



**PHILADELPHIA GAS WORKS**

800 West Montgomery Avenue • Philadelphia, PA 19122

Danielle Ross, Paralegal  
Legal Department  
Direct Dial: 215-684-6862  
FAX: 215-684-6798  
E-mail: [danielle.ross@pgworks.com](mailto:danielle.ross@pgworks.com)

June 4, 2012

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

**Re: SBG Management Services, Inc. v. PGW, Docket No. C – 2012 – 2304303**

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code §5.101, the Philadelphia Gas Works ("PGW") hereby files the original of its Preliminary Objections to the Complaint in the above captioned matter.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Danielle Ross", is written over a large, light blue, stylized flame graphic that occupies the right side of the page.

Danielle Ross

Enclosure

cc: SBG Management Services, Inc. (Regular Mail)  
Anne Marie Cromley (PGW Mail)  
Linda Pereira (PGW Mail)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**SBG Management Services Inc.**

**v.**

**Philadelphia Gas Works**

:  
:  
:  
:  
:

**Docket No. C – 2012 – 2304303**

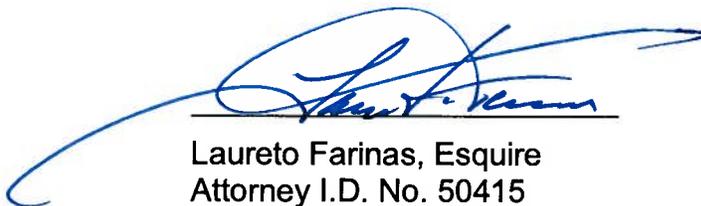
**NOTICE TO PLEAD**

**To: SBG Management Services Inc, Complainant**

Pursuant to 52 Pa. Code §5.101, you are hereby notified to file a written response to the enclosed Preliminary Objection and Motion to Strike, within ten (10) days from service hereof or you may be deemed to be in default and relevant facts stated in these pleadings may be deemed admitted and a judgment may be entered against you.

Respectfully submitted,

June 4, 2012



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

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>SBG Management Services Inc</b>	:	
	:	
<b>v.</b>	:	<b>Docket No. C – 2012 – 2304303</b>
	:	
<b>Philadelphia Gas Works</b>	:	

**Philadelphia Gas Works  
Preliminary Objections and Motion to Strike**

Pursuant to 52 Pa. Code §5.101, the Philadelphia Gas Works (“PGW”) hereby files its Preliminary Objection to the Complaint filed in the above captioned matter on the grounds that the Commission is without jurisdiction to the subject matter of the complaint to the extent that complaint concerns acts performed under the Municipal Claim and Tax Lien Law, Act 153 of 1923, P.L. 207 53 P.S. §7101, et seq., and includes impertinent matter in its requested relief and therefore moves to strike the Complainant’s request.

In support of its preliminary objection and motion to strike, PGW hereby avers the following:

1. On or about May 11, 2012, the Complainant filed a formal complaint against PGW with the Commission under the above captioned matter, regarding liens filed against several properties for various accounts for gas service to 844 N.6<sup>th</sup> and 845 N. 7<sup>th</sup> Streets, Philadelphia, PA (Service Addresses) (See Complaint, page 3 and Exhibit “A,” herein).
2. Of the accounts in dispute under the instant docket number, both are under the Complainant’s name, which are attached hereto as Exhibit “B.”
3. The City of Philadelphia, as owner of PGW, has filed a municipal lien upon the Subject Property for the unpaid debt for gas service on the account of the customer or record, pursuant to the Municipal Claim and Tax Lien Law, Act 153 of 1923, P.L. 207 53 P.S. §7101, et seq. (Municipal Lien Act). Under the Municipal Lien Act, the City of Philadelphia as owner of PGW has the right to collect on municipal claims owed to PGW for gas service to a Service Address.

4. The Complainant requests relief in the form of a refund and or credit for all overpayments made to PGW.

5. Pursuant to the Natural Gas Choice and Competition Act, 66 Pa. C.S.A Section 2201 et seq., section 2212(n), which specifically provides, "Nothing contained in this title shall abrogate the power of a city natural gas distribution operation to collect delinquent receivables through the imposition of liens pursuant to section 3 of the act of May 16, 1923 (P.L. 207, No. 153), referred to as the Municipal Claim and Tax Lien Law, or otherwise. Thus, under 66 Pa. C.S.A Section 2212(n), the Commission has no jurisdiction over the filing of such a lien.<sup>1</sup>

6. The Commission has repeatedly recognized its lack of subject matter jurisdiction in cases involving a dispute over a municipal lien placed upon a property. *Cornelia Strowder v. Philadelphia Gas Works*, 2002 WL 32069511 (2002), *Debra Williams Lawrence v. Philadelphia Gas Works*, Docket Number C-20066672 (Final Order entered January 22, 2007), *Tina L. Francis-Young v. Philadelphia Gas Works*, Docket Number C-2008-2029672, (Final Order entered February 23, 2009), *Dung Phat, LLC v. Philadelphia Gas Works*, Docket Number C-2009-2135667, (Final Order entered January 13, 2010), *Nathaniel Lewis Mooney v. PGW*, Docket No. C-2009-2134673, (Final Opinion and Order entered January 13, 2010), *David Golan v. Philadelphia Gas Works*, Docket Number C-2009-2138115, (Final Order entered February 4, 2010), *2020 West Passyunk Avenue Inc. v. Philadelphia Gas Works*, Docket Number C-2009-2138727, (Final Order entered February 4, 2010), *Jean Charles v. Philadelphia Gas Works*, Docket Number C-2009-2138638, (Final Order entered February 5, 2010), *Agron Vata v. Philadelphia Gas Works*, Docket No. C-2009-2149960 (Final Order entered August 24, 2010), *William Petravich v. Philadelphia Gas Works*, Docket No. C-2010-2188984, (Final Opinion and Order entered February 10, 2011), *Avner and Gail Yamin v. Philadelphia Gas Works*, Docket No. C-2011-2221883, (Final Order entered June 29, 2011), *Ardelle Jackson v. Philadelphia Gas Works*, Docket No. C-2009-2119940 (Final Opinion and Order entered July

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<sup>1</sup> 52 Pa. Code §5.101(a) (1)

1, 2011) *Larry and Gail Newman v. Philadelphia Gas Works*, C-2011-2273565 (Final Opinion and Order issued March 29, 2012)

7. Pursuant to the Responsible Utility Customer Protection Act at 66 Pa. Cons. Stat. § 1414, which states: “[a] city natural gas distribution operation furnishing gas service to a property is entitled to impose or assess a municipal claim against the property and file as liens of record claims for unpaid natural gas distribution service and other related costs, including natural gas supply ...,” clarifies and confirms such rights to impose a lien.

