



PHILADELPHIA GAS WORKS

800 West Montgomery Avenue • Philadelphia, PA 19122

Danielle Ross, Paralegal
Legal Department
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March 27, 2012

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Sheikh Khurshan v. PGW, Docket No. F – 2011 – 2239417

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code §5.342 (g), the Philadelphia Gas Works ("PGW") hereby files its Motion to compel the Complainant to answer PGW's discovery requests which were served upon the Complainant on March 2, 2012.

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: Sheikh Khurshan (FedEx)
Administrative Law Judge Angela T. Jones (email)
Anne Marie Cromley (PGW Mail)
Linda Pereira (PGW Mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Sheikh Khurshan

v.

Philadelphia Gas Works

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Docket No. F – 2011 – 2239417

**Philadelphia Gas Works
Motion To Compel the Complainant To Answer Discovery Requests**

Pursuant to 52 Pa. Code §5.342(g), the Philadelphia Gas Works (“PGW”) hereby files its Motion to compel the Complainant to answer PGW’s discovery requests which served upon the Complainant on March 2, 2012. For ease of review, the PGW Interrogatories and Requests for Production of Documents – Set I, are attached hereto as Exhibit “A” (discovery requests). In support of its motion, PGW avers the following:

1. PGW served by FedEx the discovery requests on March 2, 2012.
2. On or about March 5, 2012, counsel for PGW telephoned the Complainant, who acknowledged receipt of the discovery requests and indicated that he had retained counsel as of that date but had to speak with his counsel before providing PGW with the name and telephone number of his counsel.
3. Pursuant to 52 Pa. Code §5.342 the answers to the discovery requests were due for service upon PGW, at the earliest, March 22, 2012 or , at the latest March 25, 2012.
4. The Complainant has not produced responses to the discovery requests and provided these to PGW.
5. The Complainant does not answer his telephone and a caller cannot leave a message.
6. All of PGW’s discovery requests are within the scope of this matter. The Complainant did not file any objections to the discovery requests pursuant to 52 Pa. Code §5.342, which must be filed within 10 days of the date of service of the discovery. Without such a rule, parties would be able to subvert the discovery process and interfere with the fair disposition of the matter.

7. None of PGW's discovery seeks the production of documents or demands any information that is subject to any applicable privileges.

8. PGW only requests documents and information that is within the Complainant's possession or may come into the Complainant's possession in the future.

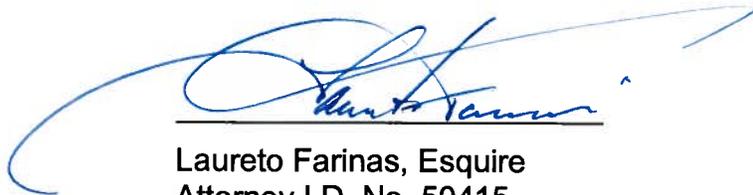
9. All of PGW's discovery requests are relevant to the Complainant's use of PGW's gas services and enrollment in PGW's Customer Responsibility Program (CRP) at 4302 Market Street, Philadelphia, Pennsylvania (Service Address).

10. All of PGW's discovery requests are clear, unambiguous, specifically tailored to specific information, and not burdensome.

Whereas, PGW, therefore respectfully requests that the Administrative Law Judge order the Complainant to answer each and every discovery request strictly in accordance with 52 Pa. Code §5.342 or other such relief as may be appropriate including dismissal of the Complaint.

Respectfully submitted,

March 27, 2012



Laureto Farinas, Esquire
Attorney I.D. No. 50415
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122
(215) 684-6982

EXHIBIT A



PHILADELPHIA GAS WORKS

800 West Montgomery Avenue • Philadelphia, PA 19122

Laureto A. Fariñas, Senior Attorney
Legal Department
Direct Dial: 215-684-6982
FAX: 215-684-6798
E-mail: laureto.farinass@pgworks.com

March 2, 2012

Mr. Sheikh Khurshan
4302 Market Street
Philadelphia, PA 19104

RE: Sheikh Khurshan v. Philadelphia Gas Works, F – 2011 – 2239417

Pursuant to 52 Pa. Code §5.341, the Philadelphia Gas Works hereby propounds upon you please find enclosed:

**PHILADELPHIA GAS WORKS INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF DOCUMENTS
SET I
NOS. 1 THROUGH 15,**

Further, pursuant to 52 Pa. Code §5.342, answers to these are due for service upon PGW by March 22, 2012 (within 20 days of the date of service).

If you need additional information about this matter, please contact me at my direct-dial number above. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Laureto Farinas', is written over a large, faint, circular watermark that resembles a stylized flame or gas burner. The signature is fluid and cursive.

