



Philadelphia Gas Works

800 West Montgomery Avenue, Philadelphia, PA 19122

Kristine Trock, Paralegal

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November 19, 2009

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

Re: 2020 Passyunk Avenue, Inc. v. PGW, Docket No. C – 2009 – 2138727

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.61, the Philadelphia Gas Works ("PGW") hereby files the original 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,

A handwritten signature in blue ink that reads "Kristine Trock". The signature is written in a cursive, flowing style.

Kristine Trock

Enclosure

cc: 2020 Passyunk Avenue, Inc. (Regular Mail)
Andrew L. Miller, Esquire (Regular Mail)
Anne Marie Cromley (PGW Mail)
Linda Pereira (PGW Mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

2020 West Passyunk Avenue, Inc.

v.

Philadelphia Gas Works

:
:
:
:
:

Docket No. C – 2009 – 2138727

NOTICE TO PLEAD

To: 2020 West Passyunk Ave., Inc., Complainant, c/o Andrew L. Miller, Esq.

Pursuant to 52 Pa. Code §5.101, you are hereby notified to file a written response to the enclosed Preliminary Objections and Motion to Strike, within ten (10) days from service hereof or you may be deemed to be in default and relevant facts stated in these pleadings may be deemed admitted and a judgment may be entered against you.

Respectfully submitted,

November 19, 2009



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

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

2020 West Passyunk Avenue, Inc.	:	
	:	
v.	:	Docket No. C – 2009 – 2138727
	:	
Philadelphia Gas Works	:	

**Philadelphia Gas Works’
Preliminary Objections and
Motion to Strike Impertinent Matter**

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 on the grounds that the Commission lacks jurisdiction over the subject matter of the Complaint, and that the Complaint includes impertinent matter in its requested relief to remove the lien, and moves to strike the requested relief as “impertinent matter” pursuant to 52 Pa. Code §§5.101(a)(1) and (2).

In support of its preliminary objection and motion to strike, PGW hereby avers the following:

1. On or about October 26, 2009, the Complainant filed a formal complaint against PGW with the Commission under the above captioned matter regarding unpaid debt for gas service to 2020 West Passyunk Avenue, Philadelphia, Pennsylvania (Service Address).

2. The Complainant is the owner of the Service Address, that the Complainant leased to the Complainant’s former tenant, Young Kwon Lee.

3. In August 2009, the gas service to the Service Address was terminated for nonpayment under the account of the Complainant’s former tenant. The outstanding balance is \$68,090.62, as shown on the Statement of Account, which is attached hereto as Exhibit “A.”

4. According to PGW’s investigation, the Complainant’s former tenant, Young Kwon Lee had leased the Service Address and the dry cleaning business, NU Way Discount Cleaners, from the Complainant pursuant to a type of a

lease/purchase agreement of the property and the dry cleaning business. Upon Young Kwon Lee's breach of their agreement, the property and the dry cleaning business reverted to the Complainant. As such, the reversion of the dry cleaning business to the Complainant includes all assets and liabilities of the going concern.

5. The City of Philadelphia as owner of PGW filed a lien against the Service Address for a previous account balance, pursuant to the Municipal Claim and Tax Lien Law, Act 153 of 1923, P.L. 207 53 P.S. §7101 (Municipal Lien Act). The City of Philadelphia as owner of PGW reserves the right to collect on debt owed to PGW for gas service to the Service Address under the Municipal Lien Act.

6. The Complaint avers that PGW is holding the Complainant personally responsible for the unpaid debt of the Complainant's former tenant.

7. The Complaint requests relief in the form of a Commission order that the Complainant should not be responsible for the outstanding unpaid balance for gas service rendered to the Service Address under the account of the Complainant's former tenant, and to do so by having the lien on the Service Address removed.

8. Under the Commission's Rules of Administrative Practice and Procedure at 52 Pa. Code §5.101, the treatment of preliminary objections is comparable to that of Pennsylvania civil practice. (See: Order Sustaining Preliminary Objection in *Paul W. Fricker v. PECO Energy Company*, Docket No. C-2009-2094757 (May 21, 2009))

The Commission's regulations provide, in relevant part:

(a) *Grounds*. Preliminary objections are available to parties and may be filed in response to a pleading except motions and prior preliminary objections. Preliminary objections...must state specifically the legal and factual grounds relied upon and be limited to the following:

(1) Lack of Commission jurisdiction or improper service of the pleading initiating the proceeding.

(2) Failure of a pleading to conform to this chapter or the inclusion of scandalous or impertinent matter.

52 Pa. Code §5.101(a) (2)¹

9. In this case, as the Complaint states that the bills that are the subject of the lien were from gas service from a tenant's gas account and not his PGW account. The Complainant opines that under circumstances, he should not be held responsible.

10. Pursuant to the Natural Gas Choice and Competition Act, 66 Pa. C.S.A Section 2201 et seq., section 2212(n), which specifically provides, "Nothing contained in this title shall abrogate the power of a city natural gas distribution operation to collect delinquent receivables through the imposition of liens pursuant to section 3 of the act of May 16, 1923 (P.L. 207, No. 153), referred to as the Municipal Claim and Tax Lien Law, or otherwise." Thus, under 66 Pa. C.S.A Section 2212(n), the Commission has no jurisdiction over the filing of such a lien.²

11. Pursuant to the Responsible Utility Customer Protection Act at 66 Pa. Cons. Stat. § 1414, which states: "[a] city natural gas distribution operation furnishing gas service to a property is entitled to impose or assess a municipal claim against the property and file as liens of record claims for unpaid natural gas distribution service and other related costs, including natural gas supply ...," clarifies and confirms such rights to impose a lien.

12. The Complainant disputes the imposition of the lien because he did not incur the debt for gas service.

13. The nature of a lien is such that it encumbers the real estate, regardless who caused the event, which results in the imposition of a municipal claim. PGW may collect as a municipal claim, unpaid debt for gas service rendered, even when the gas service was not rendered to the owner of the

¹ 52 Pa. Code §5.101(a) (2) emphasis added.

² 52 Pa. Code §5.101(a) (1)

property. *Newberry Township v. Ray Stambaugh*, 848 A.2d 173; (Pa. Cmwlth. 2000)

14. In the instant matter, the Complainant simply wishes not to be responsible for the gas he did not use and to remove the lien that has been filed by the City of Philadelphia.

15. A prayer for relief (the removal of the lien) cannot be acquired in the cause of action before this Commission. It is irrelevant to the instant cause of action and therefore "impertinent matter" within the use and meaning of 52 Pa. Code §5.101(a) (2) and, should be stricken from the Complaint pursuant to Pa. Code §5.101(a)(2).

Wherefore, PGW respectfully requests that this Commission sustain PGW's preliminary objections to the Complaint and dismiss the Complaint for lack of jurisdiction and strike off the requested relief as impertinent matter.

