial improvements to the wastewater treatment facility. Construction on this major project began in 2005 with final completion in 2008.

The expansion will allow the City to maximize flows to the plant during both dry and wet weather conditions and will reduce the number of discharges from the City's sanitary sewer overflows. The average capacity of the plant was increased from 9.66 mgd to 10.4 mgd and peak capacity was increased from 21 mgd to 32.7 mgd. The staff faced learning new and improved processes as well as equipment and testing the capabilities of the improvements of the system.

This \$50 million project was funded by the private market, an Environmental Protection Agency grant of \$4,821,400 and an SRF loan of \$9 million.



GONE BUT NOT FORGOTTEN

Claude William Funk, 82, of Fort Ashby died October 18, 2008. Mr. Funk, along with George Beam and Burlie Alt, was instrumental in bringing public water and sewer service to Fort Ashby. Mr. Funk served as a volunteer member of the Fort Ashby Public Service District for 48 years until the recent merger with the Frankfort Public Service District. He spent a life dedicated to community service. The Commission extends its sympathy to Mr. Funks family and to the employees of the District.

Morgantown Utility Board Wins National Award

By: Mike Johnson, P.E.
WV DEP

The Morgantown Utility Board (MUB) recently won a national award from the United States Environmental Protection Agency (USEPA).

The 2008 PISCES awards were recently announced at a national meeting of the Council of Infrastructure Financing Authorities held in Providence, Rhode Island in October of 2008. PISCES is another acronym for Performance & Innovation in the SRF Creating Environmental Success. The PISCES awards recognize those individual projects that best represent the Clean Water State Revolving Fund's commitment to innovative and sustainable water quality financing.

The West Virginia Department of Environmental Protection nominated MUB for this award based upon its soon-to-be completed storm water control project. Threshold nomination criteria consist of leadership and innovation in Clean Water Act compliance and financial integrity . In addition, each entity had to demonstrate a commitment to one more of the following criteria:

- Better management practices
- Full cost pricing
- Efficient water use
- Watershed approach
- Innovation in financing
- Innovative approach to project implementation
- Creative use of partnerships

The EPA Regional Administrator will be presenting MUB with a plaque and certificate at a later date. Below is a description of the project as presented to USEPA in its nomination by DEP.

Burroughs and Poponoe Run Stormwater Management Improvements – – Morgantown Utility Board, WV

Burroughs Run and Poponoe Run are streams draining heavily urbanized watersheds in the north-central portion of Morgantown, West Virginia. Over the past several decades, new development and redevelopment has substantially increased the amount of impervious area in each watershed. This has increased runoff rates and water quality degradation caused by nonpoint source pollution and stream bank erosion.

Stormwater Management Plan

In 2003, Morgantown Utility Board (MUB) formed WV's first stormwater utility. The utility implemented user fees sufficient to independently fund the city's stormwater operations. As a keystone project for the new utility, MUB developed a strategy for the subject watersheds to minimize the incidence of flood-related property damage while reducing stream bank erosion and water quality degradation. The strategy included completion of a Stormwater Management Plan (SWMP) encompassing both watersheds. The SWMP included use of hydrologic and hydraulic models to estimate flood profile depths, stream flow velocities, and bed and bank shear values, and to develop and evaluate alternative mitigation strategies. Twenty-two individual stormwater improvements were considered in 14 combinations in the Burroughs Run watershed and 16 individual improvements in 19 combinations were considered in the Poponoe Run Watershed.



Burroughs Run Flooding - 2003

The recommended plan for Burroughs Run included six “open bottom” arch culvert replacements and a new relief culvert along Dogwood Avenue. The plan is notable for two additional reasons: first, it includes lowering and reconstruction of an existing wetland to provide improved stormwater detention; and second, it provides channel improvements throughout the open channel portions of Burroughs Run using natural stream restoration techniques. The use and reconstruction of the wetlands, and the natural stream restoration combine to further supplement the existing water quality protection standards and BMP's of the new stormwater utility. Recommended Popo-

noe Run project components included stormwater detention at one location, three culvert replacements, flood proofing at-risk properties, street profile modifications. As in Boroughs Run, the Poponoe stream channel improvements also incorporated natural stream restoration techniques.

