



Philadelphia Gas Works

800 West Montgomery Avenue, Philadelphia, PA 19122

Danielle Ross, Paralegal
Legal Department
Direct Dial: (215) 684-6862
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October 11, 2010

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

Re: Herbert E. Johnson v. PGW, Docket No. F – 2010 – 2200018
Michael Johnson v. PGW, Docket No. C – 2010 – 2196457

Dear Secretary Chiavetta:

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


Danielle Ross

Enclosure

cc: Mr. Herbert E. Johnson c/o Michael Johnson, Administrator
Anne Marie Cromley (PGW Mail)
Linda Pereira (PGW Mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Herbert E. Johnson	:	
	:	
v.	:	Docket No. F – 2010 – 2200018
	:	
Philadelphia Gas Works	:	

And

Michael Johnson	:	
	:	
v.	:	Docket No. C – 2010 – 2196457
	:	
Philadelphia Gas Works	:	

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

Pursuant to 52 Pa. Code §5.61, the Philadelphia Gas Works (“PGW”) hereby files this Motion to Consolidate the above captioned matters. In support of its motion, PGW hereby avers the following:

1. On August 25, 2010, the Complainant, Michael Johnson filed a formal complaint with the Commission on behalf of the estate of his father, Herbert Johnson, under Michael Johnson v. PGW, Docket No. C-2010-2196457. The matter complained of by the Complainant concerned the refund of a \$700 check that the late Mr. Johnson inadvertently sent to PGW in a PGW bill payment envelope while having an active gas service at 6065 Cedarhurst, Philadelphia, Pennsylvania (Service Address), to which PGW timely filed an answer to that Complaint on September 20, 2010. PGW’s Answer indicates that PGW had credited the \$700 payment back to Mr. Johnson’s banking institution. (See Exhibit “A” Complaint and Answer)
2. On September 17, 2010, Michael Johnson filed another Complaint on behalf of the Complainant, Herbert Johnson and his estate, under Herbert Johnson v. PGW, Docket No. F-2010-2200018. In the latter Complaint, the Complainant is represented by counsel, Howard B. Segal, Esq. The matter complained of by the

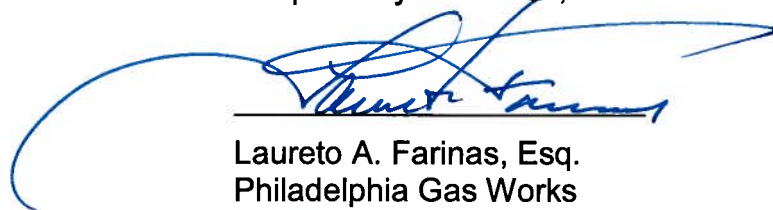
Complainant concerned the refund of a \$700 check that the late Mr. Johnson inadvertently sent to PGW in a PGW bill payment envelope while having an active gas service at 6065 Cedarhurst, Philadelphia, Pennsylvania (Service Address

3. By Order dated September 23, 2010, Chief Administrative Law Judge Charles E. Rainey, Jr. issued an interim order setting a settlement conference between the Complainant and PGW.
4. On October 11, 2010, PGW timely filed an answer to that Complaint, indicating that PGW had credited the \$700 payment back to Mr. Johnson's banking institution. (See Exhibit "B" Complaint and Answer)
5. The parties have scheduled a Settlement Conference including the Complainant's counsel for October 13, 2010 at 2:30 p.m.
6. Both matters, Michael Johnson v. PGW, Docket No. C-2010-2196457 and Herbert Johnson v. PGW, Docket No. F-2010-2200018, involve the same parties and revolve around the factual events concerning the mistaken payment.
7. The witnesses for both parties would be the same in both matters.
8. The principle of judicial economy would be best served 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, Michael Johnson v. PGW, Docket No. C-2010-2196457 and Herbert Johnson v. PGW, Docket No. F-2010-2200018.

Respectfully submitted,

October 11, 2010



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

EXHIBIT A



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

DATE SERVED: AUGUST 31, 2010

C-2010-2196457

LAURETO FARINAS ESQUIRE
PHILADELPHIA GAS WORKS
800 W MONTGOMERY AVE
PHILADELPHIA PA 19122-2898

Dear Mr. Farinas:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by Michael Johnson (on behalf of Herbert Johnson, father). To defend yourself against the claims stated in the following pages, you must act within twenty (20) days by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS, THE CASE MAY GO FORWARD IN YOUR ABSENCE AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

CUSTOMER OF A UTILITY

A payment schedule may be prescribed or a termination of utility services may be authorized. You may lose money or property or other rights important to you.

COMPANY/UTILITY

An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

August 31, 2010

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help:

Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186
Harrisburg, PA 17108
(800) 692-7375

Very truly yours,

A handwritten signature in black ink, appearing to read "Rosemary Chiavetta". The signature is written in a cursive style with a large initial "R".

Rosemary Chiavetta
Secretary

LM

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: AUGUST 31, 2010

MICHAEL JOHNSON
Complainant

v.

PHILADELPHIA GAS WORKS
Respondent

Complaint Docket
No: **C-2010-2196457**

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PHILADELPHIA GAS WORKS

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the **Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265**, an answer (original and three copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq.; and, if

you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after a hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.



Rosemary Chiavetta
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

COPY

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

Please print in ink or type.

C-2010-2190451

1. CUSTOMER (COMPLAINANT) INFORMATION

Your name, mailing address, county, telephone number, utility account number and service address:

Name MICHAEL JOHNSON - ADMINISTRATOR FOR ESTATE OF HERBERT E. JOHNSON

Street/P.O. Box 116 N. BONSALL AVE Apt #

City GLENOLDEN State PA Zip 19036

County DELAWARE

Daytime Telephone Number Where We Can Contact You: (610) 745-4925

E-mail Address (optional):

Utility Account Number 7119618194 (from your bill)

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name HERBERT E. JOHNSON

Street/P.O. Box 6065 CEDARHURST ST

City Philadelphia State PA Zip 19143

2. FULL NAME OF UTILITY COMPANY (RESPONDENT):

Philadelphia Gas Works

RECEIVED

AUG 25 2010

3. TYPE OF UTILITY (check one)

ELECTRIC

GAS

WATER

TELEPHONE (local, long distance)

STEAM HEAT

WASTE WATER

MOTOR CARRIER

(e.g., taxi, moving company, limousine)

PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

50430

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution utility, an electric distribution utility or a water distribution utility **AND** your complaint is about a billing problem, a request to receive service, a security deposit request, termination of service or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety or welfare?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES (includes appeals of BCS determinations)

NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. LEGAL REPRESENTATION (IF ANY)

If you are represented by a lawyer in this matter you must provide your lawyer's name, address, telephone number, and e-mail address, if known.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

E-mail Address (If Known) _____

August 24, 2010
116 N. Bonsall Ave
Glenolden, PA 19036

Mr. Paul Meuron, Investigator
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: BCS: 2643738

Dear Mr. Meuron,

My name is Michael Johnson, Herbert Johnson is my father, I am his power of attorney and administrator of his estate. I filed the complaint on his behalf back in February 5th of this year.

I am enclosing copies of my father's PGW Bill from November 2009, December 2009, January 2010 and February 2010. I am also including copies of his bank statements from October 2009 through April 2010. This information will show that my father made out PNC Bank check number 6765 for \$700.00 to Sb1 Federal Credit Union and erroneously placed the check in his PGW return payment envelope. As you will see on the back of the processed check number 6765 there is a PGW electronic deposit stamp dated November 2, 2009. You will also notice that PNC Bank Check number 6766 is also made out to Sb1 for \$700.00 on the same date. No one from PGW or any third party vendor on behalf of PGW ever contacted my father or I for bank account routing numbers, account numbers or other confidential information required to authorize an electronic fund transfer or deposit.

My father went down to the PGW office in West Philadelphia in the beginning of December 2009 to request a refund with no success. He then told me what had occurred in early January 2010 and I talked to a PGW billing representative in early January 2010 who told me that the credit on his bill had been reversed and the funds would be returned. This was not the case. The next bill that came from PGW in February 2010 went from a \$582.74 credit to a \$169.48 amount due. No \$700.00 refund check was ever issued or received by my father.

My father was 88 years old, his average PGW bill was \$40.00 per month. He lived alone and passed away June 26, 2010. I would like to close out his estate as soon as possible.

Sincerely,

Michael Johnson
116 N. Bonsall Ave- Glenolden, PA 19036

Account Summary

Previous Balance	Payments Received	Balance Brought Forward	Repairs and Adjustments	Current Charges	Account Balance
\$34.91	\$700.00	\$665.09 CR	\$0.00	\$39.50	\$625.59 CR

Current Basic Charges

SA ID# 9961747692, 6065 CEDARHURST ST
Rate Class: General Service Residential

Supply Charges

Commodity Charge 18 Ccf @ \$0.76982.....	\$13.86
Total Supply Charges.....	\$13.86
Delivery Charges	
Customer Charge @ \$12.00.....	\$12.00
Distribution Charge 18 Ccf @ \$0.81822.....	\$14.73
Gas Cost Adjustment @ -\$0.06082.....	\$1.09 CR
Total Delivery Charges.....	\$25.64
Total Current Billing Charges.....	\$39.50

Meter Detail

Meter #: 2092589

Service Point: 9972510913

Next Meter Read: Dec 23, 2009



PHILADELPHIA GAS WORKS
800 W. MONTGOMERY AVENUE, PHILADELPHIA, PA 19122-0050

Page: 1 of 2
Billing Date: 11/24/09
Account Number: 7119618194

MONTHLY STATEMENT

From 10/22/09 thru 11/23/09
Billing Cycle Number: 17

Account for:
HERBERT L JOHNSON
6065 CEDARHURST ST
PHILADELPHIA PA 19143-3104

Payments Summary

11/02/09 Check \$700.00

Total Amount Due By Dec 18, 2009	\$0.00
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GENERAL INFORMATION

CONTACT US

- Gas Leaks & Emergencies 215 235-1212
- Billing & General Information 215 235-1000
- Appliance Service 215 235-2050
- Theft of Gas 215 684-6383
- Foreign Language Assistance 215 235-1000
- Hearing impaired TTY Line 215 236-4646
- Representantes Que Hablan Espanol 215 235-2175

Web Site - www.pgworks.com

CUSTOMER SERVICE CENTERS

(Hours 9 a.m. - 5 p.m.)