8. The nature of a lien is such that it encumbers the real estate, regardless who caused the event, which results in the imposition of a municipal claim. PGW may collect as a municipal claim, unpaid debt for gas service rendered, even when the gas service was not rendered to the owner of the property. *Newberry Township v. Ray Stambaugh*, 848 A.2d 173; (Pa. Cmwlth. 2000)

9. Under the Commission's Rules of Administrative Practice and Procedure at 52 Pa. Code §5.101, the treatment of preliminary objections is comparable to that of Pennsylvania civil practice. (See: Order Sustaining Preliminary Objection in *Paul W. Fricker v. PECO Energy Company*, Docket No. C-2009-2094757 (May 21, 2009))

The Commission's regulations provide, in relevant part:

(a) *Grounds*. Preliminary objections are available to parties and may be filed in response to a pleading except motions and prior preliminary objections. Preliminary objections...must state specifically the legal and factual grounds relied upon and be limited to the following:

...

(2) Failure of a pleading to conform to this chapter or the inclusion of scandalous or impertinent matter.

52 Pa. Code §5.101(a) (2)<sup>2</sup>

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<sup>2</sup> 52 Pa. Code §5.101(a) (2) emphasis added.

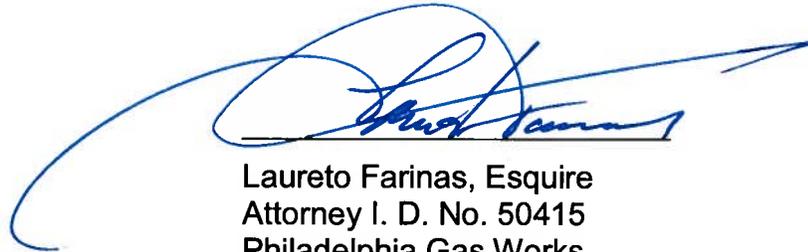
10. As the Complainant brings this complaint dispute the accuracy of bills in response to the imposition of Municipal liens, the dispute is merely a collateral attack on the authority to lien under the Municipal Lien Act. *Larry and Gail Newman v. Philadelphia Gas Works*, C-2011-2273565 (Final Opinion and Order issued March 29, 2012)

11. As the Commission is without jurisdiction to decide on matters involving the imposition of the municipal lien and the dispute seeks to undo the effect of the municipal lien, the Complainant's request for relief is "impertinent matter" within the use and meaning of 52 Pa. Code §5.101(a) (2) and, should be stricken from the Complaint.<sup>3</sup>

**Wherefore**, PGW respectfully requests that this Commission sustain PGW's preliminary objections to the Complaint and strike off the requested relief as impertinent matter.

Respectfully submitted,

June 4, 2012



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

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<sup>3</sup> 52 Pa. Code §5.101(a) (2)

# Exhibit A

Account #	Docket/Lien#	AMOUNT BILLED	COMPLAINT
0003-2390-0622	100230773	\$88,546.49	BILLING DISPUTE
0003-7300-7503	111231524	\$44,583.28	BILLING DISPUTE
0003-7300-7503	111231525	\$157.00	BILLING DISPUTE
0003-7300-7503	100733829	\$121,108.37	BILLING DISPUTE
0003-2390-0622	120332042	\$69,302.81	BILLING DISPUTE
0003-7300-7503	120332040	\$3,593.32	BILLING DISPUTE
0003-7300-7503	120332031	\$ 11,408.93	BILLING DISPUTE

**GRAND TOTAL**

**338,700.20**

0003-7300-7503  
 111231524  
 111231525

# **Exhibit B**

**Specific Service Agreement Statement of Account SA- 3068796324**

<b>Customer Name</b>	<b>From Date</b>	<b>To Date</b>
S B G MANAGEMENT SERVICES INC	5/1/2008	6/1/2012

<b>Service address</b>	<b>Account Number</b>	<b>SA Number</b>	<b>Meter</b>	<b>Rate</b>
844 N 6TH ST Apt.46 PHIL, PA 191232125	373007503	3068796324	1755029	GS

**STATEMENT**

Transaction Date	Type	Reading Code	Reading	# of Days	CCF Usage	Average CCF/Days	Heating DDD's	Payment Type	Due Date	Transaction Amount	Current Balance	Actual Balance
05/02/2008	BILL	R	27914	29	637	21.97	256		05/28/2008	\$1,247.26	\$67,998.02	\$67,998.02
05/29/2008	PAY					0.00		Check		(\$2,000.00)	\$65,998.02	\$65,998.02
06/03/2008	BILL	R	28445	32	531	16.59	137		06/26/2008	\$1,016.75	\$67,014.77	\$67,014.77
07/02/2008	BILL	R	28823	29	378	13.03	0		07/28/2008	\$853.39	\$67,868.16	\$67,868.16
08/01/2008	BILL	R	29199	30	376	12.53	0		08/26/2008	\$848.98	\$68,717.14	\$68,717.14
09/02/2008	BILL	R	29540	29	341	11.76	0		09/25/2008	\$771.74	\$69,488.88	\$69,488.88
10/01/2008	BILL	R	29962	32	422	13.19	12		10/24/2008	\$922.55	\$70,411.43	\$70,411.43
10/30/2008	BILL	R	30737	29	775	26.72	238		11/25/2008	\$1,674.73	\$72,086.16	\$72,086.16
12/03/2008	LPC					0.00				\$1,081.29	\$73,167.45	\$73,167.45
12/03/2008	BILL	R	31902	34	1165	34.26	654		12/30/2008	\$2,494.94	\$75,662.39	\$75,662.39
12/04/2008	CANB					0.00				(\$2,494.94)	\$73,167.45	\$73,167.45
12/04/2008	LPCWVE					0.00				(\$1,081.29)	\$72,086.16	\$72,086.16
12/05/2008	BILL	R	31902	34	1165	34.26	654		01/02/2009	\$2,481.47	\$74,567.63	\$74,567.63
01/05/2009	LPC					0.00				\$1,118.51	\$75,686.14	\$75,686.14
01/05/2009	BILL	R	33297	31	1395	45.00	842		01/29/2009	\$2,998.54	\$78,684.68	\$78,684.68
02/03/2009	LPC					0.00				\$1,163.49	\$79,848.17	\$79,848.17
02/03/2009	BILL	R	35032	31	1735	55.97	1080		02/27/2009	\$3,363.47	\$83,211.64	\$83,211.64
03/04/2009	LPC					0.00				\$1,213.94	\$84,425.58	\$84,425.58
03/04/2009	BILL	R	36459	29	1427	49.21	843		03/27/2009	\$2,788.29	\$87,213.87	\$87,213.87
03/06/2009	PAY					0.00		Check		(\$3,363.47)	\$83,850.40	\$83,850.40
03/07/2009	CANB					0.00				(\$2,788.29)	\$81,062.11	\$81,062.11
03/07/2009	LPCWVE					0.00				(\$1,213.94)	\$79,848.17	\$79,848.17

