



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 12, 2010

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

Re: Lisa Bailey v. PGW, Docket No. F – 2010 – 2201212

:

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code §5.61, the Philadelphia Gas Works ("PGW") hereby files the original of its Preliminary Objections to the Complaint in the above captioned matter.

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

Sincerely,

A handwritten signature in blue ink that reads "Danielle Ross".

Danielle Ross

Enclosure

cc: Ms. Lisa Bailey
Anne Marie Cromley (PGW Mail)
Linda Pereira (PGW Mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Lisa Bailey,
Complainant

v.

Philadelphia Gas Works,
Respondent

:
:
:
:
:
:

Docket No. F – 2010 – 2201212

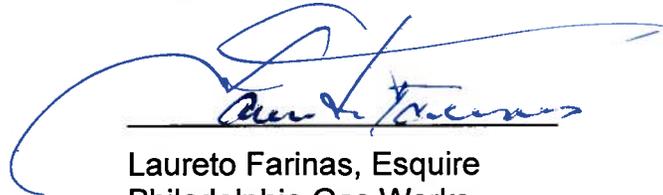
NOTICE TO PLEAD

To: Lisa Bailey, Complainant

Pursuant to 52 Pa. Code §5.101, you are hereby notified to file a written response to the enclosed Preliminary Objection within ten (10) days from service hereof or you may be deemed to be in default and a judgment may be entered against you.

Respectfully submitted,

October 12, 2010



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

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Lisa Bailey	:	
,	:	
Complainant	:	
v.	:	Docket No. F – 2010 – 2201212
	:	
Philadelphia Gas Works,	:	
Respondent	:	

**Philadelphia Gas Works'
Preliminary Objection to the Complaint**

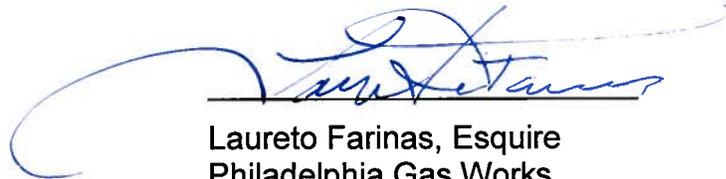
Pursuant to 52 Pa. Code §§5.61 and 5.101(a)(3), the Philadelphia Gas Works (“PGW”) hereby files its Preliminary Objection to the Complaint filed in the above captioned matter on the grounds that there is insufficient specificity of the one pleading of the Complaint. PGW hereby avers the following:

1. On or about September 27, 2010, the Complainant filed a formal complaint against PGW with the Commission under Docket No. F -2010-2201212, averring (by checking the indicated box in the Commission’s Complaint form Paragraph 4A)”I would like a payment agreement.” for electric service to 1929 Derry Street, Harrisburg Pennsylvania, 17104 (Service Address), which is attached hereto as Exhibit “A.”
2. The Complainant does not list a Philadelphia address or a Philadelphia Gas Works account number on the complaint form. Furthermore, the Complainant lists a phone number that does not have Philadelphia area code. Therefore, PGW is unable to draft a meaningful response to a party that is not a PGW customer.
3. Although Paragraph 2 of the Complaint names PGW as the utility against which the matter arises, a full review of the Complaint leads one to conclude that it was meant to be filed against an electric service provider for Harrisburg and improperly served upon PGW.

Wherefore, PGW respectfully requests that this Commission sustain PGW's preliminary objection on the grounds of insufficient specificity of pleading in the Complaint, pursuant to 52 Pa. Code §5.101(a) (1) and (3).

Respectfully submitted,

October 12, 2010



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

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: SEPTEMBER 27, 2010

F-2010-2201212

10-18

58-5506-0084

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 Lisa Bailey. 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 27, 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 cursive script that reads "Rosemary Chiavetta". The signature is written in black ink and is positioned above the typed name and title.

Rosemary Chiavetta
Secretary

LM

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: September 27, 2010

LISA BAILEY

Complainant

v.