- Center City 1137 Chestnut St. (M, T, TH, F)
- Germantown 210 W. Chelton Ave. (T, W, F)
- S. Philadelphia 1601 S. Broad St. (M, W, TH)
- Frankford 4410 Frankford Ave. (T, TH, F)
- N. Philadelphia 1337 W. Erie Ave. (M, W, TH)
- W. Philadelphia 5230 Chestnut St. (M, T, W, F)

Account Summary

Previous Balance	Payments Received	Balance Brought Forward	Repairs and Adjustments	Current Charges	Account Balance
\$625.59 CR	\$0.00	\$625.59 CR	\$0.00	\$42.85	\$582.74 CR

Current Basic Charges

SA ID# 9961747692, 6065 CEDARHURST ST
Rate Class: General Service Residential

Supply Charges

Commodity Charge 4.67 Ccf @ \$0.76982..... \$3.59
Total Supply Charges..... \$3.59

Delivery Charges

Customer Charge @ \$12.00..... \$2.80
Distribution Charge 4.67 Ccf @ \$0.81822..... \$3.82
Gas Cost Adjustment @ -\$0.06082..... \$0.28 CR
Total Delivery Charges..... \$6.34

Supply Charges

Commodity Charge 15.33 Ccf @ \$0.75437..... \$11.57
Total Supply Charges..... \$11.57

Delivery Charges

Customer Charge @ \$12.00..... \$9.20
Distribution Charge 15.33 Ccf @ \$0.82187..... \$12.60
Gas Cost Adjustment @ -\$0.0294..... \$0.45 CR
Total Delivery Charges..... \$21.35
Total Current Billing Charges..... \$42.85

Meter Detail

Meter #: 2092589

Service Point: 9972510913

Next Meter Read: Jan 26, 2010

From Date	To Date	From Reading	To Reading	Type	Difference	Usage (Ccf)	Conversion Factor	Total Therms
Please return this portion with your payment.								

PHILADELPHIA GAS WORKS
800 W. MONTGOMERY AVENUE, PHILADELPHIA, PA 19122-0050

Page: 1 of 2
Billing Date: 12/28/09
Account Number: 7119618194

MONTHLY STATEMENT

From 11/23/09 thru 12/23/09
Billing Cycle Number: 17

Account for:
HERBERT L JOHNSON
6065 CEDARHURST ST
PHILADELPHIA PA 19143-3104

Total Amount Due By Jan 22, 2010	\$0.00
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GENERAL INFORMATION

CONTACT US

Gas Leaks & Emergencies 215 235-1212
Billing & General Information 215 235-1000
Appliance Service 215 235-2050
Theft of Gas 215 684-6383
Foreign Language Assistance 215 235-1000
Hearing impaired TTY Line 215 236-4646
Representantes Que Hablan Espanol 215 235-2175

Web Site - www.pgworks.com

CUSTOMER SERVICE CENTERS

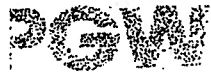
Charges

Supply Charges	
Commodity Charge 26 Ccf @ \$0.75437.....	\$19.61
Total Supply Charges	\$19.61
Delivery Charges	
Customer Charge @ \$12.00	\$12.00
Distribution Charge 26 Ccf @ \$0.82187.....	\$21.37
Gas Cost Adjustment @ -\$0.0294.....	\$0.76 CR
Total Delivery Charges	\$32.61
Total Current Billing Charges	\$52.22

Adjustment Detail	Adjustments for SA ID # 9961747692	
	Advice of Error.....	\$700.00
	Total Adjustments	\$700.00

Meter Detail Meter #: 2092589 Service Point: 9972510913 Next Meter Read: Feb 24, 2010

From	To
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PHILADELPHIA GAS WORKS
800 W. MONTGOMERY AVENUE, PHILADELPHIA, PA 19122-0050

Page: 1 of 2
Billing Date: 01/27/10
Account Number: 7119618194

MONTHLY STATEMENT

From 12/23/09 thru 01/26/10
Billing Cycle Number: 17

Account for:
HERBERT L JOHNSON
6065 CEDARHURST ST
PHILADELPHIA PA 19143-3104

Billing Summary	
Past Due Amount	\$582.74 CR
Adjustments	\$700.00
Current Charges	\$52.22

Total Amount Due By	
Feb 22, 2010	\$169.48

Handwritten:
Pd. 57
Pd. 25/10

GENERAL INFORMATION

CONTACT US

Gas Leaks & Emergencies	215 235-1212
Billing & General Information	215 235-1000
Appliance Service	215 235-2050
Theft of Gas	215 684-6383
Foreign Language Assistance	215 235-1000
Hearing impaired TTY Line	215 236-4646
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Frankford	44 10 Frankford Ave. (T, TH, F)
N. Philadelphia	1337 W. Erie Ave. (M, W, TH)
W. Philadelphia	5230 Chestnut St. (M, T, W, F)

To avoid Finance Charges please pay total amount due by the due date. Finance Charge is calculated at 1.5% monthly. (18% yearly)

Current Basic Charges SA ID# 9961747692, 6065 CEDARHURST ST
 Rate Class: General Service Residential

Supply Charges		
Commodity Charge 20 Ccf @ \$0.75437.....		\$15.09
Total Supply Charges		\$15.09
Delivery Charges		
Customer Charge @ \$12.00.....		\$12.00
Distribution Charge 20 Ccf @ \$0.82187.....		\$16.44
Gas Cost Adjustment @ -\$0.0294.....		\$0.59 CR
Total Delivery Charges		\$27.85
Total Current Billing Charges		\$42.94

Meter Detail Meter #: 2092589 Service Point: 9972510913 Next Meter Read: Mar 24, 2010

Date	From		To			Difference	Usage (Ccf)	Conversion Factor	Total Therms
	Reading	Type	Date	Reading	Type				

Pd 3/9/10

PHILADELPHIA GAS WORKS
 800 W. MONTGOMERY AVENUE, PHILADELPHIA, PA 19122-0050

Page: 1 of 2
 Billing Date: 02/25/10
 Account Number: 7119618194

MONTHLY STATEMENT

From 01/26/10 thru 02/24/10
 Billing Cycle Number: 17

Account for:
HERBERT L JOHNSON
 6065 CEDARHURST ST
 PHILADELPHIA PA 19143-3104

Payments Summary

02/09/10 Check \$169.48

Billing Summary

Past Due Amount \$0.00
 Current Charges \$42.94

Total Amount Due By	
Mar 22, 2010	\$42.94

GENERAL INFORMATION

CONTACT US

- Gas Leaks & Emergencies 215 235-1212
- Billing & General Information 215 235-1000
- Appliance Service 215 235-2050
- Theft of Gas 215 684-6383
- Foreign Language Assistance 215 235-1000
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- Representantes Que Hablan Espanol 215 235-2175

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- Frankford 44 10 Frankford Ave. (T, TH, F)
- N. Philadelphia 13 37 W. Erie Ave. (M, W, TH)
- W. Philadelphia 52 30 Chestnut St. (M, T, W, F)

To avoid Finance Charges please pay total amount due by the due date. Finance Charge is calculated at 1.5% monthly. (18% yearly)

LETTERS OF ADMINISTRATION — CUM TESTAMENTS ANNEX

REGISTER'S OFFICE
PHILADELPHIA COUNTY, PA

N^o W2699-2010



ESTATE OF HERBERT E. JOINSON
AKA: HERBERT JOINSON

Social Security No. 190-01-2759

WHEREAS, HERBERT E. JOINSON
late of 6065 CEDARHURST STREET, PHILADELPHIA, PA 19143

died on the 26th day of June, 10
and

WHEREAS, the grant of letters of administration is required for the administration of his estate.

THEREFORE, I, RONALD R. DONATUCCI, Register for the Probate of Wills and Grant of Letters Testamentary and of Administration, in and for the County of Philadelphia, in the Commonwealth of Pennsylvania, hereby certify that I have granted Letters of Administration c.t.a.

to MICHAEL JOINSON

who has duly qualified as Administrator - CTA of the estate of the above named decedent and has agreed to administer the estate according to law, all of which fully appear of record in the Office of the Register of Wills of Philadelphia County, Pennsylvania.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at Philadelphia, the 7th day of July, 20 10

Domenic Dimezza
Deputy Register



Philadelphia Gas Works

800 West Montgomery Avenue, Philadelphia, PA 19122

Danielle Ross, Paralegal
Legal Department
Direct Dial: (215) 684-6862
Fax: (215) 684-6798
E-mail: Danielle.Ross@pgworks.com

September 20, 2010

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

Re: Michael Johnson v. PGW, Docket No. C – 2010 – 2196457

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code §5.61, the Philadelphia Gas Works ("PGW") hereby files the original Answer to 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 black ink that reads "Danielle Ross". The signature is written in a cursive, flowing style.

Danielle Ross

Enclosure

cc: Mr. Michael Johnson
Anne Marie Cromley (PGW Mail)
Linda Pereira (PGW Mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Michael Johnson

v.

Philadelphia Gas Works

:
:
:
:
:

Docket No. C – 2010 – 2196457

Answer of the Philadelphia Gas Works

Pursuant to 52 Pa. Code §5.61, the Philadelphia Gas Works ("PGW") hereby answers the Complaint filed in the above captioned matter. PGW hereby avers the following:

1. Admitted.
2. Admitted.
3. Admitted.
4. (a-b) Admitted in part. Denied in part. PGW admits that Michael Johnson is the Power of Attorney for Herbert Johnson

PGW admits that the Complainant filed an informal complaint on February 5, 2010 regarding a payment for the services at 6065 Cedarhurst Street, Philadelphia, PA 19143 (Service Address).

PGW admits that a payment of \$700.00 was credited to Herbert Johnson's account on November 2, 2009.

PGW admits that no one from PGW contacted Herbert Johnson or the Complainant for account routing numbers, account numbers or other information required to authorize an electronic fund transfer. By way of further answer, PGW did not receive the \$700 payment on November 2, 2009 by electronic transfer.

PGW admits that PGW records show that Herbert Johnson was at a PGW office on December 2, 2009 regarding the \$700 payment mailed to PGW in error.

PGW admits that the Complainant contacted PGW on January 13, 2010 regarding the \$700 payment on Herbert Johnson's account.

PGW admits that the bill due on February 22, 2010 was for \$169.48.

PGW admits that it did not issue a refund check to Herbert Johnson.

By way of further answer, Herbert L. Johnson established service under account number 71-1961-8194 on January 1, 1960 at the Service Address. The account is listed as a residential non-heating location. The Service Address is equipped with an Automatic Meter Reading device (AMR). The bills are based on actual gas usage.

On November 2, 2009, a payment of \$700.00 posted to Herbert Johnson's account.