Transaction		Reading		Average		Heating		Payment		Transaction		Current		Actual	
Date	Type	Reading Code	# of Days	CCF Usage	CCF/Days	DDD's	Type	Due Date	Amount	Balance	Balance	Balance	Balance	Balance	Balance
03/07/2009	BILL	36459	29	1427	49.21	843	Check	03/31/2009	\$2,768.83	\$82,617.00	\$82,617.00	\$82,617.00	\$82,617.00	\$82,617.00	\$82,617.00
03/27/2009	PAY				0.00				(\$2,768.83)	\$79,848.17	\$79,848.17	\$79,848.17	\$79,848.17	\$79,848.17	\$79,848.17
04/03/2009	LPC				0.00				\$1,197.72	\$81,045.89	\$81,045.89	\$81,045.89	\$81,045.89	\$81,045.89	\$81,045.89
04/03/2009	BILL	37567	29	1108	38.21	554		04/29/2009	\$1,963.10	\$83,008.99	\$83,008.99	\$83,008.99	\$83,008.99	\$83,008.99	\$83,008.99
05/04/2009	LPC				0.00				\$1,227.16	\$84,236.15	\$84,236.15	\$84,236.15	\$84,236.15	\$84,236.15	\$84,236.15
05/04/2009	BILL	38351	30	784	26.13	302		05/28/2009	\$1,391.67	\$85,627.82	\$85,627.82	\$85,627.82	\$85,627.82	\$85,627.82	\$85,627.82
06/04/2009	LPC				0.00				\$1,248.04	\$86,875.86	\$86,875.86	\$86,875.86	\$86,875.86	\$86,875.86	\$86,875.86
06/04/2009	BILL	38841	32	490	15.31	81		06/29/2009	\$874.26	\$87,750.12	\$87,750.12	\$87,750.12	\$87,750.12	\$87,750.12	\$87,750.12
07/03/2009	LPC				0.00				\$1,261.15	\$89,011.27	\$89,011.27	\$89,011.27	\$89,011.27	\$89,011.27	\$89,011.27
07/03/2009	BILL	39204	29	363	12.52	13		07/28/2009	\$596.46	\$89,607.73	\$89,607.73	\$89,607.73	\$89,607.73	\$89,607.73	\$89,607.73
08/03/2009	LPC				0.00				\$1,270.10	\$90,877.83	\$90,877.83	\$90,877.83	\$90,877.83	\$90,877.83	\$90,877.83
08/03/2009	BILL	39552	30	348	11.60	0		08/26/2009	\$572.62	\$91,450.45	\$91,450.45	\$91,450.45	\$91,450.45	\$91,450.45	\$91,450.45
09/02/2009	LPC				0.00				\$1,278.69	\$92,729.14	\$92,729.14	\$92,729.14	\$92,729.14	\$92,729.14	\$92,729.14
09/02/2009	BILL	39903	31	351	11.32	0		09/28/2009	\$577.38	\$93,306.52	\$93,306.52	\$93,306.52	\$93,306.52	\$93,306.52	\$93,306.52
10/02/2009	LPC				0.00				\$1,287.35	\$94,593.87	\$94,593.87	\$94,593.87	\$94,593.87	\$94,593.87	\$94,593.87
10/02/2009	BILL	40291	30	388	12.93	19		10/27/2009	\$614.31	\$95,208.18	\$95,208.18	\$95,208.18	\$95,208.18	\$95,208.18	\$95,208.18
10/31/2009	LPC				0.00				\$1,296.56	\$96,504.74	\$96,504.74	\$96,504.74	\$96,504.74	\$96,504.74	\$96,504.74
10/31/2009	BILL	40884	29	593	20.45	256		11/25/2009	\$927.47	\$97,432.21	\$97,432.21	\$97,432.21	\$97,432.21	\$97,432.21	\$97,432.21
12/03/2009	LPC				0.00				\$1,310.48	\$98,742.69	\$98,742.69	\$98,742.69	\$98,742.69	\$98,742.69	\$98,742.69
12/03/2009	BILL	41779	33	895	27.12	451		12/29/2009	\$1,482.86	\$100,225.55	\$100,225.55	\$100,225.55	\$100,225.55	\$100,225.55	\$100,225.55
01/04/2010	LPC				0.00				\$1,332.72	\$101,558.27	\$101,558.27	\$101,558.27	\$101,558.27	\$101,558.27	\$101,558.27
01/04/2010	BILL	43265	30	1486	49.53	860		01/28/2010	\$2,344.77	\$103,903.04	\$103,903.04	\$103,903.04	\$103,903.04	\$103,903.04	\$103,903.04
02/03/2010	LPC				0.00				\$1,367.89	\$105,270.93	\$105,270.93	\$105,270.93	\$105,270.93	\$105,270.93	\$105,270.93
02/03/2010	BILL	44833	32	1568	49.00	1015		03/01/2010	\$2,491.66	\$107,762.59	\$107,762.59	\$107,762.59	\$107,762.59	\$107,762.59	\$107,762.59
03/03/2010	LPC				0.00				\$1,405.27	\$109,167.86	\$109,167.86	\$109,167.86	\$109,167.86	\$109,167.86	\$109,167.86
03/03/2010	BILL	46247	29	1414	48.76	936		03/26/2010	\$2,195.60	\$111,363.46	\$111,363.46	\$111,363.46	\$111,363.46	\$111,363.46	\$111,363.46
04/01/2010	LPC				0.00				\$1,438.20	\$112,801.66	\$112,801.66	\$112,801.66	\$112,801.66	\$112,801.66	\$112,801.66
04/01/2010	BILL	47200	29	953	32.86	460		04/27/2010	\$1,675.18	\$114,476.84	\$114,476.84	\$114,476.84	\$114,476.84	\$114,476.84	\$114,476.84
05/04/2010	LPC				0.00				\$1,463.33	\$115,940.17	\$115,940.17	\$115,940.17	\$115,940.17	\$115,940.17	\$115,940.17
05/04/2010	BILL	47732	30	532	17.73	217		05/26/2010	\$939.47	\$116,879.64	\$116,879.64	\$116,879.64	\$116,879.64	\$116,879.64	\$116,879.64
06/03/2010	LPC				0.00				\$1,477.42	\$118,357.06	\$118,357.06	\$118,357.06	\$118,357.06	\$118,357.06	\$118,357.06
06/03/2010	BILL	48121	32	389	12.16	76		06/25/2010	\$652.67	\$119,009.73	\$119,009.73	\$119,009.73	\$119,009.73	\$119,009.73	\$119,009.73