Plan Refinement and Funding

Following completion of the Stormwater Management Plan, MUB staff worked closely with local stakeholder groups, the City of Morgantown, and the State Departments of Environmental Protection, Natural Resources, and Division of Highways to refine the plan to meet resident and regulatory objectives. Utilizing input from these partners, project design was refined to optimize mutual benefits. In addition, MUB developed a unique funding strategy incorporating a mixture of user fees, reinvestment of B&O taxes, Division of Highway and Department of Environmental Protection grants, and a low interest revolving loan from the WV DEP SRF program. With a total project cost of \$8.5 million, it was necessary to increase stormwater rates in order to cover the full cost of system O&M and the added debt service resulting from the project.

The New Uniform System of Accounts for water and sewer systems.

In the Public Service Commission’s proposed water and sewer rule changes (2008), the Commission has adopted the Uniform System of Accounts (USoA), promulgated by National Association of regulatory Utility Commissioners (NARUC) in 1996. The copyright of these documents (Water, Class A, B & C and Sewer, Class A, B & C) covers mass mailings generally and so we (The Public Service Commission) can no longer post these USoA on our website (www.psc.state.wv.us).

The contact information for ordering the Uniform System of Accounts from NARUC is as follows:

**National Association of regulatory Utility Commissioners
1101 Vermont Av NW
Washington, DC 20005
Tel: (202)898-2200
Fax: (202)898-2213**

2009 Water Wastewater Seminar Schedule (*Tentative*)

PSD Board Members Seminar – February 12-14	Charleston Embassy Suites
Safety Seminar– March 25-26	Wheeling Oglebay Resort
Exception Customer Service (Morning Session) & Dealing With Angry & Upset Customers (Afternoon Session) - April 9	Flatwoods Days Inn
Safety Seminar – May 19-20	Pipestem State Park
Termination Seminar – May 21	Pipestem State Park
Safety Seminar – June 9-10	Martinsburg Holiday Inn
*Dealing with Upset and Angry Customers DATE: TO BE ANNOUNCED LATER WV Division of Personnel Instructor	Flatwoods
Safety Seminar – August 11-12	Flatwoods Days Inn
Main Extension Seminar – August 13	Flatwoods Days Inn
Termination Seminar—August 14	Flatwoods Days Inn
Manager’s Seminar– September 9-10	Morgantown Waterfront Place
Annual Report Workshop – September 11	Clarksburg DOH
Annual Report Workshop – September 17	Princeton DOH
Annual Report Workshop – September 22	Charleston PSC
Annual Report Workshop – October 14	Burlington DOH
PSD Board Members Seminar– October 15-17	Canaan Valley Resort State Park
Cases Seminar – November 5	Charleston Summit Conf. Center

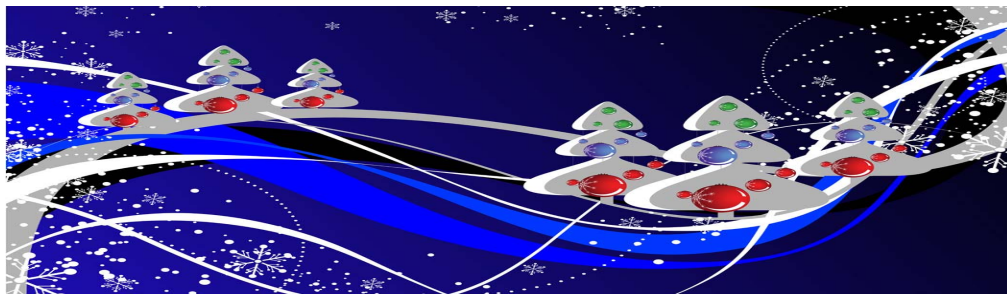
State Holidays 2009

4.8.a.5. Service shall not be discontinued on a Saturday, Sunday, any day that is a federal or state holiday, a day on which the utility's business office is not open to accept payment, or on the day before such days, unless an emergency exists.

2009 - Observed Federal and State Holidays.