Respectfully submitted,

November 19, 2009



Laureto Farinas, Esquire
Attorney I. D. No. 50415
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122
(215) 684-6982

EXHIBIT A

Specific Service Agreement Statement of Account SA- 9961417270

Customer Name	From Date	To Date
YOUNG KWON LEE	1/1/2000	11/18/2009

Service address	Account Number	SA Number	Meter	Rate
2020 W PASSYUNK AVE PHIL, PA 191453506	9113880926	9961417270	2024886	GS

STATEMENT

Transaction Date	Type	Reading	Code	# of Days	CCF Usage	Average CCF/Days	Heating DDD's	Payment Type	Due Date	Transaction Amount	Current Balance	Actual Balance
01/14/2000	BILL	27346	Y	35	165	4.71	817		02/09/2000	\$157.43	\$16.23	\$16.23
02/03/2000	BILL	29530	S	22	2184	99.27	851		02/29/2000	\$1,931.20	\$1,947.43	\$1,947.43
02/10/2000	PAY					0.00		Check		(\$1,947.43)	\$0.00	\$0.00
03/16/2000	BILL	30169	Y	39	639	16.38	821		04/10/2000	\$572.60	\$572.60	\$572.60
04/14/2000	BILL	30446	Y	29	277	9.55	374		05/09/2000	\$254.27	\$826.87	\$826.87
05/09/2000	PAY					0.00		Check		(\$826.87)	\$0.00	\$0.00
05/12/2000	BILL	30610	Y	29	164	5.66	231		06/07/2000	\$154.91	\$154.91	\$154.91
06/10/2000	LPC					0.00				\$1.93	\$156.84	\$156.84
06/10/2000	BILL	30725	Y	28	115	4.11	78		07/06/2000	\$111.83	\$268.67	\$268.67
07/14/2000	LPC					0.00				\$3.33	\$272.00	\$272.00
07/14/2000	BILL	33622	S	35	2897	82.77	8		08/07/2000	\$2,558.17	\$2,830.17	\$2,830.17
07/28/2000	PAY					0.00		Check		(\$1,830.17)	\$1,000.00	\$1,000.00
08/11/2000	LPC					0.00				\$15.00	\$1,015.00	\$1,015.00
08/11/2000	BILL	33727	Y	28	105	3.75	0		09/05/2000	\$103.03	\$1,118.03	\$1,118.03
09/01/2000	PAY					0.00		Check		(\$1,118.03)	\$0.00	\$0.00
09/12/2000	BILL	33782	Y	30	55	1.83	5		10/04/2000	\$59.06	\$59.06	\$59.06
10/12/2000	LPC					0.00				\$0.73	\$59.79	\$59.79
10/12/2000	BILL	33816	Y	32	34	1.06	120		11/06/2000	\$40.60	\$100.39	\$100.39
11/10/2000	LPC					0.00				\$1.24	\$101.63	\$101.63
11/10/2000	BILL	37551	S	30	3735	124.50	214		12/06/2000	\$3,295.07	\$3,396.70	\$3,396.70
12/12/2000	LPC					0.00				\$50.92	\$3,447.62	\$3,447.62
12/12/2000	BILL	38090	Y	29	539	18.59	679		01/09/2001	\$550.47	\$3,998.09	\$3,998.09

Transaction Date	Type	Reading Code	Reading Code	# of Days	CCF Usage	Average CCF/Days	Heating DDD's	Payment Type	Due Date	Transaction Amount	Current Balance	Actual Balance
12/19/2000	BILL	39077	S	10	987	98.70	266		01/17/2001	\$1,073.46	\$5,071.55	\$5,071.55
12/19/2000	PAY					0.00		Check		(\$2,998.09)	\$2,073.46	\$2,073.46
12/19/2000	PAY					0.00		Check		(\$500.00)	\$1,573.46	\$1,573.46
01/12/2001	LPC					0.00				\$23.60	\$1,597.06	\$1,597.06
01/12/2001	BILL	39560	Y	23	483	21.00	829		02/07/2001	\$606.89	\$2,203.95	\$2,203.95
02/10/2001	LPC					0.00				\$32.70	\$2,236.65	\$2,236.65
02/10/2001	BILL	40133	Y	29	573	19.76	810		03/07/2001	\$827.27	\$3,063.92	\$3,063.92
02/13/2001	CANB					0.00				(\$827.27)	\$2,236.65	\$2,236.65
02/13/2001	AUTOCN					0.00				\$0.00	\$2,236.65	\$2,236.65
02/13/2001	BILL	40115	S	33	555	16.82	912		03/09/2001	\$801.62	\$3,038.27	\$3,038.27
02/13/2001	PAY					0.00		Check		(\$1,573.46)	\$1,464.81	\$1,464.81
03/14/2001	LPC					0.00				\$21.97	\$1,486.78	\$1,486.78
03/14/2001	BILL	40574	Y	28	459	16.39	736		04/06/2001	\$677.37	\$2,164.15	\$2,164.15
03/15/2001	CANB					0.00				(\$677.37)	\$1,486.78	\$1,486.78
03/15/2001	BILL	40574	Y	28	459	16.39	736		04/09/2001	\$680.18	\$2,166.96	\$2,166.96
03/22/2001	PAY					0.00		Check		(\$2,166.96)	\$0.00	\$0.00
04/12/2001	BILL	40851	Y	29	277	9.55	535		05/08/2001	\$425.08	\$425.08	\$425.08
05/12/2001	LPC					0.00				\$6.37	\$431.45	\$431.45
05/12/2001	BILL	41036	Y	30	185	6.17	167		06/06/2001	\$289.07	\$720.52	\$720.52
05/12/2001	BILL	44072	S	2	3036	1,518.00	3		06/06/2001	\$4,488.13	\$5,208.65	\$5,208.65
05/14/2001	PAY					0.00		Check		(\$720.52)	\$4,488.13	\$4,488.13
05/24/2001	PAY					0.00		Check		(\$425.08)	\$4,063.05	\$4,063.05
06/01/2001	PAY					0.00		Check		(\$2,488.13)	\$1,574.92	\$1,574.92
06/13/2001	LPC					0.00				\$23.62	\$1,598.54	\$1,598.54
06/13/2001	BILL	44184	Y	30	112	3.73	45		07/10/2001	\$181.15	\$1,779.69	\$1,779.69
06/13/2001	PAY					0.00		Check		(\$1,574.92)	\$204.77	\$204.77
07/10/2001	PAY					0.00		Check		(\$720.52)	(\$515.75)	(\$515.75)
07/14/2001	BILL	44294	Y	31	110	3.55	0		08/07/2001	\$178.20	(\$337.55)	(\$337.55)
08/14/2001	BILL	44388	Y	29	94	3.24	0		09/07/2001	\$154.55	(\$183.00)	(\$183.00)
08/16/2001	PAY					0.00		Check		(\$779.69)	(\$962.69)	(\$962.69)
09/13/2001	BILL	44498	Y	32	110	3.44	0		10/09/2001	\$178.20	(\$784.49)	(\$784.49)
10/13/2001	BILL	44589	Y	30	91	3.03	84		11/06/2001	\$127.49	(\$657.00)	(\$657.00)