Transaction Date	Type	Reading	Reading Code	# of Days	CCF Usage	Average CCF/Days	Heating DDD's	Payment Type	Due Date	Transaction Amount	Current Balance	Actual Balance
07/01/2010	LPC					0.00				\$1,487.21	\$120,496.94	\$120,496.94
07/01/2010	BILL	48409	R	29	288	9.93	0		07/27/2010	\$454.43	\$120,951.37	\$120,951.37
08/03/2010	LPC					0.00				\$1,494.03	\$122,445.40	\$122,445.40
08/03/2010	BILL	48702	R	30	293	9.77	0		08/26/2010	\$461.98	\$122,907.38	\$122,907.38
09/01/2010	LPC					0.00				\$1,500.96	\$124,408.34	\$124,408.34
09/01/2010	BILL	48992	R	32	290	9.06	0		09/27/2010	\$457.46	\$124,865.80	\$124,865.80
10/01/2010	LPC					0.00				\$1,507.82	\$126,373.62	\$126,373.62
10/01/2010	BILL	49239	R	30	247	8.23	0		10/26/2010	\$399.61	\$126,773.23	\$126,773.23
11/01/2010	LPC					0.00				\$1,513.81	\$128,287.04	\$128,287.04
11/01/2010	BILL	49580	R	29	341	11.76	171		11/26/2010	\$556.08	\$128,843.12	\$128,843.12
12/01/2010	LPC					0.00				\$1,522.15	\$130,365.27	\$130,365.27
12/01/2010	BILL	50466	R	32	886	27.69	523		12/28/2010	\$1,390.20	\$131,755.47	\$131,755.47
01/04/2011	LPC					0.00				\$1,543.01	\$133,298.48	\$133,298.48
01/04/2011	BILL	51975	R	31	1509	48.68	992		01/28/2011	\$2,090.44	\$135,388.92	\$135,388.92
02/02/2011	LPC					0.00				\$1,574.36	\$136,963.28	\$136,963.28
02/02/2011	BILL	53711	R	32	1736	54.25	1132		02/28/2011	\$2,434.14	\$139,397.42	\$139,397.42
03/04/2011	LPC					0.00				\$1,610.87	\$141,008.29	\$141,008.29
03/04/2011	BILL	55100	R	30	1389	46.30	817		03/29/2011	\$2,053.37	\$143,061.66	\$143,061.66
04/01/2011	LPC					0.00				\$1,641.68	\$144,703.34	\$144,703.34
04/01/2011	BILL	56201	R	28	1101	39.32	557		04/27/2011	\$1,727.18	\$146,430.52	\$146,430.52
05/03/2011	LPC					0.00				\$1,667.58	\$148,098.10	\$148,098.10
05/03/2011	BILL	56953	R	32	752	23.50	287		05/26/2011	\$1,217.33	\$149,315.43	\$149,315.43
06/02/2011	LPC					0.00				\$1,685.84	\$151,001.27	\$151,001.27
06/02/2011	BILL	57321	R	30	368	12.27	44		06/27/2011	\$631.65	\$151,632.92	\$151,632.92
07/01/2011	LPC					0.00				\$1,695.32	\$153,328.24	\$153,328.24
07/01/2011	BILL	57601	R	29	280	9.66	0		07/27/2011	\$439.23	\$153,767.47	\$153,767.47
08/02/2011	LPC					0.00				\$1,701.91	\$155,469.38	\$155,469.38
08/02/2011	BILL	57887	R	32	286	8.94	0		08/25/2011	\$448.21	\$155,917.59	\$155,917.59
09/01/2011	LPC					0.00				\$1,708.63	\$157,626.22	\$157,626.22
09/01/2011	BILL	58114	R	29	227	7.83	0		09/27/2011	\$359.76	\$157,985.98	\$157,985.98
10/03/2011	LPC					0.00				\$1,714.03	\$159,700.01	\$159,700.01
10/03/2011	BILL	58401	R	31	287	9.26	18		10/26/2011	\$438.49	\$160,138.50	\$160,138.50

