



Philadelphia Gas Works

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January 6, 2010

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

Re: **Milton Tomoney v. PGW, Docket No. F – 2009 – 2144795**
Milton Tomoney v. PGW, Docket No. F – 2009 – 2147799

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.61, the Philadelphia Gas Works ("PGW") hereby files the original copy of its Motion to Consolidate Formal Complaints in the above captioned matters.

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, appearing to read "Kristine Trock".

Kristine Trock

Enclosure

cc: Mr. Milton Tomoney (Regular Mail)
Laureto Farinas, Esquire (PGW Mail)
Anne Marie Cromley (PGW Mail)
Linda Pereira (PGW Mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Milton Tomoney

v.

Philadelphia Gas Works

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Docket No. F – 2009 – 2144795

And

Milton Tomoney

v.

Philadelphia Gas Works

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:
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Docket No. F – 2009 – 2147799

**Philadelphia Gas Works’
Motion to Consolidate Formal Complaints**

Pursuant to 52 Pa. Code §5.81, the Philadelphia Gas Works (“PGW”) hereby files this Motion to Consolidate the above captioned matters. PGW hereby avers the following:

1. On October 29, 2009, the Bureau of Consumer Service (“BCS”) issued a decision under BCS Case No. 2611442, addressing Philadelphia Gas Works request for a determination of responsibility/liability for the payment for gas service to 1207 N. 27th Street (“Service Address”) for unauthorized usage. The BCS decision found that the billing in question is an acceptable billing method and that BCS can not issue payment terms on unauthorized usage.
2. On or about November 5, 2009, the Bureau of Consumer Service (“BCS”) issued a decision under BCS Case No. 2611428, addressing Philadelphia Gas Works request for a determination of responsibility/liability for the payment for gas service to 1207 N. 27th Street (“Service Address”) for unauthorized usage. The BCS decision found that the billing in question is an acceptable billing method and that BCS can not issue payment terms on unauthorized usage.
3. On or about December 2, 2009, Milton Tomoney filed an appeal of the BCS decision under BCS Case No. 2611442 with the Commission to which PGW filed

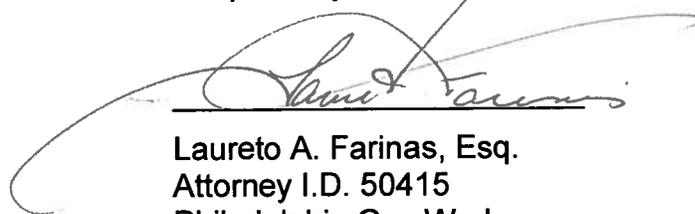
an answer on December 21, 2009. The matter was docketed at Docket No. F – 2009 – 2144795. That appeal states the Complainant’s position that he should not be responsible for the unauthorized gas usage at the Service Address.

4. On or about December 16, 2009, Milton Tomoney filed a second appeal of the BCS decision under BCS Case No. 2611428 with the Commission to which PGW filed an Answer on December 22, 2009. The matter was docketed at Docket No. F – 2009 – 2147799. That appeal restates the Complainant’s position that he is not responsible for the unauthorized gas usage at the Service Address.
5. Both matters involve the same parties and revolve around the factual events concerning the lack of payment for gas service at the Service Address.
6. The witnesses for both parties would be the same in both matters.
7. The principle of judicial economy would be served best if the hearings for both matters were conducted at one time, as time and resources would be used efficiently in the disposition of these matters.

Wherefore, PGW respectfully requests that this Commission consolidate the matters, Milton Tomoney v. PGW, Docket No. F – 2009 – 2144795 and Milton Tomoney v. PGW, Docket No. F – 2009 – 2147799.

Respectfully submitted,

January 6, 2010



Laureto A. Farinas, Esq.
Attorney I.D. 50415
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122
215-684-6982

VERIFICATION

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

Date: January 6, 2010



Laureto Farinas

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 §1.54 (RELATING TO SERVICE BY A PARTICIPANT).

Service List:

For Complainant:

Mr. Milton Tomoney
4028 N. Marshall Street
Philadelphia, PA 19140

January 6, 2010

A handwritten signature in black ink, appearing to read 'Laureto A. Farinas', is written over a horizontal line. The signature is stylized and cursive.

Laureto A. Farinas, Esq.
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122