Transaction Date	Type	Reading Code	Reading Code	# of Days	CCF Usage	Average CCF/Days	Heating DDD's	Payment Type	Due Date	Transaction Amount	Current Balance	Actual Balance
11/10/2001	BILL	48316	R	28	3727	133.11	190		12/06/2001	\$4,602.29	\$3,945.29	\$3,945.29
12/12/2001	LPC					0.00				\$59.17	\$4,004.46	\$4,004.46
12/12/2001	BILL	48317	R	32	1	0.03	369		01/09/2002	\$20.45	\$4,024.91	\$4,024.91
12/20/2001	PAY					0.00		Check		(\$1,945.29)	\$2,079.62	\$2,079.62
01/12/2002	LPC					0.00				\$31.19	\$2,110.81	\$2,110.81
01/12/2002	BILL	48418	R	32	101	3.16	813		02/06/2002	\$130.04	\$2,240.85	\$2,240.85
01/23/2002	PAY					0.00		Check		(\$2,024.00)	\$216.85	\$216.85
02/12/2002	LPC					0.00				\$2.71	\$219.56	\$219.56
02/12/2002	BILL	49496	R	28	1078	38.50	627		03/08/2002	\$1,201.64	\$1,421.20	\$1,421.20
02/13/2002	PAY					0.00		Check		(\$2,240.85)	(\$819.65)	(\$819.65)
03/13/2002	BILL	49595	R	31	99	3.19	627		04/08/2002	\$123.67	(\$695.98)	(\$695.98)
03/14/2002	PAY					0.00		Check		(\$1,421.20)	(\$2,117.18)	(\$2,117.18)
04/12/2002	BILL	50839	R	30	1244	41.47	476		05/07/2002	\$1,235.91	(\$881.27)	(\$881.27)
05/11/2002	BILL	52065	V	29	1226	42.28	167		06/05/2002	\$1,275.50	\$394.23	\$394.23
06/12/2002	LPC					0.00				\$5.91	\$400.14	\$400.14
06/12/2002	BILL	53380	V	33	1315	39.85	82		07/08/2002	\$1,405.15	\$1,805.29	\$1,805.29
07/10/2002	PAY					0.00		Check		(\$1,405.15)	\$400.14	\$400.14
07/12/2002	LPC					0.00				\$6.00	\$406.14	\$406.14
07/12/2002	BILL	54376	V	29	996	34.34	6		08/06/2002	\$1,123.85	\$1,529.99	\$1,529.99
08/10/2002	LPC					0.00				\$22.85	\$1,552.84	\$1,552.84
08/10/2002	BILL	55380	V	29	1004	34.62	0		09/04/2002	\$1,132.73	\$2,685.57	\$2,685.57
08/22/2002	PAY					0.00		Check		(\$2,685.57)	\$0.00	\$0.00
09/11/2002	BILL	56472	V	32	1092	34.12	3		10/04/2002	\$1,238.39	\$1,238.39	\$1,238.39
10/10/2002	LPC					0.00				\$18.57	\$1,256.96	\$1,256.96
10/10/2002	BILL	57541	V	29	1069	36.86	8		11/04/2002	\$1,232.88	\$2,489.84	\$2,489.84
11/09/2002	LPC					0.00				\$37.06	\$2,526.90	\$2,526.90
11/09/2002	BILL	58717	V	30	1176	39.20	422		12/05/2002	\$1,354.35	\$3,881.25	\$3,881.25
12/09/2002	PAY					0.00		Check		(\$2,489.84)	\$1,391.41	\$1,391.41
12/12/2002	LPC					0.00				\$20.87	\$1,412.28	\$1,412.28
12/12/2002	BILL	59925	R	33	1208	36.61	777		01/09/2003	\$1,412.35	\$2,824.63	\$2,824.63
12/20/2002	PAY					0.00		Check		(\$1,391.41)	\$1,433.22	\$1,433.22
01/03/2003	CANP					0.00				\$2,489.84	\$3,923.06	\$3,923.06

Transaction Date	Type	Reading	Reading Code	# of Days	CCF Usage	Average CCF/Days	Heating DDD's	Payment Type	Due Date	Transaction Amount	Current Balance	Actual Balance
01/03/2003	NSFPAY					0.00				\$0.00	\$3,923.06	\$3,923.06
01/03/2003	NSFCHA					0.00				\$8.00	\$3,931.06	\$3,931.06
01/13/2003	PAY					0.00		Check		(\$3,931.00)	\$0.06	\$0.06
01/14/2003	BILL	61104	R	34	1179	34.68	940		02/07/2003	\$1,427.54	\$1,427.60	\$1,427.60
02/12/2003	LPC					0.00				\$21.41	\$1,449.01	\$1,449.01
02/12/2003	BILL	62496	R	29	1392	48.00	1102		03/10/2003	\$1,681.97	\$3,130.98	\$3,130.98
03/06/2003	PAY					0.00		Check		(\$1,427.60)	\$1,703.38	\$1,703.38
03/10/2003	PAY					0.00		Check		(\$1,681.97)	\$21.41	\$21.41
03/14/2003	LPC					0.00				\$0.26	\$21.67	\$21.67
03/14/2003	BILL	63482	V	30	986	32.87	988		04/08/2003	\$1,226.42	\$1,248.09	\$1,248.09
04/02/2003	CANP					0.00				\$1,681.97	\$2,930.06	\$2,930.06
04/02/2003	NSFPAY					0.00				\$0.00	\$2,930.06	\$2,930.06
04/02/2003	NSFCHB					0.00				\$18.00	\$2,948.06	\$2,948.06
04/12/2003	LPC					0.00				\$43.94	\$2,992.00	\$2,992.00
04/12/2003	BILL	64534	V	28	1052	37.57	436		05/07/2003	\$1,348.25	\$4,340.25	\$4,340.25
05/12/2003	PAY					0.00		Check		(\$2,340.25)	\$2,000.00	\$2,000.00
05/14/2003	LPC					0.00				\$30.00	\$2,030.00	\$2,030.00
05/14/2003	BILL	65666	V	33	1132	34.30	226		06/09/2003	\$1,549.25	\$3,579.25	\$3,579.25
05/22/2003	PAY					0.00		Check		(\$200.00)	\$3,379.25	\$3,379.25
05/29/2003	PAY					0.00		Check		(\$2,000.00)	\$1,379.25	\$1,379.25
06/12/2003	LPC					0.00				\$20.68	\$1,399.93	\$1,399.93
06/12/2003	BILL	66736	V	28	1070	38.21	127		07/08/2003	\$1,494.44	\$2,894.37	\$2,894.37
07/12/2003	LPC					0.00				\$43.10	\$2,937.47	\$2,937.47
07/12/2003	BILL	67702	V	30	966	32.20	2		08/05/2003	\$1,398.15	\$4,335.62	\$4,335.62
07/17/2003	PAY					0.00		Check		(\$1,894.37)	\$2,441.25	\$2,441.25
08/12/2003	LPC					0.00				\$36.61	\$2,477.86	\$2,477.86
08/12/2003	BILL	68664	V	32	962	30.06	0		09/05/2003	\$1,392.43	\$3,870.29	\$3,870.29
08/25/2003	PAY					0.00		Check		(\$2,441.25)	\$1,429.04	\$1,429.04
09/12/2003	LPC					0.00				\$21.43	\$1,450.47	\$1,450.47
09/12/2003	BILL	69749	V	30	1085	36.17	0		10/07/2003	\$1,574.06	\$3,024.53	\$3,024.53
09/16/2003	PAY					0.00		Check		(\$2,441.25)	\$583.28	\$583.28
10/06/2003	CANP					0.00				\$2,441.25	\$3,024.53	\$3,024.53