On November 30, 2009, Herbert Johnson was at a PGW district office to request a refund on the overpayment of \$700 on his account.

On December 2, 2009, a PGW Accounts Management Department representative (AMD) noted that the check for \$700.00 was not written out to PGW. PGW cashed the payment in error. The AMD representative noted that a refund could not be issued to Herbert Johnson and a request was forwarded to have Herbert Johnson's checking account credited.

On January 13, 2010 a PGW Mail Receipts Department representative noted that a payment of \$700.00 was made payable to SBI Federal C/U. A credit was sent back to Herbert Johnson's banking institution.

The Bureau of Consumer Services (BCS) decision dated August 18, 2010, which is attached hereto as Exhibit "A," concluded that a decision is issued, the money was returned to Herbert Johnson's bank.

5. Denied. The averments contained in this paragraph are request for relief to which no response is required. PGW therefore denies this averment.

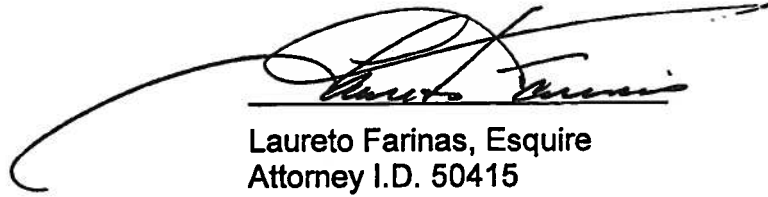
6. Admitted.

7. Admitted.

Wherefore, PGW respectfully requests that this Commission find against the Complainant, and affirm the decision of the BCS in this matter.

Respectfully submitted,

September 20, 2010

A handwritten signature in black ink, appearing to read "Laureto Farinas", is written over a horizontal line. A large, sweeping flourish extends from the left side of the signature across the page.

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

EXHIBIT A

```

- <Case xmlns="x-
  schema:http://pucksi.state.pa.us/DataEx/Schema/ClosingDataSend.xdr">
  <CaseNbr>2643738</CaseNbr>
  <CompanyName>PGW (PHILA. GAS WORKS (NGDC))</CompanyName>
  <CompanyCode>0766</CompanyCode>
  <CompanyType>GAS TRANSPORTER</CompanyType>
- <Customer>
  <CustomerFirstName>HERBERT</CustomerFirstName>
  <CustomerLastName>JOHNSON</CustomerLastName>
  <AccountNumber>7119618194</AccountNumber>
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  <ServCity>PHILADELPHIA</ServCity>
  <ServState>PA</ServState>
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  BANK</Resolution>
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  <BCSInvestigatorLName>MEURON</BCSInvestigatorLName>
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  <NbrOfTimeFaxed>0</NbrOfTimeFaxed>
  <PUCFax FaxAreaCode="717">7876641</PUCFax>
  </OtherInfo>
</Case>

```

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.

September 20, 2010



Laureto Farinas, Esquire

CERTIFICATE OF SERVICE

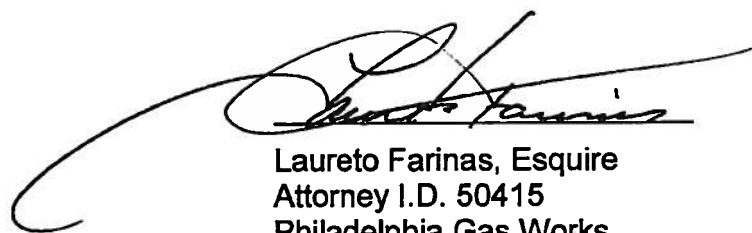
I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY OF THE FOREGOING DOCUMENT UPON THE PARTICIPANTS LISTED BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF 52 PA CODE §1.54 (RELATING TO SERVICE BY A PARTICIPANT).

Service List:

For Complainant:

Mr. Michael Johnson
Administrator for Estate of Herbert E. Johnson
116 N. Bonsall Avenue
Glenolden, PA 19036

September 20, 2010



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

EXHIBIT B



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

DATE SERVED: September 21, 2010

F-2010-2200018

LAURETO FARINAS ESQUIRE
PHILADELPHIA GAS WORKS
800 W MONTGOMERY AVE
PHILADELPHIA PA 19122-2898

Dear Mr. Farinas:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by Herbert Johnson. To defend yourself against the claims stated in the following pages, you must act within twenty (20) days by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS, THE CASE MAY GO FORWARD IN YOUR ABSENCE AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

CUSTOMER OF A UTILITY

A payment schedule may be prescribed or a termination of utility services may be authorized. You may lose money or property or other rights important to you.

COMPANY/UTILITY

An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

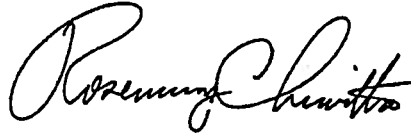
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

September 21, 2010

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help:

Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186
Harrisburg, PA 17108
(800) 692-7375

Very truly yours,

A handwritten signature in black ink, appearing to read "Rosemary Chiavetta". The signature is fluid and cursive, with the first name being the most prominent.

Rosemary Chiavetta
Secretary

JHT

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: September 21, 2010

HERBERT JOHNSON
Complainant

v.

PHILADELPHIA GAS WORKS
Respondent

Complaint Docket
No: F-2010-2200018

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PHILADELPHIA GAS WORKS

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the **Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265**, an answer (original and three copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

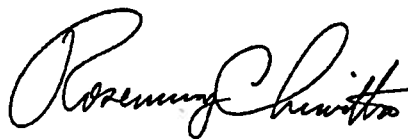
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq.; and, if

you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after a hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.



Rosemary Chiavetta
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

PENNSYLVANIA PUBLIC UTILITY COMMISSION F2010-2200018

Formal Complaint Form

Please print or type.

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address:

Name HERBERT E. JOHNSON % MICHAEL JOHNSON. ADMINISTRATOR

Street/P.O. Box 116 N. BONSAI AVE Apt # _____

City GLENOLDEN State PA Zip, 19036

County DELAWARE

Area Code/HOME Phone 610 532 4765

Area Code/WORK Phone 610 745 4925

Utility Account Number 7119618194
(from your bill)

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name HERBERT E. JOHNSON

Street/P.O. Box 6065 CEDARHURST STREET

City PHILADELPHIA State PA Zip 19143

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PHILADELPHIA GAS WORKS

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

(taxi, moving company, limousine)

TELEPHONE

(local, long distance)

RECEIVED

SEP 17 2010

4. COMPLAINT (check one)

A. In general, what is your complaint?

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.

Other. Utility Company OWES \$700⁰⁰ PLUS INTEREST
(explain) TO CUSTOMER DATING BACK TO NOVEMBER 2009

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

Nov 2009 ① HERBERT JOHNSON ERRONEOUSLY PLACED A \$700⁰⁰ CHECK MADE OUT TO SB1 CREDIT UNION INTO PGW PAYMENT ENVELOPE AND MAILED.

DEC. 2009 ② HERBERT JOHNSON RECEIVED PGW STATEMENT W/ \$665⁰⁰ CREDIT, HE WENT TO PGW OFFICE TO REQUEST REFUND AND INFORMED MICHAEL JOHNSON (SON), NO ACTION TAKEN BY PGW.

JAN. 2010 ③ MICHAEL JOHNSON SPOKE TO PGW REP VIA PHONE FOR 20 MIN CONCERNING REFUND. NO REFUND RECEIVED AS OF SEPTEMBER 2010

5. RELIEF

PLEASE SEE ATTACHED CHRONOLOGICAL DETAIL, BANK DOCUMENTS AND PGW STATEMENTS

What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space.

① REQUIRE PGW TO RETURN THE \$700⁰⁰ ORIGINALLY MAILED IN ERROR WITH APPLIED INTEREST THAT WOULD HAVE BEEN EARNED IN MY FATHERS CREDIT UNION SAVINGS ACCOUNT.

② REIMBURSE HERBERT JOHNSON'S ESTATE AND ADMINISTRATOR FOR ALL EXPENSES INCURRED FROM JANUARY 2010 THROUGH ~~THE~~ CONCLUSION OF THE REFUND/COLLECTION PROCESS.

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company AND your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES
NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES
(includes appeals of BCS determinations)
NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification:
I Michael Johnson, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Michael Johnson 9/14/2010
(Signature) (Date)

9. **LEGAL REPRESENTATION (IF ANY)**

If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name HOWARD B SEGAL

Street 525 WEST CHESTER PIKE, SUITE 200

City HAVERTOWN State PA Zip 19083

Area Code/Phone Number 888-847-7479

10. **FILING**

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission, P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
-----------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------

Facsimiles and/or electronic filings of the complaint form will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your complaint for your records.



200 North 16th Street
P.O. Box 7480
Philadelphia, PA 19101-7480

toll-free 800.806.9465
locally 215.569.3700
fax 800.705.9069
mail@sb1fcu.org
www.sb1fcu.org

ATTN: Paul Meuron
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

To Paul or Whom It May Concern,

Michael G. Johnson is a member at our credit union in Philadelphia. His father Herbert Johnson recently passed away and Michael is the administrator/power of attorney of his accounts here. He recently visited us with a transactional issue. It seems that a check in November 2009 was made out from PNC bank for \$700 and was to be sent to us at Sb1. The check was misplaced in a Philadelphia Gas Works envelope and they deposited the check. They gave Herbert a credit for \$700, but then took the credit away and told him that his check would be returned to his bank or credit union. PGW claims to have deposited the check for \$700 in January of 2010. There are two parties involved here; Sb1 Federal Credit Union and PNC Bank.

I am informing you that at no time did we receive the check back from PGW to credit Herbert Johnson's account. This letter will serve as proof that he has not been reimbursed through us. Thank you for your time in this matter and should you need to reach me, my contact information is below.

Sincerely,

A handwritten signature in cursive script that reads 'Jonathan Lim'.

Jonathan Lim
Member Service Representative III
Sb1 Federal Credit Union
200 N. 16th St Suite 200
Philadelphia, PA 19101-7480





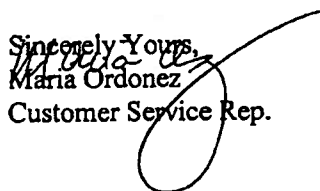
Herbert Johnson
6065 Cedarhurst St.
Philadelphia, PA 19143

August 31, 2010

To Whom It May Concern:

According to our bank record, there was no \$700.00 credited to the account # 8571016352 for the period of 01/16/2010 to 03/17/2010.

If you need more information, please don't hesitate to give me a call to this number area code 610-394-5152.

