



## Philadelphia Gas Works

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September 15, 2010

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

**Re: Latrice Y. Bryant v. PGW, Docket No. C – 2010 – 2161793**

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code §§1.15(b), the Philadelphia Gas Works ("PGW") hereby requests a continuance of the hearing in this matter scheduled for Tuesday, September 28, 2010 as part of the Commission's "Call of the Docket."

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

Sincerely,

  
Danielle Ross

Enclosure

cc: Ms. Latrice Y. Bryant  
Anne Marie Cromley (PGW Mail)  
Linda Pereira (PGW Mail)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Latrice Y. Bryant,	:	
Complainant	:	
v.	:	Docket No. C – 2010 – 2161793
	:	
Philadelphia Gas Works,	:	
Respondent	:	

**MOTION FOR CONTINUANCE OF HEARING**

Pursuant to 52 Pa. Code § 1.15(b), Philadelphia Gas Works, the Respondent (PGW) hereby requests a continuance of the hearing in this matter scheduled for Tuesday, September 28, 2010 as part of the Commission’s “Call of the Docket.” PGW expects that the hearing of this unauthorized gas usage matter will exceed the time allotted for cases on the docket for that day. In support of its motion, PGW states as follows:

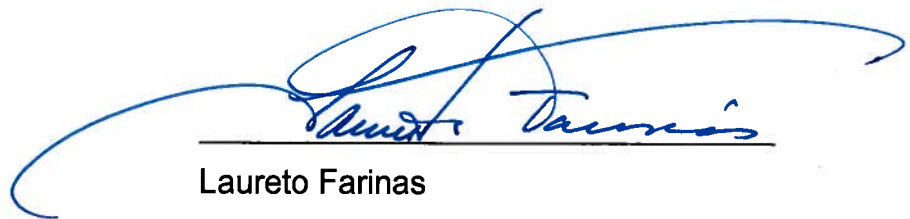
1. On March 3, 2010, the Commission served the Respondent with the Complaint filed in the above captioned matter, which is a dispute concerning, *inter alia*, the billing for unauthorized usage.
2. On March 23, 2010, PGW filed an Answer to the Complaint in the above captioned matter.
3. By Notice dated August 27, 2010, the Commission scheduled an In Person Hearing in this matter for September 28, 2010 at 9:30 a.m., before Administrative Law Judge Herbert Smolen, in the Commission’s Philadelphia office, as part of a “Call of the Docket” day for the hearing of complaints against PGW.
4. On September 28, 2010, there are six (6) cases scheduled for hearing at the Call of the Docket, three of which are scheduled for the morning (9:30 a.m.) and three of which are scheduled for the afternoon (1:00 p.m.).
5. All of the cases scheduled for the September 28, 2010 “Call of the Docket” involve payment agreement and/or billing disputes, save the instant matter.
6. The instant matter involves a dispute of the billing for unauthorized usage at the Complainant’s Service Address, as well as a dispute of the unauthorized usage resulting from a self turn on of gas service.

7. In a hearing for a dispute over unauthorized usage, the presentation of PGW's case normally involves testimony from several PGW witnesses to include: [a] circumstances concerning the discovery of the unauthorized usage, [b] the calculation of the resulting bill and, [c] other generic testimony regarding the communication and other activity on the Complainant's account.
8. The time required for such a hearing, whether combined with the presentation of the Complainant's case or not, may take several hours for direct and cross examination of PGW's witnesses and leaves little or no time for the hearing of the other cases.
9. While it is PGW's normal practice to engage complainants in all cases before the Commission is settlement negotiations, only one of the six (6) cases scheduled for September 28, 2010 has been settled.
10. At this time, PGW believes that there is a possibility that the parties will resolve the instant matter by settlement as the parties have agreed to discuss the issues further. If no settlement is reached, however, a hearing will require several hours for the testimony of the parties on a day that is not a Call of the Docket.
11. PGW has contacted Ms. Bryant, the Complainant by telephone. She has indicated that she does not object to PGW's request for a continuance of the hearing in this matter.

**WHEREFORE**, Complainant requests that the hearing scheduled for Monday, September 28, 2010 in the above captioned matter be continued and rescheduled for a separate day hearing for an additional 30 days after the September 28, 2010 Call of the Docket.

Respectfully submitted,

September 15, 2010



Laureto Farinas

## **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.

Dated: September 15, 2010



Laureto Farinas, Esquire

**CERTIFICATE OF SERVICE**

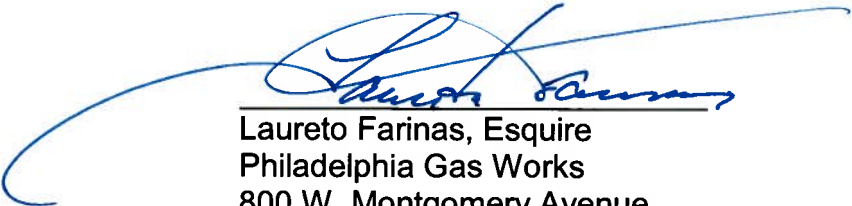
I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY OF THE FOREGOING DOCUMENT UPON THE PARTICIPANTS LISTED BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF 52 PA CODE §1.54 (RELATING TO SERVICE BY A PARTICIPANT).

Service List:

For Complainant:

Ms. Latrice Y. Bryant  
171 W. Wyneva Street  
Philadelphia, PA 19144

September 15, 2010



Laureto Farinas  
Laureto Farinas, Esquire  
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