

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Ebonie Pitts

v.

Philadelphia Gas Works

C-20055437

**DOCUMENT
FOLDER**

PREHEARING ORDER

DOCKETED
MAR 24 2006

An Initial Telephone Hearing in this case is scheduled for Tuesday, April 25, 2006, at 9:00 a.m. Your case is one of several that have been scheduled for this day. **You must be available when contacted by the presiding officer or your case will be dismissed. If you will be at a telephone number that is different than the number listed on the Complaint, you must notify me of that telephone number at least five (5) business days before the hearing.**

The parties are hereby directed to comply with the following requirements:

1. A request for a change of the scheduled hearing date must state the agreement or opposition of other parties, and must be submitted in writing no later than five (5) business days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes of hearing dates must be sent to me and all parties of record. The correct address is:

Kandace F. Melillo, Administrative Law Judge
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
Telephone: (717) 783-5452
Fax: (717) 787-0481

Changes are granted only in rare situations where good cause exists.

2. **Commission policy promotes settlements. 52 Pa. Code §5.231(a).** The utility will contact the customer at least one week before the scheduled hearing to talk over a possible settlement of this case. Even if you are unable to settle this case, you may still resolve many questions or issues during your talks. If an agreement is reached, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

3. If you intend to present any documents or exhibits for my consideration, you must send one copy to the other party and three (3) copies to me at least five (5) business days before the hearing. Proposed exhibits should be properly pre-marked for identification purposes. The utility must provide the following as exhibits: (a) a copy of Complainant's account history at 108 E. Bringham Street, which is to include all billings, payments, meter readings, the type of reading, days used, and amount used in the billing period; and, (b) a copy of the Bureau of Consumer Services (BCS) decision, if any.

4. Although the hearing is being conducted telephonically for the convenience of the parties, it is still a formal proceeding and will be conducted in accordance with the Commission's Rules of Practice and Procedures.

5. Pursuant to 52 Pa. Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa. Code §1.24(b).

6. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa. Code §5.421. You must submit your written application to the Administrative Law Judge sufficiently in advance of the hearing date so that the other parties will

have the required ten (10) days' notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

7. The Complainant is responsible for payment of current bills pending the resolution of this complaint. Failure to make payments may result in the termination of utility service.

8. **THIS CASE WILL BE DISMISSED IF THE COMPLAINANT FAILS TO PARTICIPATE IN THE HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.**

9. The Complainant bears the burden of proof and must demonstrate by a preponderance of the evidence that she is entitled to the relief requested in the Complaint.

Date: March 16, 2006

Kandace F. Melillo
Kandace F. Melillo
Administrative Law Judge

C-20055437 EBONIE PITTS v. PHILADELPHIA GAS WORKS

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