Transaction Date	Type	Reading	Reading Code	# of Days	CCF Usage	Average CCF/Days	Heating DDD's	Payment Type	Due Date	Transaction Amount	Current Balance	Actual Balance
10/06/2003	NSFPAY					0.00				\$0.00	\$3,024.53	\$3,024.53
10/06/2003	NSFCHC					0.00				\$34.00	\$3,058.53	\$3,058.53
10/11/2003	LPC					0.00				\$45.04	\$3,103.57	\$3,103.57
10/11/2003	BILL	70776	V	30	1027	34.23	95	Check	11/04/2003	\$1,502.38	\$4,605.95	\$4,605.95
10/27/2003	PAY					0.00				(\$3,103.57)	\$1,502.38	\$1,502.38
11/11/2003	LPC					0.00				\$22.53	\$1,524.91	\$1,524.91
11/11/2003	BILL	71793	V	31	1017	32.81	297	Check	12/05/2003	\$1,487.94	\$3,012.85	\$3,012.85
12/05/2003	PAY					0.00				(\$2,000.00)	\$1,012.85	\$1,012.85
12/12/2003	LPC					0.00				\$15.19	\$1,028.04	\$1,028.04
12/12/2003	BILL	72881	R	31	1088	35.10	662	Check	01/09/2004	\$1,573.30	\$2,601.34	\$2,601.34
12/29/2003	PAY					0.00				(\$2,012.85)	\$588.49	\$588.49
01/14/2004	LPC					0.00				\$8.82	\$597.31	\$597.31
01/14/2004	BILL	73907	R	33	1026	31.09	958	Check	02/09/2004	\$1,455.31	\$2,052.62	\$2,052.62
02/06/2004	PAY					0.00				(\$1,200.00)	\$852.62	\$852.62
02/12/2004	LPC					0.00				\$12.78	\$865.40	\$865.40
02/12/2004	BILL	74837	R	29	930	32.07	1119	Check	03/09/2004	\$1,320.94	\$2,186.34	\$2,186.34
03/05/2004	PAY					0.00				(\$1,000.00)	\$1,186.34	\$1,186.34
03/13/2004	LPC					0.00				\$17.79	\$1,204.13	\$1,204.13
03/13/2004	BILL	75962	R	30	1125	37.50	704	Check	04/06/2004	\$1,609.82	\$2,813.95	\$2,813.95
04/07/2004	PAY					0.00				(\$1,813.95)	\$1,000.00	\$1,000.00
04/14/2004	LPC					0.00				\$15.00	\$1,015.00	\$1,015.00
04/14/2004	BILL	77184	V	32	1222	38.19	625	Check	05/07/2004	\$1,772.94	\$2,787.94	\$2,787.94
05/07/2004	PAY					0.00				(\$1,787.94)	\$1,000.00	\$1,000.00
05/13/2004	LPC					0.00				\$15.00	\$1,015.00	\$1,015.00
05/13/2004	BILL	78416	V	29	1232	42.48	143	Check	06/08/2004	\$1,787.30	\$2,802.30	\$2,802.30
06/08/2004	PAY					0.00				(\$1,802.30)	\$1,000.00	\$1,000.00
06/12/2004	LPC					0.00				\$15.00	\$1,015.00	\$1,015.00
06/12/2004	BILL	79662	R	29	1246	42.97	12	Check	07/07/2004	\$1,836.98	\$2,851.98	\$2,851.98
07/08/2004	PAY					0.00				(\$185.98)	\$2,666.00	\$2,666.00
07/14/2004	LPC					0.00				\$39.99	\$2,705.99	\$2,705.99
07/14/2004	BILL	80183	R	32	1240	38.75	3	Check	08/06/2004	\$1,884.20	\$4,590.19	\$4,590.19
07/21/2004	PAY					0.00				(\$2,705.99)	\$1,884.20	\$1,884.20

Transaction Date	Type	Reading	Reading Code	# of Days	CCF Usage	Average CCF/Days	Heating DDD's	Payment Type	Due Date	Transaction Amount	Current Balance	Actual Balance
08/10/2004	PAY					0.00		Check		(\$1,884.20)	\$0.00	\$0.00
08/12/2004	BILL	82066	R	29	1164	40.14	0		09/07/2004	\$1,769.90	\$1,769.90	\$1,769.90
09/14/2004	LPC					0.00				\$26.54	\$1,796.44	\$1,796.44
09/14/2004	BILL	83215	R	31	1149	37.06	0		10/07/2004	\$1,752.76	\$3,549.20	\$3,549.20
10/13/2004	LPC					0.00				\$52.83	\$3,602.03	\$3,602.03
10/13/2004	BILL	84412	R	31	1197	38.61	58	Check	11/05/2004	\$1,837.02	\$5,439.05	\$5,439.05
10/19/2004	PAY					0.00		Check		(\$3,602.03)	\$1,837.02	\$1,837.02
11/11/2004	LPC					0.00				\$27.55	\$1,864.57	\$1,864.57
11/11/2004	BILL	85635	R	29	1223	42.17	349	Check	12/07/2004	\$1,876.50	\$3,741.07	\$3,741.07
11/17/2004	PAY					0.00		Check		(\$1,865.00)	\$1,876.07	\$1,876.07
12/04/2004	CAMP					0.00				\$2,705.99	\$4,582.06	\$4,582.06
12/04/2004	NSFPAY					0.00				\$0.00	\$4,582.06	\$4,582.06
12/04/2004	NSFCHA					0.00				\$20.00	\$4,602.06	\$4,602.06
12/06/2004	CAMP					0.00				\$3,602.03	\$8,204.09	\$8,204.09
12/06/2004	NSFPAY					0.00				\$0.00	\$8,204.09	\$8,204.09
12/06/2004	NSFCHA					0.00				\$20.00	\$8,224.09	\$8,224.09
12/10/2004	LPC					0.00				\$120.97	\$8,345.06	\$8,345.06
12/10/2004	BILL	86893	R	30	1258	41.93	566		01/06/2005	\$1,993.91	\$10,338.97	\$10,338.97
12/28/2004	PAY					0.00		Check		(\$3,184.09)	\$7,154.88	\$7,154.88
01/07/2005	PAY					0.00		Check		(\$5,000.00)	\$2,154.88	\$2,154.88
01/12/2005	LPC					0.00				\$32.32	\$2,187.20	\$2,187.20
01/12/2005	BILL	88160	R	33	1267	38.39	894		02/07/2005	\$2,159.05	\$4,346.25	\$4,346.25
02/01/2005	PAY					0.00		Check		(\$2,154.88)	\$2,191.37	\$2,191.37
02/11/2005	LPC					0.00				\$32.87	\$2,224.24	\$2,224.24
02/11/2005	BILL	89343	R	29	1183	40.79	1014		03/08/2005	\$2,017.17	\$4,241.41	\$4,241.41
03/09/2005	PAY					0.00		Check		(\$2,191.37)	\$2,050.04	\$2,050.04
03/11/2005	LPC					0.00				\$30.75	\$2,080.79	\$2,080.79
03/11/2005	BILL	90534	R	29	1191	41.07	876		04/06/2005	\$1,952.12	\$4,032.91	\$4,032.91
04/06/2005	PAY					0.00		Check		(\$2,050.04)	\$1,982.87	\$1,982.87
04/12/2005	LPC					0.00				\$29.74	\$2,012.61	\$2,012.61
04/12/2005	BILL	91835	R	32	1301	40.66	586		05/06/2005	\$1,967.59	\$3,980.20	\$3,980.20
05/11/2005	LPC					0.00				\$59.25	\$4,039.45	\$4,039.45