Laureto Farinas

cc: Service List
Rosemary Chiavetta, Secretary Pa. Public Utility Commission (Certificate of Service only)
Administrative Law Judge Angela T. Jones (Certificate of Service only)
Anne Marie Cromley

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Sheikh Khurshan

v.

Philadelphia Gas Works

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Docket No. F – 2011 – 2239417

**Philadelphia Gas Works
Interrogatories and Requests for Production of Documents
Set I**

Pursuant to 52 Pa. Code §§5.341, 5.349, the Philadelphia Gas Works (PGW), through its counsel, hereby propounds the following Interrogatories and Requests for Production of Documents (generally, "Interrogatories") to Sheikh Khurshan, Complainant in the above captioned matter (hereinafter "Khurshan") to which you are to answer or produce copies of documents. The due date for responses to these Interrogatories is twenty (20) days from the date of service.

The following instructions apply to these Interrogatories:

1. These interrogatories shall be deemed continuing. That is, Khurshan is obliged to change, supplement, and correct all answers to the Interrogatories to conform to available information; including such information as first becomes available to Khurshan after the answers hereto are served.
2. The answer should first restate the question asked and also identify the name of the person who provided and/or prepared the answer.
3. Place the answer to each numbered question on separate sheet of paper. Produced documents should be listed and clearly identified.
4. Each of the Interrogatories shall be answered fully and completely. All information is to be divulged that is within your/Khurshan's knowledge, possession, control or custody or may be reasonably ascertained by you. The Khurshan as used herein includes you, your attorneys, agents, employees, or other representative.

5. As used in these Interrogatories, the following terms shall have the meanings provided below, unless the context clearly requires otherwise:

- a. "PGW Account" means the PGW gas account of Sheikh Khurshan, and all charges attributed to such PGW Account, at the property located at 4302 Market Street, Philadelphia, Pennsylvania 19104
- b. "Service Address" means the property located at 4302 Market Street, Philadelphia, Pennsylvania 19104
- c. "Complainant" means Sheikh Khurshan who resides the Service Address.
- d. "Document" or "work paper" means and includes, but is not limited to, the original and all copies (regardless of origin and whether or not including additional writing thereon or attached thereto) of memoranda, reports, books manuals, instructions, directives, records, forms, notes, letters, notices confirmations, telegrams, pamphlets, notations of any sort concerning conversations, telephone calls, meetings or other communications, bulletins, transcripts, diaries, analyses, summaries, correspondence and enclosures, circulars, opinions, studies, investigations, questionnaires, surveys, drawings, graphs, charts, and photographs and all drafts, preliminary versions, alterations, modifications revisions, changes, amendments and written comments concerning the foregoing in whatever form stored or contained in or whatever medium including computerized memory or magnetic media.
- e. "Record" means all documents or wok papers in the possession, custody, or control of, or which may be reasonably ascertained or acquired by Khurshan.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Sheikh Khurshan

v.

Philadelphia Gas Works

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Docket No. F – 2011 – 2239417

**Philadelphia Gas Works
Interrogatories and Requests for Production of Documents
Set I**

1. Please provide the following information concerning the Complainant's residence 4302 Market Street, Philadelphia, Pennsylvania 19104 (Service Address).
 - a. The date Sheikh Khurshan purchased and acquired title or executed a lease for the Service Address,
 - b. The date Sheikh Khurshan took possession of the Service Address,
 - c. The date Sheikh Khurshan made the Service Address his residence.

2. Please provide the address of the Complainant, Sheikh Khurshan that was his residence immediately prior to his taking residence at the Service Address.

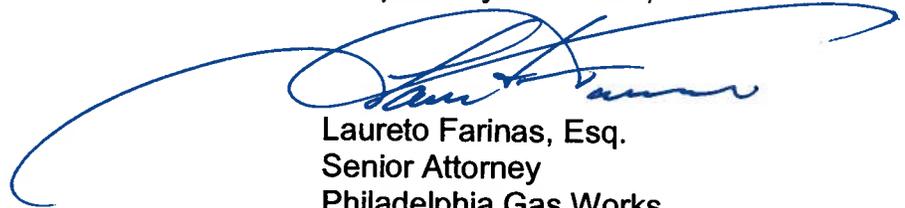
3. Please provide the following information concerning the configuration and gas usage at the Service Address, 4302 Market Street, Philadelphia, Pennsylvania 19104:
 - a. The total square footage,
 - b. The number of stories/floors (excluding basement)
 - c. The number, a description and use of rooms (living room, bedroom, etc.) on each floor (include any business uses),
 - d. The number and description of gas appliances contained therein,
 - e. The size and/or BTU value of each gas appliance.