Sincerely Yours,

Maria Ordonez
Customer Service Rep.

Free Checking Account Statement

For 24-hour information, sign on to PNC Bank Online Banking on pnc.com.

For the period 11/17/2009 to 12/16/2009
 MR HERBERT E JOHNSON OR
 Primary account number: 85-7101-6352
 Page 2 of 3

11/19/09.

PNC points is a service mark of The PNC Financial Services Group, Inc. PNC Bank reserves the right to change or terminate the PNC points program. See Terms and Conditions for complete details.

Free Checking Account Summary

Account number: 85-7101-6352

Overdraft Protection Provided By: **Contact PNC to establish Overdraft Protection**

Mr Herbert E Johnson Or
 Michael G Johnson Or
 Howard O Johnson

Balance Summary

Beginning balance	Deposits and other additions	Checks and other deductions	Ending balance
2,639.30	3,014.79	2,089.26	3,570.83
		Average monthly balance	Charges and fees
		3,101.36	5.00

Transaction Summary

Checks paid/withdrawals	Check Card POS signed transactions	Check Card/Bankcard POS PIN transactions
6	0	0
Total ATM transactions	PNC Bank ATM transactions	Other Bank ATM transactions
0	0	0

Activity Detail

Deposits and Other Additions

Date	Amount	Description
12/01	1,007.21	Direct Deposit - Payment Glaxosmithkline Gskremha8Mao1B5
12/03	1,073.00	Direct Deposit - Soc Sec US Treasury 303 XXXXX2759A
12/10	934.58	Deposit Reference No 522319415

There were 3 Deposits and Other Additions totaling **\$3,014.79**.

Checks and Substitute Checks

Check number	Amount	Date paid	Reference number	Check number	Amount	Date paid	Reference number
6771 T	150.00	11/25	523455257	6779	37.47	12/03	522540267
6775 *	97.16	12/02	084909234	6780	700.00	12/03	084781859
6778 *	100.00	12/02	084042509	6781 T	900.00	12/10	522338931

* Gap in check sequence *T* Teller Cashed Check

There were 6 checks listed totaling **\$1,924.63**.

Online and Electronic Banking Deductions

Date	Amount	Description
12/04	74.19	Payment,E-Check Checkpymt Directv Inc 6773
12/04	24.00	Payment,E-Check Payment Veterans Affairs 6776
12/04	13.80	Payment,E-Check Checkpaymt At&T Consumer 6777
12/08	41.64	Payment,E-Check Verizonx Verizonx Et ARC 6774

There were 4 Online or Electronic Banking Deductions totaling **\$153.63**.

Other Deductions

Date	Amount	Description
12/16	5.00	Cancelled Check Return Fee

There was 1 Other Deduction totaling **\$5.00**.

Daily Balance Detail

Date	Balance	Date	Balance	Date	Balance
11/17	2,639.30	12/02	3,359.35	12/08	3,541.25
11/25	2,489.30	12/03	3,694.88	12/10	3,575.83
12/01	3,496.51	12/04	3,582.89	12/16	3,570.83

Free Checking Account Statement



For 24-hour information, sign on to PNC Bank Online Banking on pnc.com.

For the period 12/17/2009 to 01/15/2010
 MR HERBERT E JOHNSON OR
 Primary account number: 85-7101-6352
 Page 3 of 4

Free Checking Account Summary

Account number: 85-7101-6352

Overdraft Protection Provided By: **Contact PNC to establish Overdraft Protection**

Mr Herbert E Johnson Or
 Michael G Johnson Or
 Howard O Johnson

Balance Summary

Beginning balance	Deposits and other additions	Checks and other deductions	Ending balance
3,570.83	2,080.21	2,273.36	3,377.68
		Average monthly balance	Charges and fees
		3,750.97	23.99

Transaction Summary

Checks paid/withdrawals	Check Card POS signed transactions	Check Card/Bankcard POS PIN transactions
10	0	0
Total ATM transactions	PNC Bank ATM transactions	Other Bank ATM transactions
0	0	0

Activity Detail

Deposits and Other Additions

Date	Amount	Description
12/31	1,073.00	Direct Deposit - Soc Sec US Treasury 303 XXXXX2759A
1/04	1,007.21	Direct Deposit - Payment Glaxosmithkline Gskremha8Mao1B5

There were 2 Deposits and Other Additions totaling **\$2,080.21**.

Checks and Substitute Checks

Check number	Amount	Date paid	Reference number	Check number	Amount	Date paid	Reference number
12	130.00	01/04	521506111	6791 *	41.93	01/06	086550926
13	100.00	12/23	085315159	6792	700.00	01/07	083169659
14 ✓ T	200.00	12/24	521806293	6794 *	49.34	01/12	521465870
15	418.96	01/05	085709291	6795	168.75	01/11	070855449
16 ✓	34.12	01/04	520111427	6796 T	200.00	01/14	H215396212

ap in check sequence *T* Teller Cashed Check

There were 10 checks listed totaling **\$2,043.10**.

Online and Electronic Banking Deductions

Date	Amount	Description
05	80.00	Payment,E-Check Payment Veterans Affairs 6787
05	74.19	Payment,E-Check Checkpymt Directv Inc 6788
05	10.44	Payment,E-Check Checkpymt At&T Consumer 6790
13	41.64	Payment,E-Check Verizonx Verizonx Et ARC 6793

There were 4 Online or Electronic Banking Deductions totaling **\$206.27**.

Other Deductions

Date	Amount	Description
07	18.99	Check Printing Fee
15	5.00	Cancelled Check Return Fee

There were 2 Other Deductions totaling **\$23.99**.

Monthly Balance Detail

Date	Balance	Date	Balance	Date	Balance
12/17	3,570.83	01/04	5,186.92	01/11	3,673.66
12/31	3,470.83	01/05	4,603.33	01/12	3,624.32
1/04	3,270.83	01/06	4,561.40	01/13	3,582.68
1/15	4,343.83	01/07	3,842.41	01/14	3,382.68
				01/15	3,377.68

Free Checking Account Statement

For 24-hour information, sign on to PNC Bank Online Banking on pnc.com.

Account number: 85-7101-6352 - continued

For the period 01/16/2010 to 02/12/2010
 MR HERBERT E JOHNSON OR
 Primary account number: 85-7101-6352
 Page 2 of 5

Activity Detail

Deposits and Other Additions

Date	Amount	Description
02/01	1,007.21	Direct Deposit - Payment Glaxosmithkline Gskremha8Mao1B5
02/03	1,073.00	Direct Deposit - Soc Sec US Treasury 303 XXXXX2759A

There were 2 Deposits and Other Additions totaling **\$2,080.21**.

Checks and Substitute Checks

Check number	Amount	Date paid	Reference number	Check number	Amount	Date paid	Reference number
6789	30.00	01/21	084855425 ✓	6803 *	41.93	02/02	085529132
6797 *	9.74	01/22	085378235 ✓	6809 * T	200.00	01/29	522197181
6798	34.12	01/22	521547631 ✓	6812 *	700.00	02/08	083822679
6799	444.62	02/01	084666962 ✓	6813	46.67	02/09	522210550
6801 *	725.19	02/02	085529768 ✓	6814	169.48	02/09	084454373

* Gap in check sequence

*T Teller Cashed Check

There were 10 checks listed totaling **\$2,401.75**.

Online and Electronic Banking Deductions

Date	Amount	Description
02/02	74.19	Payment,E-Check Checkpymt Directv Inc 6802
02/02	39.23	Payment,E-Check Check Pymt Verizon ARC 6805
02/03	56.00	Payment,E-Check Payment Veterans Affairs 6804
02/03	11.77	Payment,E-Check Checkpymt At&T Consumer 6807

There were 4 Online or Electronic Banking Deductions totaling **\$181.19**.

Other Deductions

Date	Amount	Description
02/12	5.00	Cancelled Check Return Fee

There was 1 Other Deduction totaling **\$5.00**.

Daily Balance Detail

Date	Balance	Date	Balance	Date	Balance	Date	Balance
01/16	3,377.68	01/29	3,103.82	02/03	3,791.10	02/12	2,869.95
01/21	3,347.68	02/01	3,666.41	02/08	3,091.10		
01/22	3,303.82	02/02	2,785.87	02/09	2,874.95		

Free Checking Account Statement

For 24-hour information, sign on to PNC Bank Online Banking on pnc.com.

For the period **02/13/2010 to 03/17/2010**
 MR HERBERT E JOHNSON OR
 Primary account number: 85-7101-6352
 Page 2 of 6

Free Checking Account Summary

Account number: 85-7101-6352
 Overdraft Protection Provided By: **Contact PNC to establish Overdraft Protection**

Mr Herbert E Johnson Or
 Michael G Johnson Or
 Howard O Johnson

Balance Summary

Beginning balance	Deposits and other additions	Checks and other deductions	Ending balance
2,869.95	4,376.51	2,842.92	4,403.54
		Average monthly balance	Charges and fees
		2,846.21	5.00

Transaction Summary

Checks paid/withdrawals	Check Card POS signed transactions	Check Card/Bankcard POS PIN transactions
15	0	0
Total ATM transactions	PNC Bank ATM transactions	Other Bank ATM transactions
0	0	0

Activity Detail

Deposits and Other Additions

Date	Amount	Description
02/24	21.80	Deposit Reference No 521358094
03/01	1,007.21	Direct Deposit - Payment Glaxosmithkline Gskremha8Mao1B5
03/03	1,073.00	Direct Deposit - Soc Sec US Treasury 303 XXXXX2759A
03/05	.72	Deposit Reference No 521196442
03/10	790.00	Direct Deposit - Tax refund US Treasury 220 XXXXX2759
03/17	1,483.78	Deposit Reference No 522450655

There were 6 Deposits and Other Additions totaling **\$4,376.51**.

Checks and Substitute Checks

Check number	Amount	Date paid	Reference number	Check number	Amount	Date paid	Reference number
806	100.00	02/19	083776829	6824 *	700.00	03/02	084188969
815 *	100.00	03/09	083269745	6825	100.00	03/03	084612425
816 T	150.00	02/16	520802440	6826	16.00	03/05	085508393
817	50.00	02/22	521020968	6828 *	150.00	03/05	520228059
818	40.00	02/22	521020961	6830 *	46.46	03/16	522531976
819	391.98	02/22	084446334	6831	42.94	03/12	084817798
820 T	200.00	02/24	526119870	6834 *	150.00	03/17	523635233
822 *	37.16	03/02	084345414				

Gap in check sequence *T* Teller Cashed Check

There were 15 checks listed totaling **\$2,274.54**.