Transaction Date	Type	Reading Code	Reading Code	# of Days	CCF Usage	Average CCF/Days	Heating DDD's	Payment Type	Due Date	Transaction Amount	Current Balance	Actual Balance
05/11/2005	BILL	93091	R	29	1256	43.31	271		06/06/2005	\$1,900.19	\$5,939.64	\$5,939.64
05/24/2005	PAY					0.00		Check		(\$3,980.20)	\$1,959.44	\$1,959.44
06/10/2005	LPC					0.00				\$29.39	\$1,988.83	\$1,988.83
06/10/2005	BILL	94362	R	30	1271	42.37	86		07/06/2005	\$1,970.22	\$3,959.05	\$3,959.05
06/30/2005	PAY					0.00		Check		(\$2,151.39)	\$1,807.66	\$1,807.66
07/12/2005	LPC					0.00				\$27.11	\$1,834.77	\$1,834.77
07/12/2005	BILL	95618	R	32	1256	39.25	0		08/04/2005	\$2,056.88	\$3,891.65	\$3,891.65
08/05/2005	PAY					0.00		Check		(\$1,808.00)	\$2,083.65	\$2,083.65
08/11/2005	LPC					0.00				\$31.25	\$2,114.90	\$2,114.90
08/11/2005	BILL	96726	R	30	1108	36.93	0		09/06/2005	\$1,816.79	\$3,931.69	\$3,931.69
08/12/2005	CANB					0.00				(\$1,816.79)	\$2,114.90	\$2,114.90
08/12/2005	BILL	96726	R	30	1108	36.93	0		09/07/2005	\$1,816.79	\$3,931.69	\$3,931.69
09/06/2005	PAY					0.00		Check		(\$266.86)	\$3,664.83	\$3,664.83
09/13/2005	LPC					0.00				\$54.97	\$3,719.80	\$3,719.80
09/13/2005	BILL	97861	R	33	1135	34.39	0		10/06/2005	\$1,896.17	\$5,615.97	\$5,615.97
10/12/2005	LPC					0.00				\$83.41	\$5,699.38	\$5,699.38
10/12/2005	BILL	98873	R	29	1012	34.90	20		11/04/2005	\$1,810.78	\$7,510.16	\$7,510.16
10/18/2005	PAY					0.00		Cash		(\$3,000.00)	\$4,510.16	\$4,510.16
10/18/2005	PAY					0.00		Cash		(\$3,000.00)	\$1,510.16	\$1,510.16
10/19/2005	BPTOOG					0.00				\$191.51	\$1,701.67	\$1,701.67
10/19/2005	PAY					0.00		Cash		(\$1,701.67)	\$0.00	\$0.00
11/10/2005	BILL	777	R	29	257.08	8.86	283		12/07/2005	\$550.65	\$550.65	\$550.65
12/13/2005	LPC					0.00				\$8.25	\$558.90	\$558.90
12/13/2005	BILL	2080	R	33	0.13	0.00	780		01/09/2006	\$19.53	\$578.43	\$578.43
01/13/2006	LPC					0.00				\$8.55	\$586.98	\$586.98
01/13/2006	BILL	3433	R	31	0.14	0.00	838		02/07/2006	\$19.54	\$606.52	\$606.52
02/14/2006	LPC					0.00				\$8.84	\$615.36	\$615.36
02/14/2006	BILL	4691	R	32	0.13	0.00	811		03/10/2006	\$19.53	\$634.89	\$634.89
03/15/2006	LPC					0.00				\$9.13	\$644.02	\$644.02
03/15/2006	BILL	5900	R	29	0.12	0.00	731		04/07/2006	\$19.51	\$663.53	\$663.53
04/13/2006	LPC					0.00				\$9.43	\$672.96	\$672.96
04/13/2006	BILL	7180	R	29	0.13	0.00	499		05/09/2006	\$19.53	\$692.49	\$692.49

Transaction Date	Type	Reading	Reading Code	# of Days	CCF Usage	Average CCF/Days	Heating DDD's	Payment Type	Due Date	Transaction Amount	Current Balance	Actual Balance
05/15/2006	LPC					0.00				\$9.72	\$702.21	\$702.21
05/15/2006	BILL	8461	R	30	0.13	0.00	142		06/08/2006	\$19.53	\$721.74	\$721.74
06/14/2006	LPC					0.00				\$10.01	\$731.75	\$731.75
06/14/2006	BILL	9674	R	32	0.12	0.00	50		07/10/2006	\$19.53	\$751.28	\$751.28
06/21/2006	PAY					0.00		Check		(\$721.14)	\$30.14	\$30.14
07/14/2006	LPC	10648	R	30	0.1	0.00	0		08/08/2006	\$0.45	\$30.59	\$30.59
07/14/2006	BILL					0.00				\$19.46	\$50.05	\$50.05
08/14/2006	LPC					0.00				\$0.74	\$50.79	\$50.79
08/14/2006	BILL	11584	R	29	0.09	0.00	0		09/07/2006	\$19.44	\$70.23	\$70.23
09/13/2006	LPC					0.00				\$1.03	\$71.26	\$71.26
09/13/2006	BILL	12466	R	32	0.09	0.00	4		10/06/2006	\$19.44	\$90.70	\$90.70
10/12/2006	LPC					0.00				\$1.32	\$92.02	\$92.02
10/12/2006	BILL	13332	R	29	0.09	0.00	58		11/06/2006	\$19.44	\$111.46	\$111.46
11/13/2006	LPC					0.00				\$1.61	\$113.07	\$113.07
11/13/2006	BILL	14291	R	29	0.1	0.00	388		12/06/2006	\$19.46	\$132.53	\$132.53
12/13/2006	LPC					0.00				\$1.91	\$134.44	\$134.44
12/13/2006	BILL	15433	R	33	0.11	0.00	566		01/10/2007	\$19.47	\$153.91	\$153.91
01/17/2007	LPC					0.00				\$2.20	\$156.11	\$156.11
01/17/2007	BILL	16682	R	35	0.12	0.00	678		02/09/2007	\$19.48	\$175.59	\$175.59
01/22/2007	PAY					0.00		Check		(\$153.91)	\$21.68	\$21.68
02/14/2007	LPC					0.00				\$0.32	\$22.00	\$22.00
02/14/2007	BILL	17838	R	28	0.12	0.00	1050		03/12/2007	\$19.48	\$41.48	\$41.48
03/15/2007	LPC					0.00				\$0.61	\$42.09	\$42.09
03/15/2007	BILL	18927	R	29	0.11	0.00	869		04/10/2007	\$19.47	\$61.56	\$61.56
04/09/2007	PAY					0.00		Check		(\$61.56)	\$0.00	\$0.00
04/16/2007	BILL	20053	R	30	0.11	0.00	556		05/09/2007	\$19.47	\$19.47	\$19.47
05/15/2007	LPC					0.00				\$0.29	\$19.76	\$19.76
05/15/2007	BILL	21204	R	31	0.12	0.00	220		06/08/2007	\$19.48	\$39.24	\$39.24
06/15/2007	LPC					0.00				\$0.58	\$39.82	\$39.82
06/15/2007	BILL	22280	R	30	0.11	0.00	21		07/10/2007	\$19.48	\$59.30	\$59.30
06/25/2007	PAY					0.00		Check		(\$39.24)	\$20.06	\$20.06
06/27/2007	PAY					0.00		Check		(\$59.30)	(\$39.24)	(\$39.24)