4. Please provide a listing of utility, utility-like, subscription services or continuing contract services that are or were used at the Service Address from the time Sheikh Khurshan took residence at the Service Address to the present. Such services include but are not limited to: [1] natural gas, [2] electricity, [3] telephone (landline), [4] water, [5] cable or satellite television, or radio, or [6] internet service.

5. For each of the utility, utility-like, subscription or continuing contract services listed in the response to Interrogatory Set I, No. 4, please provide the date Sheikh Khurshan began each service. If the exact date of the beginning of service is not known, then list the month and year.
6. As agreed previously, please provide the Complainant's Federal Income Tax filings for the tax years 2011, 2010, 2009 and 2008.
7. Please provide the following information about the total gross monthly income of Sheikh Khurshan's household at the Service Address. (A household includes all adults and children living at the Service Address and benefitting for utility service.) The "total gross monthly household income" includes but is not limited to the following:
 - a. income from salaries, wages, tips or other compensation,
 - b. pension, retirement or social security benefits,
 - c. Supplemental Security Income (SSI)
 - d. Unemployment compensation benefits,
 - e. Workers' compensation benefits,
 - f. Alimony,
 - g. Support,
 - h. Public Assistance, and
 - i. Any other source(s) of income.
8. From all sources of household income listed in No. 7 above, please list the name and address of each employer, if self employed or if income is paid in cash or personal check.
9. It is not in dispute that a tax preparation business was conducted at the Service Address. State the last time you prepared a tax return for someone outside your immediate family.
10. Please list every other business venture that is or has been conducted at the Service Address since the Complainant has had the Service Address as his residence.
11. List every business venture or service that lists or advertizes the Service Address as its place of business since the Complainant has had the Service Address as his residence.
12. Please list the business ventures for which signage is or was displayed at the Service Address since the Complainant has been in residence at the Service Address.

13. Please provide the status and/or outcome of the any criminal or civil investigations or indictments involving any of the businesses conducted out of the Service Address involving the Complainant or any company by which he controls or is/was employed.
14. Please list the name, address, and title (or relationship to you) of each person that you intend to call as a witness at the hearing of your complaint (including yourself). Please summarize the purpose and general content of the testimony of each person who will appear as a witness in the presentation of your case.
15. As the continuance of the Initial Hearing scheduled for January 13, 2012 was granted to afford you time to retain counsel, please provide the name, address, and telephone number of your counsel in this matter.

Respectfully submitted,



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

CERTIFICATE OF SERVICE OF DISCOVERY

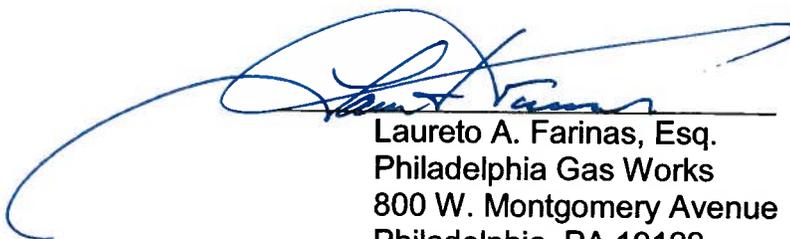
I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY OF THE FOREGOING DOCUMENT "PHILADELPHIA GAS WORKS INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS, SET I", NOS. 1 THROUGH 15, UPON THE PARTICIPANTS LISTED BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF 52 PA CODE §1.54 (RELATING TO SERVICE BY A PARTICIPANT) AND 52 PA CODE §5.341(b).

Service List:

For Complainant:

MR. SHEIKH KHURSHAN
4302 MARKET STREET
PHILADLEPHIA, PA 19104

March 2, 2012


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

CERTIFICATE OF SERVICE

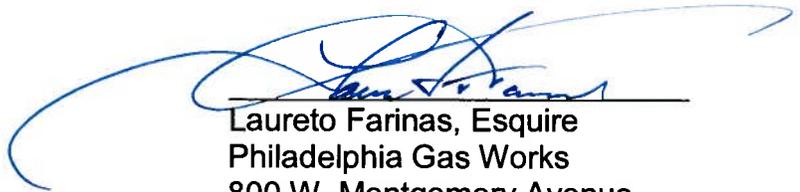
I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY OF THE FOREGOING DOCUMENT UPON THE PARTICIPANTS LISTED BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF 52 PA CODE §1.54 (RELATING TO SERVICE BY A PARTICIPANT).

Service List:

For Complainant:

Mr. Sheikh Khurshan
4302 Market Street
Philadelphia, PA 19104

March 27, 2012



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

And by Hand Delivery on March 28, 2012.