

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120**

**Larry and Gail Newman
vs. Philadelphia Gas Works**

**Public Meeting – March 29, 2012
2273565-OSA
Docket No. C-2011-2273565**

**STATEMENT OF
COMMISSIONER PAMELA A. WITMER**

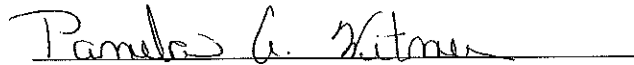
Before the Pennsylvania Public Utility Commission (Commission) today is the Opinion and Order disposing of the Exceptions of Gail and Larry Newman (Complainants) to the Initial Decision that dismissed the Complainant's Formal Complaint against Philadelphia Gas Works (PGW). The Complainants stated that they rented out their property on Germantown Avenue, Philadelphia; to a tenant between September 2006 and September 2011, and that the tenant incurred a debt for gas service to the property during that time period. The Complainants further asserted that PGW imposed a lien in the debt amount on their property. Accordingly, Complainants requested that the lien be removed.

I agree with the conclusions concerning the Complainants' lack of standing and the Commission's lack of jurisdiction over municipal liens and notification regarding PGW's Landlord Cooperative Program and support the denial of Complainant's Exceptions. However, due to the fact that PGW reportedly collects an average of \$27 million annually through property liens, I am extremely troubled by PGW's admission in this proceeding that it created a "placeholder" account in August 2006 and waited approximately two years (until August 2008) before taking any action to identify the New Customer of Record.

A "user without contract" situation typically arises when a utility company chooses to maintain service after a ratepayer vacates a property and discontinues service. This is particularly true in situations such as this one, where tenants move in and move out on a semi-regular basis. This practice has been supported by the Commission because it reduces costs by avoiding repeated trips to a property in order to physically disconnect utility service between customers. Having said that, utilities must be diligent in timely determining the correct party to bill, rather than allowing a sizable balance to accrue over a number of years in a "placeholder" account.

Similar to other statements I have made in the past, and considering the current financial condition of PGW and the status of its infrastructure, I strongly encourage PGW to use the information that it has readily available to actively pursue every opportunity to investigate and identify the new Customer of Record in a more timely manner. Doing so will minimize the potential losses to PGW in the future.

DATE: March 29, 2012

Handwritten signature of Pamela A. Witmer in cursive script, written over a horizontal line.

**PAMELA A. WITMER
COMMISSIONER**