Transaction Date	Type	Reading	Reading Code	# of Days	CCF Usage	Average CCF/Days	Heating DDD's	Payment Type	Due Date	Transaction Amount	Current Balance	Actual Balance
07/16/2007	BILL	23267	R	30	0.1	0.00	4		08/08/2007	\$19.44	(\$19.80)	(\$19.80)
08/14/2007	BILL	24286	R	31	0.1	0.00	0		09/07/2007	\$19.44	(\$0.36)	(\$0.36)
09/13/2007	BILL	25183	R	30	0.09	0.00	6		10/08/2007	\$19.43	\$19.07	\$19.07
10/01/2007	PAY					0.00		Check	11/06/2007	(\$19.07)	\$0.00	\$0.00
10/12/2007	BILL	26207	R	29	0.1	0.00	17		12/07/2007	\$19.44	\$19.44	\$19.44
11/06/2007	PAY					0.00		Check		(\$19.44)	\$0.00	\$0.00
11/13/2007	BILL	27242	R	29	0.1	0.00	268			\$19.44	\$19.44	\$19.44
12/13/2007	LPC					0.00				\$0.29	\$19.73	\$19.73
12/13/2007	BILL	28337	R	33	0.11	0.00	758		01/10/2008	\$19.46	\$39.19	\$39.19
12/26/2007	PAY					0.00		Check		(\$19.44)	\$19.75	\$19.75
01/15/2008	LPC					0.00				\$0.29	\$20.04	\$20.04
01/15/2008	BILL	29424	R	33	0.11	0.00	832		02/08/2008	\$19.46	\$39.50	\$39.50
01/25/2008	PAY					0.00		Check		(\$39.19)	\$0.31	\$0.31
02/13/2008	LPC					0.00				\$0.00	\$0.31	\$0.31
02/13/2008	BILL	30345	R	29	0.09	0.00	856		03/10/2008	\$19.43	\$19.74	\$19.74
03/13/2008	LPC					0.00				\$0.29	\$20.03	\$20.03
03/13/2008	BILL	31324	R	29	0.1	0.00	752		04/08/2008	\$19.45	\$39.48	\$39.48
04/14/2008	LPC					0.00				\$0.58	\$40.06	\$40.06
04/14/2008	BILL	32353	R	30	0.1	0.00	506		05/07/2008	\$19.45	\$59.51	\$59.51
05/13/2008	LPC					0.00				\$0.87	\$60.38	\$60.38
05/13/2008	BILL	33520	R	31	0.12	0.00	200		06/06/2008	\$19.48	\$79.86	\$79.86
05/14/2008	INTAPL					0.00				(\$601.53)	(\$521.67)	(\$521.67)
05/14/2008	DEPAPL					0.00				(\$3,897.00)	(\$4,418.67)	(\$4,418.67)
06/12/2008	BILL	34684	R	30	0.12	0.00	75		07/08/2008	\$19.50	(\$4,399.17)	(\$4,399.17)
07/14/2008	BILL	35718	R	30	0.1	0.00	0		08/06/2008	\$19.48	(\$4,379.69)	(\$4,379.69)
08/13/2008	BILL	36579	R	31	0.09	0.00	0		09/08/2008	\$19.45	(\$4,360.24)	(\$4,360.24)
08/14/2008	CANB					0.00				(\$19.45)	(\$4,379.69)	(\$4,379.69)
08/14/2008	BSEGCN					0.00				\$0.00	(\$4,379.69)	(\$4,379.69)
08/14/2008	CANB					0.00				(\$19.48)	(\$4,399.17)	(\$4,399.17)
08/14/2008	BSEGCN					0.00				\$0.00	(\$4,399.17)	(\$4,399.17)
08/14/2008	CANB					0.00				(\$19.50)	(\$4,418.67)	(\$4,418.67)
08/14/2008	BSEGCN					0.00				\$0.00	(\$4,418.67)	(\$4,418.67)

Transaction Date	Type	Reading Code	Reading Code	# of Days	CCF Usage	Average CCF/Days	Heating DDD's	Payment Type	Transaction Amount	Current Balance	Actual Balance
08/14/2008	CANB					0.00			(\$19.48)	(\$4,438.15)	(\$4,438.15)
08/14/2008	BSEGCN					0.00			\$0.00	(\$4,438.15)	(\$4,438.15)
08/14/2008	LPCWVE					0.00			(\$0.87)	(\$4,439.02)	(\$4,439.02)
08/14/2008	CANB					0.00			(\$19.45)	(\$4,458.47)	(\$4,458.47)
08/14/2008	BSEGCN					0.00			\$0.00	(\$4,458.47)	(\$4,458.47)
08/14/2008	LPCWVE					0.00			(\$0.58)	(\$4,459.05)	(\$4,459.05)
08/14/2008	CANB					0.00			(\$19.45)	(\$4,478.50)	(\$4,478.50)
08/14/2008	BSEGCN					0.00			\$0.00	(\$4,478.50)	(\$4,478.50)
08/14/2008	LPCWVE					0.00			(\$0.29)	(\$4,478.79)	(\$4,478.79)
08/14/2008	CANB					0.00			(\$19.43)	(\$4,498.22)	(\$4,498.22)
08/14/2008	BSEGCN					0.00			\$0.00	(\$4,498.22)	(\$4,498.22)
08/14/2008	LPCWVE					0.00			\$0.00	(\$4,498.22)	(\$4,498.22)
08/14/2008	CANB					0.00			(\$19.46)	(\$4,517.68)	(\$4,517.68)
08/14/2008	BSEGCN					0.00			\$0.00	(\$4,517.68)	(\$4,517.68)
08/14/2008	LPCWVE					0.00			(\$0.29)	(\$4,517.97)	(\$4,517.97)
08/14/2008	CANB					0.00			(\$19.46)	(\$4,537.43)	(\$4,537.43)
08/14/2008	BSEGCN					0.00			\$0.00	(\$4,537.43)	(\$4,537.43)
08/14/2008	LPCWVE					0.00			(\$0.29)	(\$4,537.72)	(\$4,537.72)
08/14/2008	CANB					0.00			(\$19.44)	(\$4,557.16)	(\$4,557.16)
08/14/2008	BSEGCN					0.00			\$0.00	(\$4,557.16)	(\$4,557.16)
08/14/2008	CANB					0.00			(\$19.44)	(\$4,576.60)	(\$4,576.60)
08/14/2008	BSEGCN					0.00			\$0.00	(\$4,576.60)	(\$4,576.60)
08/14/2008	CANB					0.00			(\$19.43)	(\$4,596.03)	(\$4,596.03)
08/14/2008	BSEGCN					0.00			\$0.00	(\$4,596.03)	(\$4,596.03)
08/14/2008	CANB					0.00			(\$19.44)	(\$4,615.47)	(\$4,615.47)
08/14/2008	BSEGCN					0.00			\$0.00	(\$4,615.47)	(\$4,615.47)
08/14/2008	CANB					0.00			(\$19.44)	(\$4,634.91)	(\$4,634.91)
08/14/2008	BSEGCN					0.00			\$0.00	(\$4,634.91)	(\$4,634.91)
08/14/2008	CANB					0.00			(\$19.48)	(\$4,654.39)	(\$4,654.39)
08/14/2008	BSEGCN					0.00			\$0.00	(\$4,654.39)	(\$4,654.39)
08/14/2008	LPCWVE					0.00			(\$0.58)	(\$4,654.97)	(\$4,654.97)
08/14/2008	CANB					0.00			(\$19.48)	(\$4,674.45)	(\$4,674.45)

