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June 4, 2012

**Via Electronic Filing**

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

Re: Pennsylvania Public Utility Commission, Bureau of Investigation  
and Enforcement v. Philadelphia Gas Works;  
Docket No. C-2011-2278312

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Dear Secretary Chiavetta:

On behalf of Philadelphia Gas Works ("PGW") enclosed for filing please find the original of its Unopposed Motion for Continuance of Prehearing Conference along with the electronic filing confirmation with regard to the above-referenced matter. Copies to be served in accordance with the attached Certificate of Service.

Very truly yours,



Daniel Clearfield

DC/lww  
Enclosure

cc: Hon. Angela Jones w/enc. (via email and first class mail)  
Cert. of Service w/enc.

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of PGW's Unopposed Motion for Continuance of Prehearing Conference upon the participant listed below in accordance with the requirements of § 1.54 (relating to service by a participant).

**VIA EMAIL AND HAND DELIVERY**

Michael L. Swindler  
Carrie Wright  
Prosecutors  
Bureau of Investigation & Enforcement  
PA Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor  
Harrisburg, PA 17120  
[mwindler@pa.gov](mailto:mwindler@pa.gov)  
[carwright@pa.gov](mailto:carwright@pa.gov)

Date: June 4, 2012

  
Daniel Clearfield, Esquire

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	Docket No. C-2011-2278312
<i>Complainant,</i>	:	
	:	
v.	:	
	:	
Philadelphia Gas Works,	:	
<i>Respondent</i>	:	

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**UNOPPOSED MOTION OF  
PHILADELPHIA GAS WORKS  
FOR CONTINUANCE OF PREHEARING CONFERENCE**

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Pursuant to Section 5.103 of the Pennsylvania Public Utility Commission's ("Commission" or "PUC") regulations,<sup>1</sup> Philadelphia Gas Works ("PGW") respectfully requests that the Initial Prehearing Conference scheduled for June 6, 2012 before Administrative Law Judge ("ALJ") Angela T. Jones be continued for a period of at least 30 days to enable the parties to concentrate on settlement negotiations. Counsel for PGW is authorized to represent that the Commission's Bureau of Investigation and Enforcement ("I&E") joins in this request. In support thereof, PGW avers as follows:

1. The underlying incident is the gas leak and explosion in the Tacony section of Philadelphia on January 18, 2011.
2. On December 16, 2011, I&E filed the subject Formal Complaint against PGW. The Formal Complaint contains 334 counts, and has both a public version and a proprietary version. PGW filed a timely Answer and New Matter, which has both a public version and proprietary version. I&E filed a timely Reply to PGW's New Matter.

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<sup>1</sup> 52 Pa. Code § 5.103.

3. PGW and I&E have, since the close of the formal pleadings cycle, engaged in serious settlement negotiations – consistent with the Commission’s policy to encourage settlements.<sup>2</sup>

4. At this point, PGW believes that the best course would be to permit a short additional period in which to determine whether a settlement is achievable. PGW requests at least a 30-day continuance of the Initial Prehearing Conference to enable the parties to continue good faith negotiations with the goal of amicably settling this matter without the need for formal litigation. PGW commits to informing the presiding ALJ of the results of their settlement discussions as soon as there is new information to report.

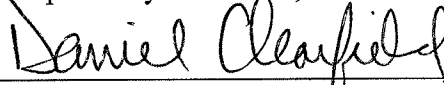
5. As stated above, counsel for PGW is authorized to represent that I&E joins in this request.

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<sup>2</sup> 52 Pa. Code § 69.1201. Settlements lessen the time and expense the parties must expend litigating a case and at the same time conserve administrative hearing resources. The Commission has indicated that settlement results are often preferable to those achieved at the conclusion of a fully litigated proceeding.

**WHEREFORE**, for all the foregoing reasons, PGW respectfully requests that Your Honor issue an Order granting this Motion and continuing the Initial Prehearing Conference for a period of not less than 30 days.

Respectfully submitted,



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Date: June 4, 2012

Attorneys for Philadelphia Gas Works