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October 16, 2009

Secretary James J. McNulty  
Secretary's Bureau  
Pennsylvania Public Utility Commission  
PO Box 3265  
Harrisburg , PA 17105-3265


**Re: Ellena Irby v. PGW, Docket No. C-2009-2117933  
Request for Continuance of Hearing  
Initial Hearing scheduled for Friday, October 23, 2009**

Dear Secretary McNulty:

Enclosed for eFiling is Ellena Irby's Motion for Continuance of Hearing, with accompanying proposed order and certificate of service.

I have served a copy of this document on Administrative Law Judge Ky Van Nguyen, and on all parties to the proceeding.

Respectfully submitted,



Thu B. Tran, Esq,  
Energy Unit

Enclosures  
cc: Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>ELLENA IRBY</b>	:	
<b>Complainant</b>	:	
	:	
<b>v.</b>	:	<b>C-2009-2117933</b>
	:	
<b>PHILADELPHIA GAS WORKS</b>	:	
<b>Respondent</b>	:	

**Motion for Continuance of Hearing**

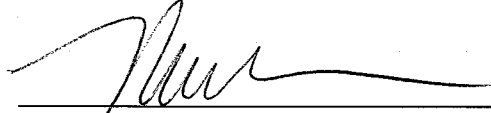
Pursuant to 52 Pa. Code § 1.15(b), Ellena Irby (hereinafter “Complainant”), through counsel Community Legal Services, Inc., hereby moves for a continuance of the hearing in this matter scheduled for October 23, 2009, and in support states as follows:

1. On July 8, 2009, Complainant filed a Formal Complaint against Philadelphia Gas Works (hereinafter “Respondent”).
2. On September 14, 2009, Complainant served her Interrogatories and Requests for Production of Documents, Set I, on Respondent.
3. Complainant’s counsel requires additional time to receive and review Respondent’s discovery responses, to conduct additional discovery if necessary, to attempt to negotiate a settlement, and to prepare properly for a hearing, should a hearing be necessary.
4. Counsel for Complainant and counsel for Respondent have also been in communication about informal discovery matters and have started to discuss possible settlement terms. However, no agreement has yet been reached.
5. On October 16, 2009, Respondent’s counsel stated to Complainant’s counsel that Respondent agrees with this motion for change of the scheduled hearing date.

6. Complainant is also in agreement with this change of the scheduled hearing date.

WHEREFORE, Complainant moves that the October 23, 2009 hearing be continued for at least 30 days.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thu B. Tran', is written over a horizontal line.

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

Counsel for Complainant

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>ELLENA IRBY</b>	:	
<b>Complainant</b>	:	
	:	
<b>v.</b>	:	<b>C-2009-2117933</b>
	:	
<b>PHILADELPHIA GAS WORKS</b>	:	
<b>Respondent</b>	:	

**ORDER GRANTING MOTION FOR CONTINUANCE**

Upon review of Complainant's Motion for Continuance of Hearing, and upon good cause shown, the hearing scheduled in this matter for October 23, 2009 is hereby continued to

\_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrative Law Judge

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>ELLENA IRBY</b>	:	
<b>Complainant</b>	:	
	:	
<b>v.</b>	:	<b>C-2009-2117933</b>
	:	
<b>PHILADELPHIA GAS WORKS</b>	:	
<b>Respondent</b>	:	

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day, served a copy of the foregoing Motion for Continuance of Hearing upon the participants, listed below, in accordance with the requirements of 52 Pa.Code §1.54 (relating to service by a participant).

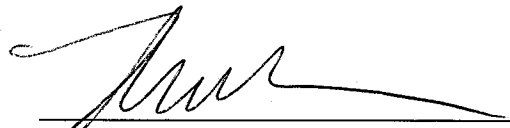
By First Class U.S. Mail, postage prepaid and/or facsimile and e-mail as indicated:

Administrative Law Judge Ky Van Nguyen  
Pennsylvania Public Utility Commission  
Suite 4063  
801 Market Street  
Philadelphia, PA 19107  
Fax: 215-560-3133

Ellena Irby  
955 N. 6<sup>th</sup> Street  
Philadelphia, PA 19123

Laureto A. Farinas, Esquire  
Philadelphia Gas Works  
Legal Department  
800 West Montgomery Avenue  
Philadelphia, PA 19122  
Laureto.Farninas@pgworks.com

Dated this 16<sup>th</sup> day of October, 2009.



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