Transaction Date	Type	Reading Code	Reading Code	# of Days	CCF Usage	Average CCF/Days	Heating DDD's	Payment Type	Due Date	Transaction Amount	Current Balance	Actual Balance
08/14/2008	BSEGCN					0.00				\$0.00	(\$4,674.45)	(\$4,674.45)
08/14/2008	LPCWVE					0.00				(\$0.29)	(\$4,674.74)	(\$4,674.74)
08/14/2008	CANB					0.00				(\$19.47)	(\$4,694.21)	(\$4,694.21)
08/14/2008	BSEGCN					0.00				\$0.00	(\$4,694.21)	(\$4,694.21)
08/14/2008	CANB					0.00				(\$19.47)	(\$4,713.68)	(\$4,713.68)
08/14/2008	BSEGCN					0.00				\$0.00	(\$4,713.68)	(\$4,713.68)
08/14/2008	LPCWVE					0.00				(\$0.61)	(\$4,714.29)	(\$4,714.29)
08/14/2008	CANB					0.00				(\$19.48)	(\$4,733.77)	(\$4,733.77)
08/14/2008	BSEGCN					0.00				\$0.00	(\$4,733.77)	(\$4,733.77)
08/14/2008	LPCWVE					0.00				(\$0.32)	(\$4,734.09)	(\$4,734.09)
08/14/2008	CANB					0.00				(\$19.48)	(\$4,753.57)	(\$4,753.57)
08/14/2008	BSEGCN					0.00				\$0.00	(\$4,753.57)	(\$4,753.57)
08/14/2008	LPCWVE					0.00				(\$2.20)	(\$4,755.77)	(\$4,755.77)
08/14/2008	CANB					0.00				(\$19.47)	(\$4,775.24)	(\$4,775.24)
08/14/2008	BSEGCN					0.00				\$0.00	(\$4,775.24)	(\$4,775.24)
08/14/2008	LPCWVE					0.00				(\$1.91)	(\$4,777.15)	(\$4,777.15)
08/14/2008	CANB					0.00				(\$19.46)	(\$4,796.61)	(\$4,796.61)
08/14/2008	BSEGCN					0.00				\$0.00	(\$4,796.61)	(\$4,796.61)
08/14/2008	LPCWVE					0.00				(\$1.61)	(\$4,798.22)	(\$4,798.22)
08/14/2008	CANB					0.00				(\$19.44)	(\$4,817.66)	(\$4,817.66)
08/14/2008	BSEGCN					0.00				\$0.00	(\$4,817.66)	(\$4,817.66)
08/14/2008	LPCWVE					0.00				(\$1.32)	(\$4,818.98)	(\$4,818.98)
08/14/2008	CANB					0.00				(\$19.44)	(\$4,838.42)	(\$4,838.42)
08/14/2008	BSEGCN					0.00				\$0.00	(\$4,838.42)	(\$4,838.42)
08/14/2008	LPCWVE					0.00				(\$1.03)	(\$4,839.45)	(\$4,839.45)
08/14/2008	CANB					0.00				(\$19.44)	(\$4,858.89)	(\$4,858.89)
08/14/2008	BSEGCN					0.00				\$0.00	(\$4,858.89)	(\$4,858.89)
08/14/2008	LPCWVE					0.00				(\$0.74)	(\$4,859.63)	(\$4,859.63)
08/14/2008	CANB					0.00				(\$19.46)	(\$4,879.09)	(\$4,879.09)
08/14/2008	BSEGCN					0.00				\$0.00	(\$4,879.09)	(\$4,879.09)
08/14/2008	LPCWVE					0.00				(\$0.45)	(\$4,879.54)	(\$4,879.54)
08/14/2008	CANB					0.00				(\$19.53)	(\$4,899.07)	(\$4,899.07)

Transaction Date	Type	Reading Code	Reading Code	# of Days	CCF Usage	Average CCF/Days	Heating DDD's	Payment Type	Due Date	Transaction Amount	Current Balance	Actual Balance
08/14/2008	BSEGCN					0.00				\$0.00	(\$4,899.07)	(\$4,899.07)
08/14/2008	LPCWVE					0.00				(\$10.01)	(\$4,909.08)	(\$4,909.08)
08/14/2008	CANB					0.00				(\$19.53)	(\$4,928.61)	(\$4,928.61)
08/14/2008	BSEGCN					0.00				\$0.00	(\$4,928.61)	(\$4,928.61)
08/14/2008	LPCWVE					0.00				(\$9.72)	(\$4,938.33)	(\$4,938.33)
08/14/2008	CANB					0.00				(\$19.53)	(\$4,957.86)	(\$4,957.86)
08/14/2008	BSEGCN					0.00				\$0.00	(\$4,957.86)	(\$4,957.86)
08/14/2008	LPCWVE					0.00				(\$9.43)	(\$4,967.29)	(\$4,967.29)
08/14/2008	CANB					0.00				(\$19.51)	(\$4,986.80)	(\$4,986.80)
08/14/2008	BSEGCN					0.00				\$0.00	(\$4,986.80)	(\$4,986.80)
08/14/2008	LPCWVE					0.00				(\$9.13)	(\$4,995.93)	(\$4,995.93)
08/14/2008	CANB					0.00				(\$19.53)	(\$5,015.46)	(\$5,015.46)
08/14/2008	BSEGCN					0.00				\$0.00	(\$5,015.46)	(\$5,015.46)
08/14/2008	LPCWVE					0.00				(\$8.84)	(\$5,024.30)	(\$5,024.30)
08/14/2008	CANB					0.00				(\$19.54)	(\$5,043.84)	(\$5,043.84)
08/14/2008	BSEGCN					0.00				\$0.00	(\$5,043.84)	(\$5,043.84)
08/14/2008	LPCWVE					0.00				(\$8.55)	(\$5,052.39)	(\$5,052.39)
08/14/2008	CANB					0.00				(\$19.53)	(\$5,071.92)	(\$5,071.92)
08/14/2008	BSEGCN					0.00				\$0.00	(\$5,071.92)	(\$5,071.92)
08/14/2008	LPCWVE					0.00				(\$8.25)	(\$5,080.17)	(\$5,080.17)
08/14/2008	CANB					0.00				(\$550.65)	(\$5,630.82)	(\$5,630.82)
08/14/2008	BSEGCN					0.00				\$0.00	(\$5,630.82)	(\$5,630.82)
08/14/2008	BILL	13332	R	365	258.33	0.71	4196		09/09/2008	\$755.70	(\$4,875.12)	(\$4,875.12)
08/14/2008	BILL	26207	R	365	1.29	0.00	4375		09/09/2008	\$233.54	(\$4,641.58)	(\$4,641.58)
08/14/2008	BILL	36579	R	305	1.04	0.00	4247		09/09/2008	\$194.60	(\$4,446.98)	(\$4,446.98)
08/14/2008	CANB					0.00				(\$194.60)	(\$4,641.58)	(\$4,641.58)
08/14/2008	BSEGCN					0.00				\$0.00	(\$4,641.58)	(\$4,641.58)
08/14/2008	CANB					0.00				(\$233.54)	(\$4,875.12)	(\$4,875.12)
08/14/2008	BSEGCN					0.00				\$0.00	(\$4,875.12)	(\$4,875.12)
08/14/2008	CANB					0.00				(\$755.70)	(\$5,630.82)	(\$5,630.82)
08/14/2008	BSEGCN					0.00				\$0.00	(\$5,630.82)	(\$5,630.82)
08/14/2008	BILL	777	R	29	257.08	8.86	283		09/09/2008	\$550.65	(\$5,080.17)	(\$5,080.17)

