



Philadelphia Gas Works

800 West Montgomery Avenue, Philadelphia, PA 19122

Kristine Trock, Paralegal

Legal Department

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May 12, 2009

James McNulty, Secretary
Pennsylvania Public Utility Commission
Room B-20, North Office Building
Harrisburg, PA 17105-3265

Re: Ronald Parker v. PGW, Docket No. C – 2009 – 2102317

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.61, the Philadelphia Gas Works ("PGW") hereby files the original and three (3) copies of its Preliminary Objections to the Complaint in the above captioned matter.

If additional information is required, please do not hesitate to contact the undersigned. Thank you for your assistance in the matter.

Sincerely,


Kristine Trock

Enclosure

cc: Mr. Ronald Parker (Regular Mail)
Anne Marie Cromley (PGW Mail)
Linda Pereira (PGW Mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Ronald Parker

v.

Philadelphia Gas Works

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Docket No. C – 2009 – 2102317

**Philadelphia Gas Works’
Preliminary Objections to the Complaint**

Pursuant to 52 Pa. Code §5.101, the Philadelphia Gas Works (“PGW”) hereby files its preliminary objections to the Complaint filed in the above captioned matter. PGW hereby avers the following:

1. On or about April 10, 2009, the Complainant filed the instant formal complaint seeking relief in the form of release from PGW’s Customer Responsibility Program (CRP) in which he has enrolled for gas service rendered to 2902 N. 25th Street, 2nd Floor, Philadelphia, PA (Service Address).
2. The Complainant first enrolled in CRP on January 6, 2006.
3. On May 10, 2006, the Complainant cancelled his enrollment in CRP.
4. On January 20, 2007, the Complainant re-enrolled in CRP.
5. On April 16, 2007, the Complainant cancelled his enrollment in CRP.
6. On December 18, 2007, the Complainant re-enrolled in CRP.
7. On April 16, 2008, the Complainant contacted PGW to cancel his enrollment in CRP but was persuaded to remain in the program.
8. On December 1, 2008, the Complainant’s account changed from non-heat account to heating account. The Complainant’s bills are now reflecting gas usage for heating purposes and received the CRP discount on the larger gas heating usage.
9. The Bureau of Consumer Services (BCS) decision dated February 20, 2009, advised that Complainant to make his monthly CRP payments.
10. The Complainant’s account balance is \$535.89 and represents several months of unpaid CRP payments. The Complainant does not make monthly

payments in full. The Complainant's CRP is currently in default status and must bring his CRP payment up to date.

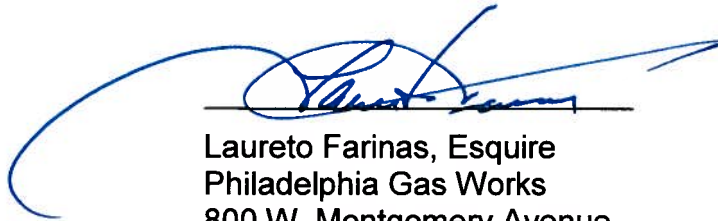
11. The Complainant does not allege any change in status or income since his last recertification for eligibility but states that to remain on CRP would cause hardship, as PGW has required him to pay the outstanding balance of missed CRP payments.

12. As the Complainant's enrollment in CRP represents a payment scheme which is based upon income eligibility, as set forth in 66 Pa. C.S. §1405 (c) and the PGW Gas Service Tariff §13 as approved by this Commission, the Commission lacks jurisdictional authority to grant a different payment scheme other than to cure the missing CRP payments.

Wherefore, PGW respectfully requests that this Commission dismiss the Complaint.

Respectfully submitted,

May 11, 2009



Laureto Farinas, Esquire
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122
(215) 684-6982

VERIFICATION

I, Laureto Farinas, hereby declare that I am counsel for the Philadelphia Gas Works. I am authorized to make this verification on its behalf. The facts set forth in the foregoing Answer are true and correct to the best of my knowledge, information and belief. I expect to be able to prove these facts at a hearing held in this matter. This verification is made subject to the penalties of 18 Pa. C.S. §4904, concerning false statements to authorities.

May 11, 2009



Laureto Farinas, Esquire

CERTIFICATE OF SERVICE

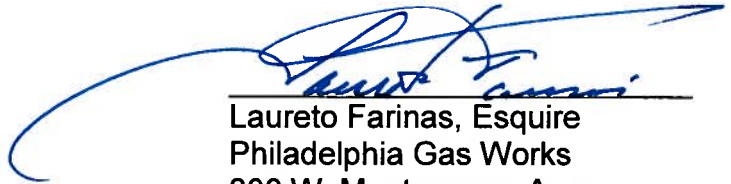
I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY OF THE FOREGOING DOCUMENT UPON THE PARTICIPANTS LISTED BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF 52 PA CODE §1.54 (RELATING TO SERVICE BY A PARTICIPANT).

Service List:

For Complainant:

Mr. Ronald Parker
2902 N. 25th Street, 2nd Floor
Philadelphia, PA 19132

May 11, 2009



Laureto Farinas, Esquire
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800 W. Montgomery Avenue
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