Transaction Date	Type	Reading Code	Reading	# of Days	CCF Usage	Average CCF/Days	Heating DDD's	Payment Type	Due Date	Transaction Amount	Current Balance	Actual Balance
11/01/2011	LPC					0.00				\$1,720.60	\$161,859.10	\$161,859.10
11/01/2011	BILL	58855	R	31	454	14.65	234		11/28/2011	\$689.78	\$162,548.88	\$162,548.88
12/01/2011	LPC					0.00				\$1,730.95	\$164,279.83	\$164,279.83
12/01/2011	BILL	59648	R	30	793	26.43	397		12/28/2011	\$1,254.82	\$165,534.65	\$165,534.65
01/04/2012	LPC					0.00				\$1,749.77	\$167,284.42	\$167,284.42
01/04/2012	BILL	60840	R	30	1192	39.73	653		01/30/2012	\$1,843.55	\$169,127.97	\$169,127.97
02/02/2012	LPC					0.00				\$1,777.43	\$170,905.40	\$170,905.40
02/02/2012	BILL	62387	R	33	1547	46.88	853		02/28/2012	\$2,380.42	\$173,285.82	\$173,285.82
03/05/2012	LPC					0.00				\$1,813.13	\$175,098.95	\$175,098.95
03/05/2012	BILL	63695	R	30	1308	43.60	723		03/28/2012	\$2,001.63	\$177,100.58	\$177,100.58
04/04/2012	LPC					0.00				\$1,843.16	\$178,943.74	\$178,943.74
04/04/2012	BILL	64559	R	31	864	27.87	381		04/30/2012	\$1,362.96	\$180,306.70	\$180,306.70
04/09/2012	PAY					0.00		Check		(\$169,284.97)	\$11,021.73	\$11,021.73
05/03/2012	LPC					0.00				\$165.32	\$11,187.05	\$11,187.05
05/03/2012	BILL	65206	R	30	647	21.57	275		05/29/2012	\$903.05	\$12,090.10	\$12,090.10

**Specific Service Agreement Statement of Account SA- 6654332208**

<b>Customer Name</b>	<b>From Date</b>	<b>To Date</b>
S B G MANAGEMENT SERVICES	5/1/2008	6/1/2012

<b>Service address</b>	<b>Account Number</b>	<b>SA Number</b>	<b>Meter</b>	<b>Rate</b>
845 N 7TH ST PHIL, PA 191232008	323900622	6654332208	1755028	GS

**STATEMENT**

Transaction Date	Type	Reading	Reading Code	Reading	# of Days	CCF Usage	Average CCF/Days	Heating DDD's	Payment Type	Due Date	Transaction Amount	Current Balance	Actual Balance
05/02/2008	LPC					0.00					\$615.96	\$46,405.27	\$46,405.27
05/02/2008	BILL	77712	R		29	689	23.76	256		05/28/2008	\$1,349.52	\$47,754.79	\$47,754.79
05/29/2008	PAY					0.00			Check		(\$2,000.00)	\$45,754.79	\$45,754.79
06/03/2008	LPC					0.00					\$636.20	\$46,390.99	\$46,390.99
06/03/2008	BILL	78328	R		32	616	19.25	137		06/26/2008	\$1,171.05	\$47,562.04	\$47,562.04
07/03/2008	LPC					0.00					\$653.77	\$48,215.81	\$48,215.81
07/03/2008	BILL	78753	R		29	425	14.66	0		07/28/2008	\$957.10	\$49,172.91	\$49,172.91
08/02/2008	LPC					0.00					\$668.13	\$49,841.04	\$49,841.04
08/02/2008	BILL	79181	R		30	428	14.27	0		08/26/2008	\$963.73	\$50,804.77	\$50,804.77
09/02/2008	LPC					0.00					\$682.58	\$51,487.35	\$51,487.35
09/02/2008	BILL	79579	R		29	398	13.72	0		09/25/2008	\$897.53	\$52,384.88	\$52,384.88
10/02/2008	LPC					0.00					\$696.04	\$53,080.92	\$53,080.92
10/02/2008	BILL	80063	R		32	484	15.12	12		10/24/2008	\$1,055.28	\$54,136.20	\$54,136.20
10/30/2008	LPC					0.00					\$711.87	\$54,848.07	\$54,848.07
10/30/2008	BILL	80782	R		29	719	24.79	238		11/25/2008	\$1,555.12	\$56,403.19	\$56,403.19
12/03/2008	LPC					0.00					\$735.20	\$57,138.39	\$57,138.39
12/03/2008	BILL	82124	R		34	1342	39.47	654		12/30/2008	\$2,871.07	\$60,009.46	\$60,009.46
12/04/2008	CANB					0.00					(\$2,871.07)	\$57,138.39	\$57,138.39
12/04/2008	LPCWVE					0.00					(\$735.20)	\$56,403.19	\$56,403.19
12/05/2008	BILL	82124	R		34	1342	39.47	654		01/02/2009	\$2,855.56	\$59,258.75	\$59,258.75
01/05/2009	LPC					0.00					\$778.03	\$60,036.78	\$60,036.78
01/05/2009	BILL	83805	R		31	1681	54.23	842		01/29/2009	\$3,609.67	\$63,646.45	\$63,646.45