Online and Electronic Banking Deductions

Date	Amount	Description
3/04	77.37	Payment, E-Check Checkpymt Directv Inc 6821
3/04	17.74	Payment, E-Check Checkpymt At&T Consumer 6823
3/16	468.27	Payment, E-Check State Farm Ro 27 6832

There were 3 Online or Electronic Banking Deductions totaling **\$563.38**.

Free Checking Account Statement

PNC Bank



3/18/10 To 4/16/10

For the period 03/18/2010 to 04/16/2010

Primary account number: 85-7101-6352

Page 1 of 5

Number of enclosures: 5

B

MR HERBERT E JOHNSON OR
MICHAEL G JOHNSON OR
HOWARD O JOHNSON
6065 CEDARHURST ST
PHILADELPHIA PA 19143-3104

For 24-hour banking, and transaction or interest rate information, sign on to PNC Bank Online Banking at pnc.com.

For customer service call 1-888-PNC-BANK
Monday - Friday: 7 AM - 10 PM ET
Saturday & Sunday: 8 AM - 5 PM ET

Para servicio en español, 1-866-HOLA-PNC

Moving? Please contact us at 1-888-PNC-BANK

Write to: Customer Service
PO Box 609
Pittsburgh PA 15230-9738

Visit us at pnc.com

TDD terminal: 1-800-531-1648
For hearing impaired clients only

Get rewarded for your everyday banking and purchases with PNC points(SM). Pay a bill online, earn points. Use your PNC Visa Check Card, earn points. Add direct deposit, earn points. Best part, enrollment is free. Enroll today at pnc.com/points or 1-888-PNC-points.

Free Checking Account Summary

Account number: 85-7101-6352

Overdraft Protection Provided By: **Contact PNC to establish Overdraft Protection**

Mr Herbert E Johnson Or
Michael G Johnson Or
Howard O Johnson

Balance Summary

Beginning balance	Deposits and other additions	Checks and other deductions	Ending balance
4,403.54	2,080.21	2,975.56	3,508.19
	Average monthly balance	Charges and fees	
	4,117.11	5.00	

Transaction Summary

Checks paid/withdrawals	Check Card POS signed transactions	Check Card/Bankcard POS PIN transactions
14	0	0
Total ATM transactions	PNC Bank ATM transactions	Other Bank ATM transactions
0	0	0

Activity Detail

Deposits and Other Additions

Date	Amount	Description
04/01	1,007.21	Direct Deposit - Payment Glaxosmithkline Gskremha8Mao1B5
04/02	1,073.00	Direct Deposit - Soc Sec US Treasury 303 XXXXX2759A

There were 2 Deposits and Other Additions totaling **\$2,080.21**.

Checks and Substitute Checks

Check number	Amount	Date paid	Reference number	Check number	Amount	Date paid	Reference number
6835	115.00	04/01	084485749	6837 *	150.00	03/26	521230037



August 7, 2010
6065 Cedarhurst Street
Philadelphia, PA 19143

Mr. Paul Meuron, Investigator
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: BCS: 2643738

Dear Mr. Meuron,

My name is Michael Johnson, Herbert Johnson is my father, I am his power of attorney and administrator of his estate. I filed the complaint on his behalf back in February of this year. I have returned your initial call on three consecutive days, Tuesday 7/27/10, Wednesday 7/28/10 and Thursday 7/29/10 leaving a voicemail message directly in your box each time with the complaint number and a direct contact phone number 610-745-4925. It is puzzling why you did not respond to the voicemail messages and sent out a notification to contact you at the same generic number that I have called multiple times before, only to be directed to your voicemail box.

I am enclosing copies of my father's PGW Bill from November 2009, December 2009, January 2010 and February 2010. I am also including copies of his bank statements from October 2009 through November 2009. This information will show that my father made out PNC Bank check number 6765 for \$700.00 to Sb1 Federal Credit Union and erroneously placed the check in his PGW return payment envelope. As you will see on the back of the processed check number 6765 there is a PGW electronic deposit stamp dated November 2, 2009. You will also notice that PNC Bank Check number 6766 is also made out to Sb1 for \$700.00 on the same date.

My father went down to the PGW office in West Philadelphia in the beginning of December to request a refund with no success. He then told me what had occurred and I talked to a PGW billing representative in early January 2010 who told me that the credit on his bill had been reversed and the funds would be returned. This was not the case. The next bill that came from PGW went from a \$582.74 credit to a \$169.48 amount due. No \$700.00 refund check was ever issued or received by my father. My father was 88 years old, his average PGW bill was \$40.00 per month. He lived alone and passed away June 26, 2010. I would like to close out his estate as soon as possible.

Sincerely,

Michael Johnson
116 N. Bonsall Ave- Glenolden, PA 19036

Account Summary

Previous Balance	Payments Received	Balance Brought Forward	Repairs and Adjustments	Current Charges	Account Balance
\$34.91	\$700.00	\$665.09 CR	\$0.00	\$39.50	\$625.59 CR

Current Basic Charges

SA ID# 9961747692, 6065 CEDARHURST ST
Rate Class: General Service Residential

Supply Charges

Commodity Charge 18 Ccf @ \$0.76982.....	\$13.86
Total Supply Charges.....	\$13.86
Delivery Charges	
Customer Charge @ \$12.00.....	\$12.00
Distribution Charge 18 Ccf @ \$0.81822.....	\$14.73
Gas Cost Adjustment @ -\$0.06082.....	\$1.09 CR
Total Delivery Charges.....	\$25.64
Total Current Billing Charges.....	\$39.50

Meter Detail

Meter #: 2092589

Service Point: 9972510913

Next Meter Read: Dec 23, 2009



PHILADELPHIA GAS WORKS
800 W. MONTGOMERY AVENUE, PHILADELPHIA, PA 19122-0050

Page: 1 of 2
Billing Date: 11/24/09
Account Number: 7119618194

MONTHLY STATEMENT

From 10/22/09 thru 11/23/09
Billing Cycle Number: 17

Account for:

HERBERT L JOHNSON
6065 CEDARHURST ST
PHILADELPHIA PA 19143-3104

Payments Summary

11/02/09 Check \$700.00

Total Amount Due By	
Dec 18, 2009	\$0.00

GENERAL INFORMATION

CONTACT US

Gas Leaks & Emergencies	215 235-1212
Billing & General Information	215 235-1000
Appliance Service	215 235-2050
Theft of Gas!	215 684-6383
Foreign Language Assistance	215 235-1000
Hearing impaired TTY Line	215 236-4646
Representantes Que Hablan Espanol	215 235-2175

Web Site - www.pgworks.com

CUSTOMER SERVICE CENTERS

(Hours 9 a.m. - 5 p.m.)

Center City	1137 Chestnut St. (M, T, TH, F)
Germantown	210 W. Chelton Ave. (T, W, F)
S. Philadelphia	1601 S. Broad St. (M, W, TH)
Frankford	4410 Frankford Ave. (T, TH, F)
N. Philadelphia	1337 W. Erie Ave. (M, W, TH)
W. Philadelphia	5230 Chestnut St. (M, T, W, F)

Account Summary

Previous Balance	Payments Received	Balance Brought Forward	Repairs and Adjustments	Current Charges	Account Balance
\$625.59 CR	\$0.00	\$625.59 CR	\$0.00	\$42.85	\$582.74 CR

Current Basic Charges

SA ID# 9961747692, 6065 CEDARHURST ST
Rate Class: General Service Residential

Supply Charges

Commodity Charge 4.67 Ccf @ \$0.76982..... \$3.59

Total Supply Charges..... \$3.59

Delivery Charges

Customer Charge @ \$12.00..... \$2.80

Distribution Charge 4.67 Ccf @ \$0.81822..... \$3.82

Gas Cost Adjustment @ -\$0.06082..... \$0.28 CR

Total Delivery Charges..... \$6.34

Supply Charges

Commodity Charge 15.33 Ccf @ \$0.75437..... \$11.57

Total Supply Charges..... \$11.57

Delivery Charges

Customer Charge @ \$12.00..... \$9.20

Distribution Charge 15.33 Ccf @ \$0.82187..... \$12.60

Gas Cost Adjustment @ -\$0.0294..... \$0.45 CR

Total Delivery Charges..... \$21.35

Total Current Billing Charges..... \$42.85

Meter Detail

Meter #: 2092589

Service Point: 9972510913

Next Meter Read: Jan 26, 2010

From Date	To Date	From Reading	To Reading	Type	Difference	Usage (Ccf)	Conversion Factor	Total Therms
Please return this portion with your payment.								

Page: 1 of 2

Billing Date: 12/28/09

Account Number: 7119618194

PHILADELPHIA GAS WORKS
800 W. MONTGOMERY AVENUE, PHILADELPHIA, PA 19122-0050

MONTHLY STATEMENT

From 11/23/09 thru 12/23/09

Billing Cycle Number: 17

Account for:

HERBERT L JOHNSON
6065 CEDARHURST ST
PHILADELPHIA PA 19143-3104

GENERAL INFORMATION

CONTACT US

- Gas Leaks & Emergencies 215 235-1212
- Billing & General Information 215 235-1000
- Appliance Service 215 235-2050
- Theft of Gas 215 684-6383
- Foreign Language Assistance 215 235-1000
- Hearing impaired TTY Line 215 236-4646
- Representantes Que Hablan Espanol 215 235-2175

Web Site - www.pgworks.com

CUSTOMER SERVICE CENTERS

Total Amount Due By

Jan 22, 2010

\$0.00

Charges

Supply Charges	
Commodity Charge 26 Ccf @ \$0.75437.....	\$19.61
Total Supply Charges	<u>\$19.61</u>
Delivery Charges	
Customer Charge @ \$12.00.....	\$12.00
Distribution Charge 26 Ccf @ \$0.82187.....	\$21.37
Gas Cost Adjustment @ -\$0.0294.....	\$0.76 CR
Total Delivery Charges	<u>\$32.61</u>
Total Current Billing Charges	<u>\$52.22</u>

Adjustment Detail	Adjustments for SA ID # 9961747692	
	Advice of Error.....	\$700.00
	Total Adjustments	<u>\$700.00</u>

Meter Detail Meter #: 2092589 Service Point: 9972510913 Next Meter Read: Feb 24, 2010

From		To	
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PHILADELPHIA GAS WORKS
800 W. MONTGOMERY AVENUE, PHILADELPHIA, PA 19122-0050

Page: 1 of 2
Billing Date: 01/27/10
Account Number: 7119618194

MONTHLY STATEMENT

From 12/23/09 thru 01/26/10
Billing Cycle Number: 17

Account for:
HERBERT L JOHNSON
6065 CEDARHURST ST
PHILADELPHIA PA 19143-3104

<u>Billing Summary</u>	
Past Due Amount	\$582.74 CR
Adjustments	\$700.00
Current Charges	\$52.22

Total Amount Due By	\$169.48
Feb 22, 2010	

Handwritten:
Pd. 5/7
Pd. 2/25/10

GENERAL INFORMATION

CONTACT US

Gas Leaks & Emergencies	215 235-1212
Billing & General Information	215 235-1000
Appliance Service	215 235-2050
Theft of Gas	215 684-6383
Foreign Language Assistance	215 235-1000
Hearing impaired TTY Line	215 236-4646
Representantes Que Hablan Espanol	215 235-2175

Web Site - www.pgworks.com

CUSTOMER SERVICE CENTERS

(Hours 9 a.m. - 5 p.m.)