New Year's Day	Jan. 1
Martin Luther King	Jan. 19
President's Day	February 16
Memorial Day	May 25
West Virginia Day	June 19
Independence Day	July 3
Labor Day	September 7
Columbus Day	October 12
Veteran's Day	November 11
Thanksgiving	November 26 & 27
Christmas Eve	December 24 - <i>afternoon</i>
Christmas	December 25
New Year's Eve	December 31 - <i>afternoon</i>

From all the Staff—we wish you a very
Merry Christmas and Happy New Year!



The Rule 42 Exhibit And Certificate Filings

By: Bill Nelson
Chief Utilities Manager, PSC

One of the requirements when a non-profit water or sewer utility (Public Service Districts, Municipalities and Associations, etc.) files an application for a certificate of convenience and necessity is that a Rule 42 Exhibit be prepared and submitted with the application. This is a financial or accounting document that is typically prepared by the utility's accountant. Rule 19.1(Rule 42) and Rules 19.2 through 19.9 of the [Rules And Regulations For The Government Of The Filing Of Tariffs Of Public Utilities And Common Carriers By Motor Vehicle](#) set forth the requirements and financial statements which comprise the Rule 42 Exhibit. These statements are referenced by the letters "A" through "H" with supporting schedules and represent a utilities financial condition.

These are certain statements and or schedules set forth in Rule 19.1(Rule 42) that are not necessary for review and or applicable to non-profit utilities when filing a certificate application, these include Schedules 3 and 4 of Statement A, all of Statement B and all of Statement E. These statements and schedules should be omitted from the Rule 42 Exhibit since they are not relevant to the review process or the establishment of rates within a certificate filing. Most Rule 42 Exhibits submitted in conjunction with certificate filings are prepared correctly, however, there are some that are incomplete and contain insufficient information. A common mistake is showing only the proforma or proposed level of operations incorporating the certificated project. The Rule 42 Exhibit must include per books level of operations which is representative of the utilities most recent audited test year and reflected in its most recently filed Annual Report. Only in cases where a utility is initiating its authority to provide either water or sewer service and constructing new water or sewer facilities to achieve this is it acceptable. Other mistakes involve projecting revenues without the inclusion of a detailed bill analysis, or making adjustments without sufficient explanations. With regard to both of these statements it is recommended utilities provide as much information as possible rather than too little.

Another aspect of the Rule 42 Exhibit to be addressed is the issue of going level adjustments. The [Rules of Practice and Procedure](#) adopted August 28, 2001, revised the requirements associated with Rule 42 Exhibits within certificate filings. Typically the adjustments reflected in the Rule 42 Exhibit are related to the project only, however, the new rules now allow utilities to include going level or non-project related adjustments. This results in the possibility of a two step rate increase, one increase to cover the non-projected related or going level adjustments and the other to cover the pro-

Continued on Page 15

ject related or proforma adjustments. The going level increase would go into effect upon the issuance of the Final Order while the proforma increase would go into effect upon completion of the certificated project. It should be noted the inclusion of going level adjustments requires the Commission to conduct an audit within the certificate filing to verify these adjustment which in turn could increase the time needed to process the case.

In some instances there may be adjustments to going level included in the Rule 42 Exhibit to reflect current operations due to a rate increase that occurred during the test year or prior to the certificate filing. These adjustments are necessary to annualize the utility’s revenues and establish its going level operations. The proper level of rates needed to cover the utility’s proforma operations can then be determined. In these instances it is beneficial for the Rule 42 Exhibit to include a detailed bill analysis as well as detailed explanations of these going level adjustments.

To summarize, non-profit utilities and/or their accountants need to remember when preparing and submitting a Rule 42 Exhibit within a certificate filing that it should be comprised of the applicable statements and supporting schedules. These statements and schedules must include per books and or going level numbers, as well as provide detailed bill analysis and adequate detail of all adjustment. This should enable Commission Staff to timely review the utility’s Rule 42 Exhibit without having to request revisions which only add time to the processing of the case.

	<p>Public Service Commission of West Virginia <i>Our Staff is Ready to Help You, Do Not Hesitate to Call or Write</i> PSC WEB PAGE: http://www.psc.state.wv.us TOLL FREE: 800-344-5113 FAX: 304-340-3759</p>	<p>Michael A. Albert Chairman Edward H. Staats Jon W. Mc Kinney Commissioners</p>
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