Transaction		Reading			Average			Heating		Payment		Transaction		Current		Actual	
Date	Type	Reading	Code	# of Days	CCF Usage	CCF/Days	DDD's	DDD's	Type	Due Date	Amount	Balance	Balance	Balance	Balance	Balance	Balance
02/04/2009	LPC					0.00					\$832.18	\$64,478.63	\$64,478.63	\$64,478.63	\$64,478.63	\$64,478.63	\$64,478.63
02/04/2009	BILL	85848	R	31	2043	65.90	1080	1080		02/27/2009	\$3,956.86	\$68,435.49	\$68,435.49	\$68,435.49	\$68,435.49	\$68,435.49	\$68,435.49
03/05/2009	LPC					0.00					\$891.53	\$69,327.02	\$69,327.02	\$69,327.02	\$69,327.02	\$69,327.02	\$69,327.02
03/05/2009	BILL	87493	R	29	1645	56.72	843	843	Check	03/27/2009	\$3,211.32	\$72,538.34	\$72,538.34	\$72,538.34	\$72,538.34	\$72,538.34	\$72,538.34
03/06/2009	PAY					0.00					(\$3,956.86)	\$68,581.48	\$68,581.48	\$68,581.48	\$68,581.48	\$68,581.48	\$68,581.48
03/07/2009	CANB					0.00					(\$3,211.32)	\$65,370.16	\$65,370.16	\$65,370.16	\$65,370.16	\$65,370.16	\$65,370.16
03/07/2009	LPCWVE					0.00					(\$891.53)	\$64,478.63	\$64,478.63	\$64,478.63	\$64,478.63	\$64,478.63	\$64,478.63
03/07/2009	BILL	87493	R	29	1645	56.72	843	843		03/31/2009	\$3,188.88	\$67,667.51	\$67,667.51	\$67,667.51	\$67,667.51	\$67,667.51	\$67,667.51
03/30/2009	PAY					0.00			Check		(\$3,188.88)	\$64,478.63	\$64,478.63	\$64,478.63	\$64,478.63	\$64,478.63	\$64,478.63
04/03/2009	LPC					0.00					\$939.36	\$65,417.99	\$65,417.99	\$65,417.99	\$65,417.99	\$65,417.99	\$65,417.99
04/03/2009	BILL	88815	R	29	1322	45.59	554	554		04/29/2009	\$2,339.17	\$67,757.16	\$67,757.16	\$67,757.16	\$67,757.16	\$67,757.16	\$67,757.16
05/05/2009	LPC					0.00					\$974.45	\$68,731.61	\$68,731.61	\$68,731.61	\$68,731.61	\$68,731.61	\$68,731.61
05/05/2009	BILL	89736	R	30	921	30.70	302	302		05/28/2009	\$1,631.90	\$70,363.51	\$70,363.51	\$70,363.51	\$70,363.51	\$70,363.51	\$70,363.51
06/04/2009	LPC					0.00					\$998.93	\$71,362.44	\$71,362.44	\$71,362.44	\$71,362.44	\$71,362.44	\$71,362.44
06/04/2009	BILL	90373	R	32	637	19.91	81	81		06/29/2009	\$1,138.97	\$72,501.41	\$72,501.41	\$72,501.41	\$72,501.41	\$72,501.41	\$72,501.41
07/03/2009	LPC					0.00					\$1,016.02	\$73,517.43	\$73,517.43	\$73,517.43	\$73,517.43	\$73,517.43	\$73,517.43
07/03/2009	BILL	90881	R	29	508	17.52	13	13		07/28/2009	\$827.02	\$74,344.45	\$74,344.45	\$74,344.45	\$74,344.45	\$74,344.45	\$74,344.45
08/04/2009	LPC					0.00					\$1,028.42	\$75,372.87	\$75,372.87	\$75,372.87	\$75,372.87	\$75,372.87	\$75,372.87
08/04/2009	BILL	91362	R	30	481	16.03	0	0		08/26/2009	\$784.10	\$76,156.97	\$76,156.97	\$76,156.97	\$76,156.97	\$76,156.97	\$76,156.97
09/02/2009	LPC					0.00					\$1,040.18	\$77,197.15	\$77,197.15	\$77,197.15	\$77,197.15	\$77,197.15	\$77,197.15
09/02/2009	BILL	91822	R	31	460	14.84	0	0		09/28/2009	\$750.70	\$77,947.85	\$77,947.85	\$77,947.85	\$77,947.85	\$77,947.85	\$77,947.85
10/02/2009	LPC					0.00					\$1,051.44	\$78,999.29	\$78,999.29	\$78,999.29	\$78,999.29	\$78,999.29	\$78,999.29
10/02/2009	BILL	92344	R	30	522	17.40	19	19		10/27/2009	\$819.82	\$79,819.11	\$79,819.11	\$79,819.11	\$79,819.11	\$79,819.11	\$79,819.11
10/31/2009	LPC					0.00					\$1,063.74	\$80,882.85	\$80,882.85	\$80,882.85	\$80,882.85	\$80,882.85	\$80,882.85
10/31/2009	BILL	93033	R	29	689	23.76	256	256		11/25/2009	\$1,076.33	\$81,959.18	\$81,959.18	\$81,959.18	\$81,959.18	\$81,959.18	\$81,959.18
12/02/2009	LPC					0.00					\$1,079.89	\$83,039.07	\$83,039.07	\$83,039.07	\$83,039.07	\$83,039.07	\$83,039.07
12/02/2009	BILL	94121	R	33	1088	32.97	451	451		12/29/2009	\$1,791.00	\$84,830.07	\$84,830.07	\$84,830.07	\$84,830.07	\$84,830.07	\$84,830.07
01/04/2010	LPC					0.00					\$1,106.75	\$85,936.82	\$85,936.82	\$85,936.82	\$85,936.82	\$85,936.82	\$85,936.82
01/04/2010	BILL	95776	R	30	1655	55.17	860	860		01/28/2010	\$2,609.67	\$88,546.49	\$88,546.49	\$88,546.49	\$88,546.49	\$88,546.49	\$88,546.49
02/03/2010	LPC					0.00					\$1,145.90	\$89,692.39	\$89,692.39	\$89,692.39	\$89,692.39	\$89,692.39	\$89,692.39
02/03/2010	BILL	97671	R	32	1895	59.22	1015	1015		03/01/2010	\$3,006.74	\$92,699.13	\$92,699.13	\$92,699.13	\$92,699.13	\$92,699.13	\$92,699.13
03/03/2010	LPC					0.00					\$1,191.00	\$93,890.13	\$93,890.13	\$93,890.13	\$93,890.13	\$93,890.13	\$93,890.13

