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October 27, 2011

Via Electronic Filing

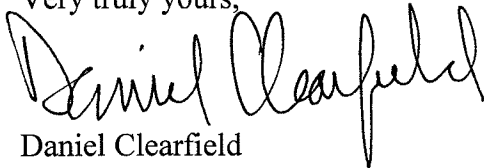
Rosemary Chiavetta, Secretary
PA Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

Re: Petition for Declaratory Order Regarding Section 1407(e) of the Public Utility Code,
Docket No. P-00072335

Dear Secretary Chiavetta:

On behalf of Philadelphia Gas Works ("PGW") enclosed is the original of its Petition to Withdraw its Petition of September 7, 2007 along with the electronic filing confirmation page with regard to the above-referenced matter. Copies have been served in accordance with the attached Certificate of Service.

Very truly yours,



Daniel Clearfield

DC/lww
Enclosure

cc: Cert. of Service w/enc.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of PGW's Petition to Withdraw its Petition of September 7, 2007 upon the participants listed below in accordance with the requirements of § 1.54 (relating to service by a participant).

VIA EMAIL AND FIRST CLASS MAIL

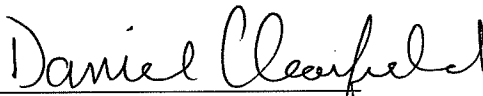
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Date: October 27, 2011


Daniel Clearfield, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Re: Petition for Declaratory Order :
Regarding Section 1407(e) of the : Docket No. P-00072335
Public Utility Code :

ORDER

Upon consideration of the petition filed by Philadelphia Gas Works (“PGW”), pursuant to 52 Pa. Code § 5.94, to withdraw the above captioned Petition of September 7, 2007 requesting a declaratory order concerning the Commission’s interpretation of Chapter 14 of the Public Utility Code, it is in the public interest to permit the withdrawal of the above-captioned Petition.

THEREFORE,

IT IS ORDERED:

1. That the petition to withdraw PGW’s Petition of September 7, 2007 in the above-captioned matter is granted; and
2. That this matter be marked closed.

Date: _____

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Re: Petition for Declaratory Order :
Regarding Section 1407(e) of the : Docket No. P-00072335
Public Utility Code :

**PHILADELPHIA GAS WORKS'
PETITION TO WITHDRAW ITS PETITION OF SEPTEMBER 7, 2007**

Philadelphia Gas Works (“PGW”) hereby petitions the Pennsylvania Public Utility Commission (“PUC” or “Commission”), pursuant to 52 Pa. Code § 5.94, to withdraw its above-captioned Petition of September 7, 2007 (“Petition”) requesting a declaratory order declaring that, pursuant to sections 1407(d)¹ and (e)² of the Public Utility Code, a public utility may assign responsibility to an applicant for an arrearage associated with service rendered at the service address location based on a driver’s license, other state-issued picture ID or other methods specified in the Petition. The Commission’s recently promulgated revisions to Chapter 56 establish that the means by which to obtain such Commission approval is by inserting such methods into the utility’s tariff. PGW has already included some relevant provisions in its Commission authorized Tariff, and may seek additional means in a future tariff filing(s). Accordingly, this Petition is moot.

In support of this Petition to Withdraw, PGW states as follows:

¹ Section 1407(d) provides: “A public utility may also require the payment of any outstanding balance or portion of an outstanding balance if the applicant resided at the property for which service is requested during the time the outstanding balance accrued and for the time the applicant resided there.” 66 Pa. C.S. § 1407(d).

² Section 1407(e) provides that: “A public utility may establish that an applicant previously resided at a property for which residential service is requested through the use of mortgage, deed or lease information, a commercially available consumer credit reporting service or other methods approved as valid by the Commission.” 66 Pa. C.S. § 1407(e) (emphasis added).

1. On September 7, 2007, PGW filed the above captioned Petition. Consistent with Section 1407(e), PGW requested that the Commission issue a declaratory order approving other valid methods of assigning responsibility for a prior arrearage at a particular location. These other methods included the use of data on: (a) a driver's license (and other government documents, many which require an address update); and (b) certain records maintained by PGW.

2. On October 5, 2007, Community Legal Services of Philadelphia filed an Answer to the Petition.

3. On October 9, 2007, the Office of Consumer Advocate ("OCA") filed a Notice of Intervention, a Public Statement and an Answer.

4. On September 26, 2008, the Commission promulgated proposed regulations which revised its Billing Practices Regulations (Chapter 56). *See Rulemaking to Amend the Provisions of 52 Pa. Code, Chapter 56 to Comply with the Provisions of 66 Pa. C.S., Chapter 14; General Review of Regulations*, PUC Docket No. L-00060182, Revised Final Rulemaking Order (entered on June 13, 2011).

5. Revised final regulations were adopted by the Commission by the Order entered on June 13, 2011 and were published in the *Pennsylvania Bulletin* on October 8, 2011. *Id.*; 41 Pa. B. 5473 (October 8, 2011).

6. Section § 56.35(b)(2) of the revised final regulations states that a public utility must include in its filed tariff the methods, other than those mentioned in that section, which the utility will use to determine applicant liability for outstanding arrearage. Thus, a utility would file a proposed tariff revision in order to obtain Commission approval of the methods it will use to establish applicant liability for outstanding balances under that section.

7. PGW's tariff already contains some Commission approved methods for the identification of persons at the time of application of service. *See* PGW's Gas Service Tariff, Pa. PUC No. 2, at Rule 2.³

8. Accordingly, PGW petitions to withdraw the Petition at this time because the Petition is moot.

9. The Petition is a contested pleading. The withdrawal of a pleading in a contested proceeding requires the approval of the presiding officer or the Commission. 52 Pa. Code § 5.94.

10. All of the parties who intervened in this matter (i.e., OCA and Community Legal Services of Philadelphia) have indicated to PGW that they do not object to this request for the withdrawal of the Petition of September 7, 2007.

WHEREFORE, PGW respectfully requests that the Commission (1) permit the withdrawal of PGW's Petition of September 7, 2007, and (2) grant any other relief deemed appropriate under these circumstances.

Respectfully submitted,



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Date: October 27, 2011

Attorneys for Philadelphia Gas Works

³ *See* PUC Docket No. R-2009-2139884 wherein the Commission approved Supplement No. 42 to PGW's Gas Service Tariff.