

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ROSEMARY CLAYTON	:	
Complainant	:	
v.	:	
	:	Docket No. Docket No. C-2009-2101042
PHILADELPHIA GAS WORKS	:	
Respondent	:	

Petition for Leave to Withdraw Formal Complaint Without Prejudice

Pursuant to 52 Pa. Code § 5.94, Rosemary Clayton (hereinafter “Complainant”), through counsel Community Legal Services, Inc. (“CLS”), hereby petitions for leave to withdraw her Formal Complaint without prejudice, and in support states as follows:

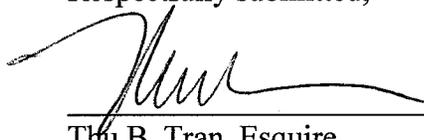
1. On or about March 27, 2009, Complainant filed a Formal Complaint against Philadelphia Gas Works (hereinafter “Respondent”).
2. On April 15, 2009, Respondent was served with the Formal Complaint, and on May 4, 2009, filed its Answer.
3. On June 17, 2009, the Commission issued a Hearing Notice scheduling this matter for an Initial Hearing on Tuesday, July 21, 2009.
4. Since the time of the filing of the Formal Complaint, Respondent has suspended its late-payer deposit policy, which was a major issue of dispute in the Formal Complaint. In the attached letter dated May 11, 2009, Respondent informs Complainant that Respondent “will not require you to pay a deposit at this time.”
5. Upon information and belief, Respondent has suspended its late-payer deposit policy as to all of its customers at this time. Respondent’s waiver of the deposit “at this time” is not a satisfaction of Complainant’s individual Formal Complaint. Complainant requests

leave to withdraw her Formal Complaint without prejudice and to preserve her right to raise the same and additional relevant issues, if and when Respondent reinstates a late-payer deposit policy.

6. Counsel for Respondent has informed Counsel for Complainant that Respondent would agree to a withdrawal of the Formal Complaint without prejudice.

WHEREFORE, Complainant requests leave to withdraw the Formal Complaint without prejudice.

Respectfully submitted,



Thu B. Tran, Esquire
Community Legal Services, Inc.
1424 Chestnut Street
Philadelphia, PA 19102
215-981-3777

Counsel for Complainant

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Order Granting Leave to Withdraw Formal Complaint Without Prejudice

Upon review of Complainant's Petition for Leave to Withdraw Formal Complaint Without Prejudice, and upon good cause shown, the Petition is hereby granted.

Date

Administrative Law Judge
Charles E. Rainey, Jr.

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CERTIFICATE OF SERVICE

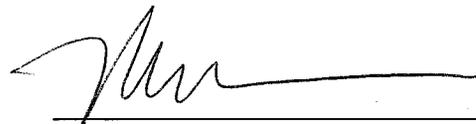
I hereby certify that I have this day, served a copy of the foregoing Petition for Leave to Withdraw Formal Complaint Without Prejudice upon the participants, listed below, in accordance with the requirements of 52 Pa.Code §1.54 (relating to service by a participant).

By First Class U.S. Mail, postage prepaid:

Administrative Law Judge Charles E. Rainey, Jr.
1302 Philadelphia State Office Building
1400 West Spring Garden Street
Philadelphia, PA 19130
Fax: 215-560-3133

Laureto A. Farinas, Esquire
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122
Laureto.Farinas@pgworks.com

Dated this 13th day of July, 2009.



Thu B. Tran, Esquire
Community Legal Services, Inc.
1424 Chestnut Street
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