PHILADELPHIA GAS WORKS

Respondent

Complaint Docket

No: F-2010-2201212

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

BCS: 2729363
PHILADELPHIA GAS WORKS
Must be returned by October 12, 2010

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

Please print or type.

F- 2010-2201212

1. CUSTOMER NAME (COMPLAINANT)

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

Name Lisa Bailey

Street/P.O. Box 1929 DERRY STREET Apt # 1

City HARRISBURG State PA Zip 17104

County DAUPHIN

Area Code/HOME Phone 717-370-9765

Area Code/WORK Phone _____

Utility Account Number 58530-60084
(from your bill)

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

Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PGW

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

(taxi, moving company, limousine)

TELEPHONE

(local, long distance)

RECEIVED
2010 SEP 27 AM 10:40
PA PUBLIC
SECRETARY'S BUREAU

57777

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 (explain).

B. State the facts of your complaint.

Include any specific dates, times or places that may be 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.

5. RELIEF

How do you want your complaint to be resolved? Use additional paper if you need more space.

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) _____

9. 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, LISA BAILEY, 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).

Lisa Bailey (Signature) 9/23/2010 (Date)

Title of authorized employee or officer

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 17105-3265	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
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Facsimiles and/or electronic filings of the complaint 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.

9/23/2010

To whom it may concern,

I can not afford the payment plan that you set up for me. I am poverty level and I have to pay rent, food, clothes, and other living expenses to survive. I need a lower payment plan, I am not saying I will not pay my bill, but however I need something that I can financially afford. I can send \$100.00 a month to you, and if I have any extra money I will send more. But at this time I am making every effort to resolve this matter.

I have also attached copies of a court release date of the man who bit me in my stomach, beat me and left me for dead. He is now released and I fear for my life. So because of this matter I need my electricity on so I can see if he comes back. I am in the process of trying to get a "Protection of Abuse" order.

Thank you for your prompt attention in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Bailey". The signature is written in black ink and is positioned below the word "Sincerely,".

Lisa Bailey

Office of the Victim Advocate
PO Box 598
Camp Hill, PA, 17001 -0598
1-800-322-4472


pennsylvania
OFFICE OF THE VICTIM ADVOCATE

www.ova.state.pa.us

Office of the Victim Advocate
1101 S. Front Street, Suite 5200
Harrisburg, PA, 17104
1-800-563-6399

DECEMBER 11, 2009

LISA BAILEY
1927 DERRY ST
2ND FLOOR
HARRISBURG, PA 17103

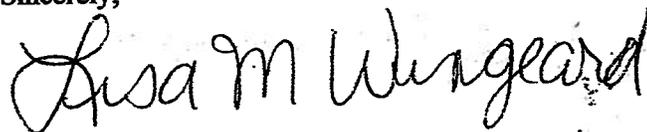
RE:ROBERT J ROBINSON
Inmate #:CV3624

Dear LISA BAILEY,

As you are aware the offender was refused parole and ordered to serve his maximum sentence in prison. On 12/9/2009 the offender completed his sentence in your case. If this offender was sentenced by the county judge to serve an additional term of probation it will start immediately upon release.

If you need assistance, please feel free to contact the Office of the Victim Advocate at 1-800-322-4472.

Sincerely,



LISA M WINGEARD
Victim Assistance Coordinator
Office of the Victim Advocate



PENNSYLVANIA DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PENNSYLVANIA 17001-0598
(717) 975-4859

September, 1995

Ms. Lisa Bailey
Interfaith Shelter Helmock Bldg. 26
Harrisburg, PA 17105

Dear Ms. Bailey:

As a crime victim, you can now get information and make comment on pre-release and the parole process. You have been registered in the Victim Input and Notification Program run by the Department of Corrections and the PA Board of Probation and Parole. You have been registered for inmate **Robert J. Robinson**. Your case number is 9995139.