Transaction Date	Type	Reading	Reading Code	# of Days	CCF Usage	Average CCF/Days	Heating DDD's	Payment Type	Due Date	Transaction Amount	Current Balance	Actual Balance
08/14/2008	BILL	2080	R	33	0.13	0.00	780		09/09/2008	\$19.53	(\$5,060.64)	(\$5,060.64)
08/14/2008	CANB					0.00				(\$19.53)	(\$5,080.17)	(\$5,080.17)
08/14/2008	BSEGCN					0.00				\$0.00	(\$5,080.17)	(\$5,080.17)
08/14/2008	CANB					0.00				(\$550.65)	(\$5,630.82)	(\$5,630.82)
08/14/2008	BSEGCN					0.00				\$0.00	(\$5,630.82)	(\$5,630.82)
08/14/2008	BILL	777	R	29	1029	35.48	283		09/09/2008	\$2,146.26	(\$3,484.56)	(\$3,484.56)
08/14/2008	BILL	2080	R	33	1303	39.48	780		09/09/2008	\$2,712.63	(\$771.93)	(\$771.93)
08/14/2008	BILL	13332	R	303	11252	37.14	3133		09/09/2008	\$22,958.34	\$22,186.41	\$22,186.41
08/14/2008	BILL	26207	R	365	12875	35.27	4375		09/09/2008	\$24,534.68	\$46,721.09	\$46,721.09
08/14/2008	BILL	36579	R	305	10372	34.01	4247		09/09/2008	\$20,224.68	\$66,945.77	\$66,945.77
09/12/2008	BILL	37628	R	30	1049	34.97	0		10/13/2008	\$2,309.41	\$69,255.18	\$69,255.18
10/11/2008	LPC					0.00				\$1,038.82	\$70,294.00	\$70,294.00
10/11/2008	BILL	38452	R	29	824	28.41	60		11/04/2008	\$1,779.42	\$72,073.42	\$72,073.42
11/06/2008	BPTOCG					0.00				\$191.51	\$72,264.93	\$72,264.93
11/06/2008	PAY					0.00				(\$2,491.51)	\$69,773.42	\$69,773.42
11/10/2008	BILL	39066	R	29	614	21.17	286	Check	12/05/2008	\$1,330.83	\$71,104.25	\$71,104.25
11/11/2008	INTAPL					0.00				(\$4.17)	\$71,100.08	\$71,100.08
11/11/2008	DEPAPL					0.00				(\$4,228.00)	\$66,872.08	\$66,872.08
12/12/2008	BILL	39963	R	34	897	26.38	803		01/09/2009	\$1,935.35	\$68,807.43	\$68,807.43
01/09/2009	PAY					0.00		Check		(\$1,935.35)	\$66,872.08	\$66,872.08
01/14/2009	LPC					0.00				\$1,003.08	\$67,875.16	\$67,875.16
01/14/2009	BILL	40912	R	33	949	28.76	937		02/09/2009	\$1,976.93	\$69,852.09	\$69,852.09
02/06/2009	PAY					0.00		Cash		(\$3,822.00)	\$66,030.09	\$66,030.09
02/12/2009	BILL	41874	R	29	962	33.17	1000		03/10/2009	\$1,895.38	\$67,925.47	\$67,925.47
03/13/2009	BILL	42781	R	29	907	31.28	753		04/07/2009	\$1,703.20	\$69,628.67	\$69,628.67
04/07/2009	PAY					0.00		Multiple Tenders used		(\$5,966.00)	\$63,662.67	\$63,662.67
04/15/2009	BILL	43726	R	32	945	29.53	545		05/08/2009	\$1,648.43	\$65,311.10	\$65,311.10
05/14/2009	BILL	44602	R	29	876	30.21	193		06/08/2009	\$1,529.48	\$66,840.58	\$66,840.58
06/05/2009	PAY					0.00		Cash		(\$4,807.00)	\$62,033.58	\$62,033.58
06/13/2009	LPC					0.00				\$930.50	\$62,964.08	\$62,964.08
06/13/2009	BILL	45417	R	30	815	27.17	39		07/08/2009	\$1,384.30	\$64,348.38	\$64,348.38
07/15/2009	LPC					0.00				\$951.26	\$65,299.64	\$65,299.64

Transaction Date		Type	Reading Code	Reading	# of Days	CCF Usage	Average CCF/Days	Heating DDD's	Payment Type	Due Date	Transaction Amount	Current Balance	Actual Balance
07/15/2009		BILL	46201	R	32	784	24.50	3		08/06/2009	\$1,265.90	\$66,565.54	\$66,565.54
08/13/2009		BILL	46894	R	29	693	23.90	0		09/04/2009	\$1,121.20	\$67,686.74	\$67,686.74
09/14/2009		BILL	47148	R	10	254	25.40	0		10/07/2009	\$403.88	\$68,090.62	\$68,090.62

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.

November 19, 2009



Laureto Farinas, Esquire

CERTIFICATE OF SERVICE

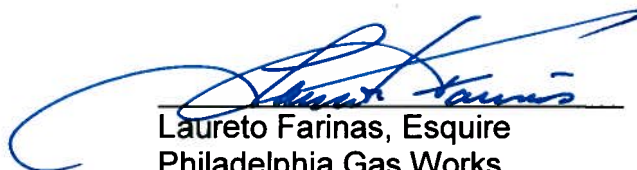
I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY OF THE FOREGOING DOCUMENT UPON THE PARTICIPANTS LISTED BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF 52 PA CODE §1.54 (RELATING TO SERVICE BY A PARTICIPANT).

For Complainant:

For Complainant:

2020 West Passyunk Avenue, Inc.
c/o Andrew L. Miller, sq.
15 St. Asaph's Road
Bala Cynwyd, PA 19004

November 19, 2009



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