Transaction		Reading			Average			Heating		Payment		Transaction		Current		Actual	
Date	Type	Reading Code	# of Days	CCF Usage	CCF/Days	DDD's	Type	Due Date	Amount	Balance							
03/03/2010	BILL	99405	29	1734	59.79	936		03/26/2010	\$2,689.82	\$96,579.95	\$96,579.95	\$96,579.95	\$96,579.95	\$96,579.95	\$96,579.95	\$96,579.95	\$96,579.95
04/01/2010	LPC				0.00				\$1,231.34	\$97,811.29	\$97,811.29	\$97,811.29	\$97,811.29	\$97,811.29	\$97,811.29	\$97,811.29	\$97,811.29
04/01/2010	BILL	505	29	1100	37.93	460		04/27/2010	\$1,918.87	\$99,730.16	\$99,730.16	\$99,730.16	\$99,730.16	\$99,730.16	\$99,730.16	\$99,730.16	\$99,730.16
05/03/2010	LPC				0.00				\$1,260.13	\$100,990.29	\$100,990.29	\$100,990.29	\$100,990.29	\$100,990.29	\$100,990.29	\$100,990.29	\$100,990.29
05/03/2010	BILL	1243	30	738	24.60	217		05/26/2010	\$1,300.13	\$102,290.42	\$102,290.42	\$102,290.42	\$102,290.42	\$102,290.42	\$102,290.42	\$102,290.42	\$102,290.42
06/02/2010	LPC				0.00				\$1,279.63	\$103,570.05	\$103,570.05	\$103,570.05	\$103,570.05	\$103,570.05	\$103,570.05	\$103,570.05	\$103,570.05
06/02/2010	BILL	1818	32	575	17.97	76		06/25/2010	\$966.57	\$104,536.62	\$104,536.62	\$104,536.62	\$104,536.62	\$104,536.62	\$104,536.62	\$104,536.62	\$104,536.62
07/01/2010	LPC				0.00				\$1,294.13	\$105,830.75	\$105,830.75	\$105,830.75	\$105,830.75	\$105,830.75	\$105,830.75	\$105,830.75	\$105,830.75
07/01/2010	BILL	2204	29	386	13.31	0		07/27/2010	\$602.45	\$106,433.20	\$106,433.20	\$106,433.20	\$106,433.20	\$106,433.20	\$106,433.20	\$106,433.20	\$106,433.20
08/03/2010	LPC				0.00				\$1,303.16	\$107,736.36	\$107,736.36	\$107,736.36	\$107,736.36	\$107,736.36	\$107,736.36	\$107,736.36	\$107,736.36
08/03/2010	BILL	2583	30	379	12.63	0		08/26/2010	\$591.87	\$108,328.23	\$108,328.23	\$108,328.23	\$108,328.23	\$108,328.23	\$108,328.23	\$108,328.23	\$108,328.23
09/01/2010	LPC				0.00				\$1,312.04	\$109,640.27	\$109,640.27	\$109,640.27	\$109,640.27	\$109,640.27	\$109,640.27	\$109,640.27	\$109,640.27
09/01/2010	BILL	2977	32	394	12.31	0		09/27/2010	\$614.53	\$110,254.80	\$110,254.80	\$110,254.80	\$110,254.80	\$110,254.80	\$110,254.80	\$110,254.80	\$110,254.80
10/01/2010	LPC				0.00				\$1,321.26	\$111,576.06	\$111,576.06	\$111,576.06	\$111,576.06	\$111,576.06	\$111,576.06	\$111,576.06	\$111,576.06
10/01/2010	BILL	3388	30	411	13.70	0		10/26/2010	\$652.04	\$112,228.10	\$112,228.10	\$112,228.10	\$112,228.10	\$112,228.10	\$112,228.10	\$112,228.10	\$112,228.10
11/01/2010	LPC				0.00				\$1,331.04	\$113,559.14	\$113,559.14	\$113,559.14	\$113,559.14	\$113,559.14	\$113,559.14	\$113,559.14	\$113,559.14
11/01/2010	BILL	4018	29	630	21.72	171		11/26/2010	\$1,035.39	\$114,594.53	\$114,594.53	\$114,594.53	\$114,594.53	\$114,594.53	\$114,594.53	\$114,594.53	\$114,594.53
12/01/2010	LPC				0.00				\$1,346.57	\$115,941.10	\$115,941.10	\$115,941.10	\$115,941.10	\$115,941.10	\$115,941.10	\$115,941.10	\$115,941.10
12/01/2010	BILL	5243	32	1225	38.28	523		12/28/2010	\$1,914.88	\$117,855.98	\$117,855.98	\$117,855.98	\$117,855.98	\$117,855.98	\$117,855.98	\$117,855.98	\$117,855.98
01/04/2011	LPC				0.00				\$1,375.29	\$119,231.27	\$119,231.27	\$119,231.27	\$119,231.27	\$119,231.27	\$119,231.27	\$119,231.27	\$119,231.27
01/04/2011	BILL	7100	31	1857	59.90	992		01/28/2011	\$2,569.99	\$121,801.26	\$121,801.26	\$121,801.26	\$121,801.26	\$121,801.26	\$121,801.26	\$121,801.26	\$121,801.26
02/02/2011	LPC				0.00				\$1,413.84	\$123,215.10	\$123,215.10	\$123,215.10	\$123,215.10	\$123,215.10	\$123,215.10	\$123,215.10	\$123,215.10
02/02/2011	BILL	9146	32	2046	63.94	1132		02/28/2011	\$2,867.38	\$126,082.48	\$126,082.48	\$126,082.48	\$126,082.48	\$126,082.48	\$126,082.48	\$126,082.48	\$126,082.48
03/04/2011	LPC				0.00				\$1,456.86	\$127,539.34	\$127,539.34	\$127,539.34	\$127,539.34	\$127,539.34	\$127,539.34	\$127,539.34	\$127,539.34
03/04/2011	BILL	10837	30	1691	56.37	817		03/29/2011	\$2,494.62	\$130,033.96	\$130,033.96	\$130,033.96	\$130,033.96	\$130,033.96	\$130,033.96	\$130,033.96	\$130,033.96
04/01/2011	LPC				0.00				\$1,494.27	\$131,528.23	\$131,528.23	\$131,528.23	\$131,528.23	\$131,528.23	\$131,528.23	\$131,528.23	\$131,528.23
04/01/2011	BILL	12183	28	1346	48.07	557		04/27/2011	\$2,106.44	\$133,634.67	\$133,634.67	\$133,634.67	\$133,634.67	\$133,634.67	\$133,634.67	\$133,634.67	\$133,634.67
05/03/2011	LPC				0.00				\$1,525.87	\$135,160.54	\$135,160.54	\$135,160.54	\$135,160.54	\$135,160.54	\$135,160.54	\$135,160.54	\$135,160.54
05/03/2011	BILL	13208	32	1025	32.03	287		05/26/2011	\$1,653.35	\$136,813.89	\$136,813.89	\$136,813.89	\$136,813.89	\$136,813.89	\$136,813.89	\$136,813.89	\$136,813.89
06/02/2011	LPC				0.00				\$1,550.67	\$138,364.56	\$138,364.56	\$138,364.56	\$138,364.56	\$138,364.56	\$138,364.56	\$138,364.56	\$138,364.56
06/02/2011	BILL	13724	30	516	17.20	44		06/27/2011	\$890.11	\$139,254.67	\$139,254.67	\$139,254.67	\$139,254.67	\$139,254.67	\$139,254.67	\$139,254.67	\$139,254.67
07/01/2011	LPC				0.00				\$1,564.02	\$140,818.69	\$140,818.69	\$140,818.69	\$140,818.69	\$140,818.69	\$140,818.69	\$140,818.69	\$140,818.69

