



PHILADELPHIA GAS WORKS

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September 28, 2011

Administrative Law Judge Marlane R. Chestnut
Pennsylvania Public Utility Commission
801 Market Street
Suite 4063
Philadelphia, PA 19107

Re: David Nguyen v. PGW, Docket No. C – 2011 – 2247145

Dear Judge Chestnut:

Pursuant to 52 Pa. Code §1.15 (b), the Philadelphia Gas Works ("PGW") hereby requests a continuance of the hearing in this matter scheduled for Tuesday, October 4, 2011.

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

Sincerely,

A handwritten signature in blue ink that reads "Danielle Ross". The signature is written in a cursive style.

Danielle Ross

Enclosure

cc: Rosemary Chiavetta, Secretary
David Nguyen
Anne Marie Cromley (PGW Mail)
Linda Pereira (PGW Mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

David Nguyen,		:	
	Complainant	:	
v.		:	Docket No. C – 2011 – 2247145
		:	
		:	
Philadelphia Gas Works,		:	
	Respondent	:	

MOTION FOR CONTINUANCE OF HEARING

Pursuant to 52 Pa. Code § 1.15(b), Respondent, Philadelphia Gas Works (hereinafter “PGW”) hereby requests a continuance of the hearing in this matter scheduled for Tuesday, October 4, 2011. In support of its motion, PGW states as follows:

1. On or about June 6, 2011, the Complainant, David Nguyen, filed a Formal Complaint against PGW in the above captioned matter, disputing a bill (\$1,578.36) for previously unbilled gas service rendered to 2010 S. Newkirk Street, Philadelphia, Pennsylvania (Service Address) after a period of 50 months of billing only for the residential customer charge from December 14, 2006 through February 16, 2011.
2. The Commission served PGW with the Complaint on June 17, 2011, to which PGW timely filed an Answer on July 7, 2011.
3. While this matter was pending, the Complainant informed PGW that on October 30, 2009 (during the period of the disputed gas usage), the Complainant filed Bankruptcy under Chapter 13 of the United States Bankruptcy Code, Case No. 09-18371-brf (the Bankruptcy Case).
4. The filing of the Bankruptcy Case necessitated that PGW prorate the disputed bill on a monthly basis and provide the Complainant with a new account beginning October 30, 2009, transferring the prorated bills after October 30, 2009 into the new account. Of the original disputed amount, PGW transferred a prorated amount of \$846.72, into the Complainant’s post bankruptcy account.

5. By notice dated September 6, 2011, the Commission has scheduled an In Person hearing (Call of the Docket) in the above captioned matter for Tuesday, October 4, 2011 at 9:00 a.m. before Administrative Law Judge Marlane R. Chestnut, the Commission's Philadelphia Office, 801 Market Street, 4th Floor, Philadelphia, Pennsylvania.

6. On September 26, 2011, PGW visited the Service Address to investigate the unbilled usage complaint further and discovered conditions affecting the meter that may become part of this matter.

7. On September 28, 2011, the parties had a brief settlement conference discussing the proration of the disputed amount and the conditions discovered on September 26, 2011.

8. The Complainant indicated that with the new information concerning the condition of the meter at the Service Address and the prorated amount, he wanted to seek assistance of counsel for the remainder of this proceeding.

9. Reaching no agreement on the merits of the Complaint, the parties agreed only that a continuance of the hearing in this proceeding would facilitate the exchange of additional information with the Complainant and his new counsel, as well as discussion of the additional issues.

10. The Complainant had indicated that he has no objection to and joins in the instant request for a continuance of the hearing scheduled for October 4, 2011.

11. A continuance in the hearing of this matter will allow the parties to exchange documentation and additional evidence that may be introduced at a hearing of this matter as well as provide time to contact a fully apprised counsel for discussion of the issues and settlement in this matter.

12. As this matter may result in testimony of more complex issues than originally anticipated with Call of the Docket, PGW recommends that, when rescheduled, this matter is scheduled for its own time slot and not in a Call of the Docket proceeding.

WHEREFORE, PGW respectfully requests that this Commission grant a continuance of the hearing scheduled for October 4, 2011 in this matter.

Respectfully submitted,

September 28, 2011



Laureto Farinas
Counsel: Philadelphia Gas Works

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 28, 2011



Laureto Farinas, Esquire

CERTIFICATE OF SERVICE

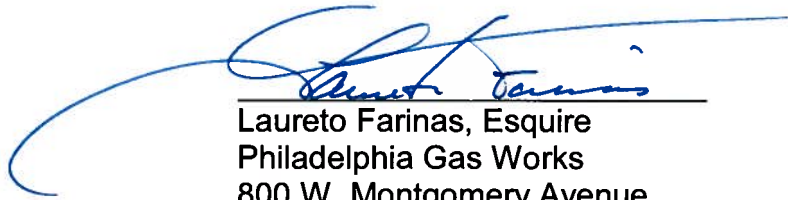
I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY OF THE FOREGOING DOCUMENT UPON THE PARTICIPANTS LISTED BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF 52 PA CODE §1.54 (RELATING TO SERVICE BY A PARTICIPANT).

Service List:

For Complainant:

David Nguyen
2010 S. Newkirk Street
Philadelphia, PA 19145

September 28, 2011



Laureto Farinas, Esquire
Philadelphia Gas Works
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Philadelphia, PA 19122
(215) 684-6982