Center City	11 37 Chestnut St. (M, T, TH, F)
Germantown	21 0 W. Chelton Ave. (T, W, F)
S. Philadelphia	16 01 S. Broad St. (M, W, TH)
Frankford	44 10 Frankford Ave. (T, TH, F)
N. Philadelphia	13 37 W. Erie Ave. (M, W, TH)
W. Philadelphia	52-30 Chestnut St. (M, T, W, F)

To avoid Finance Charges please pay total amount due by the due date. Finance Charge is calculated at 1.5% monthly. (18% yearly)

Current Basic Charges SA ID# 9961 747692, 6065 CEDARHURST ST
Rate Class: General Service Residential

Supply Charges		
Commodity Charge 20 Ccf @ \$0.75437.....		\$15.09
Total Supply Charges		<u>\$15.09</u>
Delivery Charges		
Customer Charge @ \$12.00.....		\$12.00
Distribution Charge 20 Ccf @ \$0.82187.....		\$16.44
Gas Cost Adjustment @ -\$0.0294.....		\$0.59 CR
Total Delivery Charges		<u>\$27.85</u>
Total Current Billing Charges		<u>\$42.94</u>

Meter Detail Meter #: 2092589 Service Point: 9972510913 Next Meter Read: Mar 24, 2010

Date	From Reading	Type	Date	To Reading	Type	Difference	Usage (Ccf)	Conversion Factor	Total Therms
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Pd 3/9/10

PHILADELPHIA GAS WORKS
800 W. MONTGOMERY AVENUE, PHILADELPHIA, PA 19122-0050

Page: 1 of 2
Billing Date: 02/25/10
Account Number: 7119618194

MONTHLY STATEMENT

From 01/26/10 thru 02/24/10
Billing Cycle Number: 17

Account for:
HERBERT L JOHNSON
6065 CEDARHURST ST
PHILADELPHIA PA 19143-3104

Payments Summary

02/09/10 Check \$169.48

Billing Summary

Past Due Amount \$0.00
Current Charges \$42.94

Total Amount Due By	
Mar 22, 2010	\$42.94

GENERAL INFORMATION

CONTACT US

Gas Leaks & Emergencies	215 235-1212
Billing & General Information	215 235-1000
Appliance Service	215 235-2050
Theft of Gas	215 684-6383
Foreign Language Assistance	215 235-1000
Hearing impaired TTY Line	215 236-4646
Representantes Que Hablan Espanol	215 235-2175

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N. Philadelphia	1337 W. Erie Ave. (M, W, TH)
W. Philadelphia	5230 Chestnut St. (M, T, W, F)

To avoid Finance Charges please pay total amount due by the due date. Finance Charge is calculated at 1.5% monthly. (18% yearly)

Free Checking Account Statement

PNC BANK

For 24-hour information, sign on PNC Bank Online Banking on pnc.com.

For the period 10/20/2009 to 11/18/2009
MR HERBERT E JOHNSON OR
Primary account number: 85-7101-6352
Page 3 of 3

Check Images

HERBERT E. JOHNSON
6025 CEDARHURST ST.
PHILADELPHIA, PA 19143

11/1/09

Pay to the order of WATER REVENUE BUREAU \$37.16
THIRTY SEVEN DOLLARS AND 16/100

PNC BANK

For ROY & XMAS ACCT. Herbert E. Johnson

⑆031000053⑆ 8571016352⑆ 6761 ⑆0000003716⑆

6761 \$37.16 11/09/2009

UNIVERSITY CITY OF PHILA
1029087102

6761 \$37.16 11/09/2009

HERBERT E. JOHNSON
6025 CEDARHURST ST.
PHILADELPHIA, PA 19143

NOV 1 2009

Pay to the order of SBI FEDERAL CREDIT UNION \$700.00
SEVEN HUNDRED DOLLARS AND 00/100

PNC BANK

For ROY & XMAS ACCT. Herbert E. Johnson

⑆031000053⑆ 8571016352⑆ 6765 ⑆0000070000⑆

6765 \$700.00 11/02/2009

PLS ENTER CURSE
4770976900

6765 \$700.00 11/02/2009

37080

HERBERT E. JOHNSON
6025 CEDARHURST ST.
PHILADELPHIA, PA 19143

37080

11/1/09

Pay to the order of SBI FEDERAL CREDIT UNION \$700.00
SEVEN HUNDRED DOLLARS AND 00/100

PNC BANK

For ROY & XMAS ACCT. Herbert E. Johnson

⑆031000053⑆ 8571016352⑆ 6766

6766 \$700.00 11/02/2009

111 1 20091102-236087664<
633927565860312500 100100126

6766 \$700.00 11/02/2009

37080

HERBERT E. JOHNSON
6025 CEDARHURST ST.
PHILADELPHIA, PA 19143

11/2/09

Pay to the order of ...

PNC BANK

For ROY & XMAS ACCT. Herbert E. Johnson

⑆031000053⑆ 8571016352⑆ 6768

6768 \$700.00 11/02/2009

MTL 0525580021
2013 P31 P9
11/02/2009

TO BANK NA
CHERRY HILL, NJ

6768 \$700.00 11/02/2009

37080



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY
PLEASE REFER
TO OUR FILE

8/4/2010

BCS = 2643738

HERBERT JOHNSON
6065 CEDARHURST STREET
PHILADELPHIA PA 19143

DEAR HERBERT JOHNSON:

This letter is in reference to the informal complaint you filed with the Pennsylvania Public Utility Commission (PUC) on 2/5/2010 against PHILADELPHIA GAS WORKS. You asked the PUC to investigate.

I have received and reviewed the company report. Please contact me within 5 days of the date of this letter to discuss your complaint. I can be reached by calling 1-800-692-7380. When you call, please refer to the BCS case number at the top of this letter.

If I do not hear from you within 5 days of the date of this letter, I will proceed to resolve your complaint based on available information.

Sincerely,

PAUL MEURON
Investigator

LETTERS OF ADMINISTRATION — CUM TESTAMENTS ANNEX

REGISTER'S OFFICE
PHILADELPHIA COUNTY, PA

N^o W2699-2010



ESTATE OF HERBERT E. JOINSON
AKA: HERBERT JOINSON

Social Security No. 190-01-2759

WHEREAS, HERBERT E. JOINSON
late of 6065 CEDARHURST STREET, PHILADELPHIA, PA 19143

died on the 26th day of June, 10;
and

WHEREAS, the grant of letters of administration is required for the administration of his estate.

THEREFORE, I, RONALD R. DONATUCCI, Register for the Probate of Wills and Grant of Letters Testamentary and of Administration, in and for the County of Philadelphia, in the Commonwealth of Pennsylvania, hereby certify that I have granted Letters of Administration c.f.a.

to MICHAEL JOINSON

who has duly qualified as Administrator CTA of the estate of the above named decedent and has agreed to administer the estate according to law, all of which fully appear of record in the Office of the Register of Wills of Philadelphia County, Pennsylvania.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at Philadelphia, the 7th day of July, 2010.

Ronnie D. Donatucci
Deputy Register

August 24, 2010
116 N. Bonsall Ave
Glenolden, PA 19036

Mr. Paul Meuron, Investigator
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: BCS: 2643738

Dear Mr. Meuron,

My name is Michael Johnson, Herbert Johnson is my father, I am his power of attorney and administrator of his estate. I filed the complaint on his behalf back in February 5th of this year.

I am enclosing copies of my father's PGW Bill from November 2009, December 2009, January 2010 and February 2010. I am also including copies of his bank statements from October 2009 through April 2010. This information will show that my father made out PNC Bank check number 6765 for \$700.00 to Sb1 Federal Credit Union and erroneously placed the check in his PGW return payment envelope. As you will see on the back of the processed check number 6765 there is a PGW electronic deposit stamp dated November 2, 2009. You will also notice that PNC Bank Check number 6766 is also made out to Sb1 for \$700.00 on the same date. No one from PGW or any third party vendor on behalf of PGW ever contacted my father or I for bank account routing numbers, account numbers or other confidential information required to authorize an electronic fund transfer or deposit.

My father went down to the PGW office in West Philadelphia in the beginning of December 2009 to request a refund with no success. He then told me what had occurred in early January 2010 and I talked to a PGW billing representative in early January 2010 who told me that the credit on his bill had been reversed and the funds would be returned. This was not the case. The next bill that came from PGW in February 2010 went from a \$582.74 credit to a \$169.48 amount due. No \$700.00 refund check was ever issued or received by my father.

My father was 88 years old, his average PGW bill was \$40.00 per month. He lived alone and passed away June 26, 2010. I would like to close out his estate as soon as possible.