Transaction		Reading			Average			Heating		Payment		Transaction		Current		Actual	
Date	Type	Reading Code	# of Days	CCF Usage	CCF/Days	DDD's	Type	Due Date	Amount	Balance							
07/01/2011	BILL	14093	29	369	12.72	0		07/27/2011	\$572.65	\$141,391.34	\$141,391.34	\$141,391.34	\$141,391.34	\$141,391.34	\$141,391.34	\$141,391.34	\$141,391.34
08/02/2011	LPC				0.00				\$1,572.61	\$142,963.95	\$142,963.95	\$142,963.95	\$142,963.95	\$142,963.95	\$142,963.95	\$142,963.95	\$142,963.95
08/02/2011	BILL	14469	32	376	11.75	0		08/25/2011	\$583.14	\$143,547.09	\$143,547.09	\$143,547.09	\$143,547.09	\$143,547.09	\$143,547.09	\$143,547.09	\$143,547.09
09/01/2011	LPC				0.00				\$1,581.36	\$145,128.45	\$145,128.45	\$145,128.45	\$145,128.45	\$145,128.45	\$145,128.45	\$145,128.45	\$145,128.45
09/01/2011	BILL	14808	29	339	11.69	0		09/27/2011	\$527.67	\$145,656.12	\$145,656.12	\$145,656.12	\$145,656.12	\$145,656.12	\$145,656.12	\$145,656.12	\$145,656.12
10/03/2011	LPC				0.00				\$1,589.27	\$147,245.39	\$147,245.39	\$147,245.39	\$147,245.39	\$147,245.39	\$147,245.39	\$147,245.39	\$147,245.39
10/03/2011	BILL	15228	31	420	13.55	18		10/26/2011	\$632.68	\$147,878.07	\$147,878.07	\$147,878.07	\$147,878.07	\$147,878.07	\$147,878.07	\$147,878.07	\$147,878.07
11/01/2011	LPC				0.00				\$1,598.76	\$149,476.83	\$149,476.83	\$149,476.83	\$149,476.83	\$149,476.83	\$149,476.83	\$149,476.83	\$149,476.83
11/01/2011	BILL	15967	31	739	23.84	234		11/28/2011	\$1,113.14	\$150,589.97	\$150,589.97	\$150,589.97	\$150,589.97	\$150,589.97	\$150,589.97	\$150,589.97	\$150,589.97
12/01/2011	LPC				0.00				\$1,615.46	\$152,205.43	\$152,205.43	\$152,205.43	\$152,205.43	\$152,205.43	\$152,205.43	\$152,205.43	\$152,205.43
12/01/2011	BILL	17077	30	1110	37.00	397		12/28/2011	\$1,748.87	\$153,954.30	\$153,954.30	\$153,954.30	\$153,954.30	\$153,954.30	\$153,954.30	\$153,954.30	\$153,954.30
01/04/2012	LPC				0.00				\$1,641.70	\$155,596.00	\$155,596.00	\$155,596.00	\$155,596.00	\$155,596.00	\$155,596.00	\$155,596.00	\$155,596.00
01/04/2012	BILL	18540	30	1463	48.77	653		01/30/2012	\$2,253.30	\$157,849.30	\$157,849.30	\$157,849.30	\$157,849.30	\$157,849.30	\$157,849.30	\$157,849.30	\$157,849.30
02/02/2012	LPC				0.00				\$1,675.49	\$159,524.79	\$159,524.79	\$159,524.79	\$159,524.79	\$159,524.79	\$159,524.79	\$159,524.79	\$159,524.79
02/02/2012	BILL	20376	33	1836	55.64	853		02/28/2012	\$2,815.25	\$162,340.04	\$162,340.04	\$162,340.04	\$162,340.04	\$162,340.04	\$162,340.04	\$162,340.04	\$162,340.04
03/05/2012	LPC				0.00				\$1,717.72	\$164,057.76	\$164,057.76	\$164,057.76	\$164,057.76	\$164,057.76	\$164,057.76	\$164,057.76	\$164,057.76
03/05/2012	BILL	21965	30	1589	52.97	723		03/28/2012	\$2,422.62	\$166,480.38	\$166,480.38	\$166,480.38	\$166,480.38	\$166,480.38	\$166,480.38	\$166,480.38	\$166,480.38
04/04/2012	LPC				0.00				\$1,754.06	\$168,234.44	\$168,234.44	\$168,234.44	\$168,234.44	\$168,234.44	\$168,234.44	\$168,234.44	\$168,234.44
04/04/2012	BILL	23160	31	1195	38.55	381		04/30/2012	\$1,876.76	\$170,111.20	\$170,111.20	\$170,111.20	\$170,111.20	\$170,111.20	\$170,111.20	\$170,111.20	\$170,111.20
04/09/2012	PAY				0.00		Check		(\$157,849.30)	\$12,261.90	\$12,261.90	\$12,261.90	\$12,261.90	\$12,261.90	\$12,261.90	\$12,261.90	\$12,261.90
05/03/2012	LPC				0.00				\$183.92	\$12,445.82	\$12,445.82	\$12,445.82	\$12,445.82	\$12,445.82	\$12,445.82	\$12,445.82	\$12,445.82
05/03/2012	BILL	24076	30	916	30.53	275		05/29/2012	\$1,270.88	\$13,716.70	\$13,716.70	\$13,716.70	\$13,716.70	\$13,716.70	\$13,716.70	\$13,716.70	\$13,716.70

**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.

June 4, 2012



Laureto Farinas, Esquire

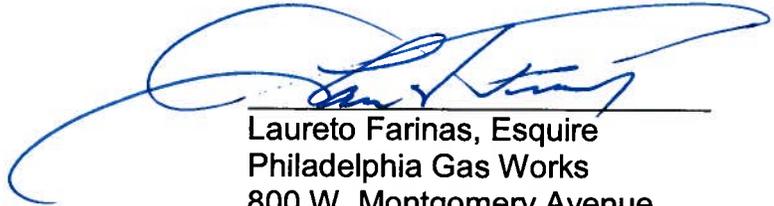
**CERTIFICATE OF SERVICE**

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).

For Complainant:

SBG Management Services, Inc.  
P.O. Box 549  
Abington, PA 19001

June 4, 2012



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