Robert J. Robinson is not being considered for pre-release at this time.

You will be notified if **Robert J. Robinson** ever applies for furloughs, work or education release or a community corrections placement. You will also be notified if the inmate escapes or is transferred to a mental health hospital. You will be notified when the inmate is considered for parole. If you do not want to be notified, please let me know.

It is important that you keep us informed of any changes in your address, phone numbers or name. All changes should be sent to the Office of Victim Services. Remember to include your case number and send the changes to: Office of Victim Services, PA Department of Corrections P.O. Box 598, Camp Hill, PA 17001-0598.

Please call us at 800-322-4472 (in PA) or (717) 730-2723 if you have questions.

Sincerely,

A handwritten signature in cursive script that reads "Gail C. Rawlings".

Gail C. Rawlings
Victim Assistance Coordinator
Office of Victim Services

VICTIM ADVOCATE



OFFICE OF THE VICTIM ADVOCATE
COMMONWEALTH OF PENNSYLVANIA

June 26, 2008

PLEASE RESPOND TO:

Board of Probation and Parole
Office of the Victim Advocate
1101 South Front Street, Suite 5200
Harrisburg, PA 17104
717-783-8185 or 800-563-6399

Department of Corrections
Office of the Victim Advocate
PO Box 598
Camp Hill, PA 17001
717-731-7060 or 800-322-4472

LISA BAILEY
1927 DERRY ST
2ND FLOOR
HARRISBURG, PA 17103

RE: ROBERT J ROBINSON
Inmate #: CV3624
Parole #: 4097U

Dear Lisa Bailey:

We are writing to update you to the current status of the above-captioned inmate. The inmate is currently incarcerated at SCI Smithfield. Although paroled in September 2004, the inmate has been returned to prison for violating conditions of parole. The Board has directed the inmate to serve 12 months for these violations. The inmate will be reviewed for parole in or after May 2009. Our office will notify you again once the Board makes a final decision.

If you need assistance or would simply like to talk about this process, please feel free to contact the Office of the Victim Advocate at 1-800-563-6399.

Sincerely,

Matthew Reed
Victim Assistance Coordinator

P CRIME VICTIM
COMPENSATION

Registration # 9995139

OVA-435

1-800-233-2339

Megan's Law Website

Access to

Arrest Info

The offender listed below resides, works or attends school within a zip code that houses a federal, state and/or county prison facility.

Sexual Offenders

ROBERT JOSEPH ROBINSON



Classification Sex Offender
Verification Date 3/7/2008

NOTE: To be compliant with verification requirements, the verification date must be within the past 12 months for sex offenders and within the past 3 months for sexually violent predators.

Offense Description

Type of Offense	3125 - AGGRAVATED INDECENT ASSAULT
Victim Is A Minor	Not Applicable *
Date of Conviction	12/14/1994

* Pennsylvania law does not require the website to indicate whether the victim is or is not a minor for offenders convicted before November 30, 2006.

Commission for Children [Back](#)

Families [Submit A Tip](#)

Right-to-Know

Law Notice

Under PA law, you are only entitled to the listed information of this offender. Every effort is made to provide accurate, up-to-date information at all times; however, please be advised that slight delays may occur from the time the offender reports any updated information to the actual posting of this information on the website to allow for administrative processing by the Megan's Law Section staff. If you believe the listed information is in error, you may contact the Megan's Law Section via the "Submit a Tip" button above, or by toll-free telephone at 1-866-771-3170.

THE INFORMATION PROVIDED ON THIS SITE IS INTENDED FOR COMMUNITY SAFETY PURPOSES ONLY AND SHOULD NOT BE USED TO THREATEN, INTIMIDATE, OR HARASS. MISUSE OF THIS INFORMATION MAY RESULT IN CRIMINAL PROSECUTION.

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 12, 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).

For Complainant:

Ms. Lisa Bailey
1929 Derry Street
1
Harrisburg, PA 17104

October 12, 2010



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