Sincerely,

Michael Johnson
116 N. Bonsall Ave- Glenolden, PA 19036

Account Summary

Previous Balance	Payments Received	Balance Brought Forward	Repairs and Adjustments	Current Charges	Account Balance
\$34.91	\$700.00	\$665.09 CR	\$0.00	\$39.50	\$625.59 CR

Current Basic Charges

SA ID# 9961747692, 6065 CEDARHURST ST
Rate Class: General Service Residential

Supply Charges

Commodity Charge 18 Ccf @ \$0.76982.....	\$13.86
Total Supply Charges.....	\$13.86
Delivery Charges	
Customer Charge @ \$12.00.....	\$12.00
Distribution Charge 18 Ccf @ \$0.81822.....	\$14.73
Gas Cost Adjustment @ -\$0.06082.....	\$1.09 CR
Total Delivery Charges.....	\$25.64
Total Current Billing Charges.....	\$39.50

Meter Detail

Meter #: 2092589

Service Point: 9972510913

Next Meter Read: Dec 23, 2009

From	To	Usage	Rate	Amount



PHILADELPHIA GAS WORKS
800 W. MONTGOMERY AVENUE, PHILADELPHIA, PA 19122-0050

Page: 1 of 2
Billing Date: 11/24/09
Account Number: 7119618194

MONTHLY STATEMENT

From 10/22/09 thru 11/23/09
Billing Cycle Number: 17

Account for:

HERBERT L JOHNSON
6065 CEDARHURST ST
PHILADELPHIA PA 19143-3104

Payments Summary

11/02/09 Check \$700.00

Total Amount Due By	
Dec 18, 2009	\$0.00

GENERAL INFORMATION

CONTACT US

Gas Leaks & Emergencies	215 235-1212
Billing & General Information	215 235-1000
Appliance Service	215 235-2050
Theft of Gas	215 684-6383
Foreign Language Assistance	215 235-1000
Hearing impaired TTY Line	215 236-4646
Representantes Que Hablan Espanol	215 235-2175

Web Site - www.pgworks.com

CUSTOMER SERVICE CENTERS

(Hours 9 a.m. - 5 p.m.)

Center City	1137 Chestnut St. (M, T, TH, F)
Germantown	210 W. Chelton Ave. (T, W, F)
S. Philadelphia	1601 S. Broad St. (M, W, TH)
Frankford	44-10 Frankford Ave. (T, TH, F)
N. Philadelphia	1337 W. Erie Ave. (M, W, TH)
W. Philadelphia	5230 Chestnut St. (M, T, W, F)

Account Summary

Previous Balance	Payments Received	Balance Brought Forward	Repairs and Adjustments	Current Charges	Account Balance
\$625.59 CR	\$0.00	\$625.59 CR	\$0.00	\$42.85	\$582.74 CR

Current Basic Charges

SA ID# 9961747692, 6065 CEDARHURST ST
Rate Class: General Service Residential

Supply Charges

Commodity Charge 4.67 Ccf @ \$0.76982.....	\$3.59
Total Supply Charges.....	\$3.59
Delivery Charges	
Customer Charge @ \$12.00.....	\$2.80
Distribution Charge 4.67 Ccf @ \$0.81822.....	\$3.82
Gas Cost Adjustment @ -\$0.06082.....	\$0.28 CR
Total Delivery Charges.....	\$6.34
Supply Charges	
Commodity Charge 15.33 Ccf @ \$0.75437.....	\$11.57
Total Supply Charges.....	\$11.57
Delivery Charges	
Customer Charge @ \$12.00.....	\$9.20
Distribution Charge 15.33 Ccf @ \$0.82187.....	\$12.60
Gas Cost Adjustment @ -\$0.0294.....	\$0.45 CR
Total Delivery Charges.....	\$21.35
Total Current Billing Charges.....	\$42.85

Meter Detail Meter #: 2092589 Service Point: 9972510913 Next Meter Read: Jan 26, 2010

From		To		Usage (Ccf)	Conversion Factor	Total Therms
Date	Reading	Date	Reading			

Please return this portion with your payment.

PHILADELPHIA GAS WORKS
800 W. MONTGOMERY AVENUE, PHILADELPHIA, PA 19122-0050

Page: 1 of 2
Billing Date: 12/28/09
Account Number: 7119618194

MONTHLY STATEMENT

From 11/23/09 thru 12/23/09
Billing Cycle Number: 17

Account for:
HERBERT L JOHNSON
6065 CEDARHURST ST
PHILADELPHIA PA 19143-3104

Total Amount Due By Jan 22, 2010	\$0.00
-------------------------------------	---------------

GENERAL INFORMATION

CONTACT US

Gas Leaks & Emergencies	215 235-1212
Billing & General Information	215 235-1000
Appliance Service	215 235-2050
Theft of Gas	215 684-6383
Foreign Language Assistance	215 235-1000
Hearing impaired TTY Line	215 236-4646
Representantes Que Hablan Español	215 235-2175

Web Site - www.pgworks.com

CUSTOMER SERVICE CENTERS

Charges

Supply Charges	
Commodity Charge 26 Ccf @ \$0.75437.....	\$19.61
Total Supply Charges	<u>\$19.61</u>
Delivery Charges	
Customer Charge @ \$12.00.....	\$12.00
Distribution Charge 26 Ccf @ \$0.82187.....	\$21.37
Gas Cost Adjustment @ -\$0.0294.....	\$0.76 CR
Total Delivery Charges	<u>\$32.61</u>
Total Current Billing Charges	<u>\$52.22</u>

Adjustment Detail	Adjustments for SA ID # 9961747692	
	Advice of Error.....	\$700.00
	Total Adjustments	<u>\$700.00</u>

Meter Detail Meter #: 2O92589 Service Point: 9972510913 Next Meter Read: Feb 24, 2010



PHILADELPHIA GAS WORKS
800 W. MONTGOMERY AVENUE, PHILADELPHIA, PA 19122-0050

Page: 1 of 2
Billing Date: 01/27/10
Account Number: 7119618194

MONTHLY STATEMENT

From 12/23/09 thru 01/26/10
Billing Cycle Number: 17

Account for:
HERBERT L JOHNSON
6065 CEDARHURST ST
PHILADELPHIA PA 19143-3104

<u>Billing Summary</u>	
Past Due Amount	\$582.74 CR
Adjustments	\$700.00
Current Charges	\$52.22

Total Amount Due By	\$169.48
Feb 22, 2010	

pd - 57
pd - 25/10

GENERAL INFORMATION

CONTACT US

Gas Leaks & Emergencies	215 235-1212
Billing & General Information	215 235-1000
Appliance Service	215 235-2050
Theft of Gas	215 684-6383
Foreign Language Assistance	215 235-1000
Hearing impaired TTY Line	215 236-4646
Representantes Que Hablan Espanol	215 235-2175

Web Site - www.pgworks.com

CUSTOMER SERVICE CENTERS

(Hours 9 a.m. - 5 p.m.)

Center City	11 37 Chestnut St. (M, T, TH, F)
Germantown	21 0 W. Chelton Ave. (T, W, F)
S. Philadelphia	16 01 S. Broad St. (M, W, TH)
Frankford	44-10 Frankford Ave. (T, TH, F)
N. Philadelphia	13 37 W. Erie Ave. (M, W, TH)
W. Philadelphia	52 30 Chestnut St. (M, T, W, F)

To avoid Finance Charges please pay total amount due by the due date. Finance Charge is calculated at 1.5% monthly. (18% yearly)

Current Basic Charges SA ID# 9961747692, 6065 CEDARHURST ST
 Rate Class: General Service Residential

Supply Charges		
Commodity Charge 20 Ccf @ \$0.75437.....		\$15.09
Total Supply Charges		<u>\$15.09</u>
Delivery Charges		
Customer Charge @ \$12.00.....		\$12.00
Distribution Charge 20 Ccf @ \$0.82187.....		\$16.44
Gas Cost Adjustment @ -\$0.0294.....		\$0.59 CR
Total Delivery Charges		<u>\$27.85</u>
Total Current Billing Charges		<u>\$42.94</u>

Meter Detail Meter #: 2092589 Service Point: 9972510913 Next Meter Read: Mar 24, 2010

From		To		Usage (Ccf)	Conversion Factor	Total Therms
Date	Reading	Date	Reading			

PH 3/19/10

PHILADELPHIA GAS WORKS
 800 W. MONTGOMERY AVENUE, PHILADELPHIA, PA 19122-0050

Page: 1 of 2
 Billing Date: 02/25/10
 Account Number: 7119618194

MONTHLY STATEMENT

From 01/26/10 thru 02/24/10
 Billing Cycle Number: 17

Account for:
HERBERT L JOHNSON
 6065 CEDARHURST ST
 PHILADELPHIA PA 19143-3104

Payments Summary

02/09/10 Check	\$169.48
<u>Billing Summary</u>	
Past Due Amount	\$0.00
Current Charges	\$42.94

Total Amount Due By	\$42.94
Mar 22, 2010	

GENERAL INFORMATION

CONTACT US

Gas Leaks & Emergencies	215 235-1212
Billing & General Information	215 235-1000
Appliance Service	215 235-2050
Theft of Gas	215 684-6383
Foreign Language Assistance	215 235-1000
Hearing impaired TTY Line	215 236-4646
Representantes Que Hablan Espanol	215 235-2175

Web Site - www.pgworks.com

CUSTOMER SERVICE CENTERS

(Hours 9 a.m. - 5 p.m.)

Center City	11 37 Chestnut St. (M, T, TH, F)
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Frankford	44 10 Frankford Ave. (T, TH, F)
N. Philadelphia	13 37 W. Erie Ave. (M, W, TH)
W. Philadelphia	52 30 Chestnut St. (M, T, W, F)

To avoid Finance Charges please pay total amount due by the due date. Finance Charge is calculated at 1.5% monthly. (18% yearly)

Free Checking Account Statement

PNC BANK

For the period 10/20/2009 to 11/16/2009

MR HERBERT E JOHNSON OR

Primary account number: 85-7 101-6352

Page 3 of 3

For 24-hour information, sign on to PNC Bank Online Banking on pnc.com.

Check Images

HERBERT E. JOHNSON
603 CEDARWREST ST.
PHILADELPHIA, PA 19143

11/1/09

Pay to the Order of WATER REVENUE BUREAU \$ 37.16

THIRTY SEVEN DOLLARS AND 16/100

PNC BANK
PNC BANK, N.A.
PHILADELPHIA, PA

For REGULAR WATER Herbert Johnson

⑆031000053⑆ 8571016352⑆ 6761 ⑆0000003716⑆

6761 \$37.16 11/09/2009

11/09/2009

6761 \$37.16 11/09/2009

HERBERT E. JOHNSON
603 CEDARWREST ST.
PHILADELPHIA, PA 19143

Nov 1/09

Pay to the Order of Shi Federal Credit Union \$ 700.00

SEVEN HUNDRED DOLLARS AND 00/100

PNC BANK
PNC BANK, N.A.
PHILADELPHIA, PA

For REGULAR WATER Herbert Johnson

⑆031000053⑆ 8571016352⑆ 6765 ⑆0000070000⑆

6765 \$700.00 11/02/2009

11/02/2009

6765 \$700.00 11/02/2009

37080

HERBERT E. JOHNSON
603 CEDARWREST ST.
PHILADELPHIA, PA 19143

37080

11/1/09

Pay to the Order of Shi Federal Credit Union \$ 700.00

SEVEN HUNDRED DOLLARS AND 00/100

PNC BANK
PNC BANK, N.A.
PHILADELPHIA, PA

For REGULAR WATER Herbert Johnson

⑆031000053⑆ 8571016352⑆ 6766 ⑆0000070000⑆

6766 \$700.00 11/02/2009

11/02/2009

6766 \$700.00 11/02/2009

37080

HERBERT E. JOHNSON
603 CEDARWREST ST.
PHILADELPHIA, PA 19143

11/2/09

Pay to the Order of Shi Federal Credit Union \$ 700.00

SEVEN HUNDRED DOLLARS AND 00/100

PNC BANK
PNC BANK, N.A.
PHILADELPHIA, PA

For REGULAR WATER Herbert Johnson

⑆031000053⑆ 8571016352⑆ 6768 ⑆0000070000⑆

6768 \$700.00 11/02/2009

11/02/2009

6768 \$700.00 11/02/2009

37080



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY
PLEASE REFER
TO OUR FILE

8/4/2010

BCS = 2643738

HERBERT JOHNSON
6065 CEDARHURST STREET
PHILADELPHIA PA 19143

DEAR HERBERT JOHNSON:

This letter is in reference to the informal complaint you filed with the Pennsylvania Public Utility Commission (PUC) on 2/5/2010 against PHILADELPHIA GAS WORKS. You asked the PUC to investigate.

I have received and reviewed the company report. Please contact me within 5 days of the date of this letter to discuss your complaint. I can be reached by calling 1-800-692-7380. When you call, please refer to the BCS case number at the top of this letter.

If I do not hear from you within 5 days of the date of this letter, I will proceed to resolve your complaint based on available information.

Sincerely,

PAUL MEURON
Investigator

LETTERS OF ADMINISTRATION — CUM TESTAMENTS ANNEX

REGISTER'S OFFICE
PHILADELPHIA COUNTY, PA

N^o W2699-2010



ESTATE OF HERBERT E. JOINSON
AKA: HERBERT JOINSON

Social Security No. 190-01-2752

WHEREAS, HERBERT E. JOINSON
late of 6065 CEDARHURST STREET, PHILADELPHIA, PA 19143

died on the 26th day of June, 10;
and

WHEREAS, the grant of letters of administration is required for the administration of his estate.

THEREFORE, I, RONALD R. DONATUCCI, Register for the Probate of Wills and Grant of Letters Testamentary and of Administration, in and for the County of Philadelphia, in the Commonwealth of Pennsylvania, hereby certify that I have granted Letters of Administration c.t.a.

to MICHAEL JOINSON

who has duly qualified as Administrator - CTA of the estate of the above named decedent and has agreed to administer the estate according to law, all of which fully appear of record in the Office of the Register of Wills of Philadelphia County, Pennsylvania.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at Philadelphia, the 7th day of July, 2010.

Domenic Dimella
Deputy Register

Michael Johnson
September 16, 2010
116 N. Bonsall Ave
Glenolden, PA 19023

Attn: Jennifer
Philadelphia Gas Works

Re: BCS Complaint 2643738
Account Name: Herbert E. Johnson,
6065 Cedarhurst Street
Philadelphia, PA . 19143

I am faxing you a copy of the letters issued by PNC Bank and SB1 Federal Credit Union concerning the return of funds collected via personal check by PGW that were made specifically written out for deposit with SB1 federal Credit Union. In reviewing this information please keep in mind that the return of any funds should be sent back to the point of origin. The authority issuing a monetary payment to any bank or credit union should be in possession of a copy of a signed written consent to make electronic deposits with the respective financial institution, a bank issued deposit confirmation number or copy of the bank stamped deposit slip identifying a specific account within the respective bank or credit union.

Your payment / refund processing firm should be able to provide this information if a return of the funds in question has actually been completed. If your payment / refund processing firm cannot produce any such documentation, I am asking for return of the original \$700.00 plus interest that would have been earned from the date that the original check was processed for deposit into PGW's bank account, compounding at a rate equal to what it would have earned if the check had been deposited in Herbert Johnson's SB1 savings account, plus expenses incurred in the process of pursuing return of the funds in question.

This is a fair and reasonable solution. If you are agreeable please contact me by phone and I can provide you with a copy of all receipts for incurred expenses and SB1 savings interest rates from November 2009 through September 2010.

Sincerely,



Michael Johnson
Estate of Herbert E. Johnson, Administrator



Philadelphia Gas Works

800 West Montgomery Avenue, Philadelphia, PA 19122

Danielle Ross, Paralegal
Legal Department
Direct Dial: (215) 684-6862
Fax: (215) 684-6798
E-mail: Danielle.Ross@pgworks.com

October 11, 2010

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

Re: Herbert Johnson v. PGW, Docket No. F – 2010 – 2200018

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code §5.61, the Philadelphia Gas Works ("PGW") hereby files the original Answer to 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 black ink that reads "Danielle Ross". The signature is written in a cursive, flowing style.

Danielle Ross

Enclosure

cc: Mr. Herbert E. Johnson c/o Michael Johnson, Administrator
Anne Marie Cromley (PGW Mail)
Linda Pereira (PGW Mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Herbert E. Johnson

v.

Philadelphia Gas Works

:
:
:
:
:

Docket No. F – 2010 – 2200018

Answer of the Philadelphia Gas Works

Pursuant to 52 Pa. Code §5.61, the Philadelphia Gas Works ("PGW") hereby answers the Complaint filed in the above captioned matter. PGW hereby avers the following:

1. Admitted.
2. Admitted.
3. Admitted.
4. (a-b) Admitted in part. Denied in part. PGW admits that Michael Johnson is the Power of Attorney for Herbert E. Johnson

PGW admits that the Complainant filed an informal complaint on February 5, 2010 regarding a payment for the services at 6065 Cedarhurst Street, Philadelphia, PA 19143 (Service Address).

PGW admits that a payment of \$700.00 was credited to Herbert Johnson's PGW account on November 2, 2009.

PGW admits that the PGW bill issued on November 24, 2009 showed an account balance brought forward of \$665.09 credit.

PGW admits that no one from PGW contacted Herbert Johnson or the Complainant for account routing numbers, account numbers or other information required to authorize an electronic fund transfer. By way of further answer, PGW did not receive the \$700 payment on November 2, 2009 by electronic transfer.

PGW admits that PGW records show that Herbert Johnson was at a PGW office on December 2, 2009 regarding the \$700 payment mailed to PGW in error.

PGW admits that the Complainant contacted PGW on January 13, 2010 regarding the \$700 payment on Herbert Johnson's account.

PGW admits that the bill due on February 22, 2010 was for \$169.48.

PGW admits that it did not issue a refund check to Herbert Johnson.

By way of further answer, Herbert L. Johnson established service under account number 71-1961-8194 on January 1, 1960 at the Service Address. The account is listed as a residential non-heating location. The Service Address is equipped with an Automatic Meter Reading device (AMR). The bills are based on actual gas usage.

On November 2, 2009, a payment of \$700.00 posted to Herbert Johnson's account.

On November 30, 2009, Herbert Johnson was at a PGW district office to request a refund on the overpayment of \$700 on his account.

On December 2, 2009, a PGW Accounts Management Department representative (AMD) noted that the check for \$700.00 was not written out to PGW. PGW cashed the payment in error. The AMD representative noted that a refund could not be issued to Herbert Johnson and a request was forwarded to have Herbert Johnson's checking account credited.

On January 13, 2010 a PGW Mail Receipts Department representative noted that a payment of \$700.00 was made payable to SBI Federal C/U. A credit was sent back to Herbert Johnson's banking institution.

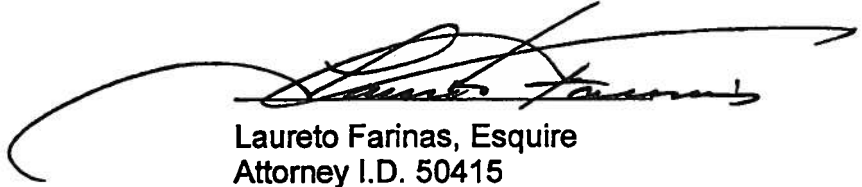
The Bureau of Consumer Services (BCS) decision dated August 18, 2010, which is attached hereto as Exhibit "A," concluded that a decision is issued, the money was returned to Herbert Johnson's bank.

5. Denied. The averments contained in this paragraph are request for relief to which no response is required. PGW therefore denies this averment.
6. Admitted.
7. Admitted.

Wherefore, PGW respectfully requests that this Commission find against the Complainant, and affirm the decision of the BCS in this matter.

Respectfully submitted,

October 6, 2010, 2010

A handwritten signature in black ink, appearing to read "Laureto Farinas", with a long, sweeping underline that extends to the left and then curves back under the signature.

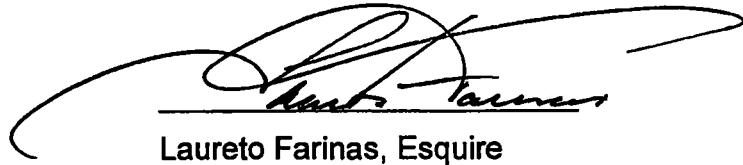
Laureto Farinas, Esquire
Attorney I.D. 50415
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122
(215) 684-6982

EXHIBIT A

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.

October 6, 2010, 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).

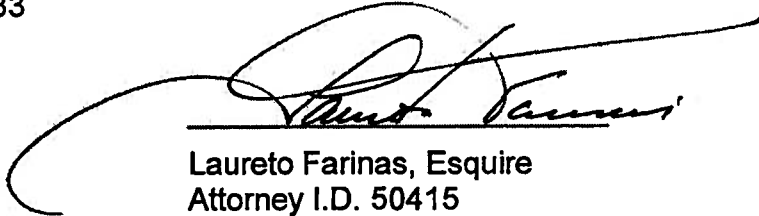
Service List:

For Complainant:

Mr. Michael Johnson
Administrator for Estate of Herbert E. Johnson
116 N. Bonsall Avenue
Glenolden, PA 19036

Howard B. Segal, Esq.
525 West Chester Pike, Suite 200
Havertown, PA 19083

October 6, 2010



Laureto Farinas, Esquire
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: October 11, 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 52 PA CODE §1.54 (RELATING TO SERVICE BY A PARTICIPANT).

Service List:

For Complainant:

Howard B. Segal
525 West Chester Pike, Suite 200
Havertown, PA 19083

Herbert E. Johnson c/o Michael Johnson, Administrator
116 N. Bonsall Avenue
Glenolden, PA 19036

October 11, 2010



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