

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PLEASE DOCKET

Andrew Carmichael

v.

Philadelphia Gas Works

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JAN 02 2007

C-20055434

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PREHEARING ORDER

An Initial Hearing in this case is scheduled for Monday, September 25, 2006 at 10:00 a.m. in an available hearing room in the Philadelphia State Office Building. **You must be available in the hearing room when your case is called by the presiding Administrative Law Judge.** You should arrive at the hearing room no later than 9:45 a.m. and wait in the hearing room until the Administrative Law Judge calls your case. **If the customer is not present and prepared to go forward with the case when it is called, the case will be dismissed by the Administrative Law Judge.**

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. My correct address is:

1302 Philadelphia State Office Building
1400 West Spring Garden Street
Philadelphia, PA 19130
Telephone: 215-560-2105
Fax: 215-560-3133

BTL

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 bring four (4) copies to the hearing.

4. This hearing is a formal proceeding and will be conducted in accordance with the Commission's Rules of Practice and Procedure.

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).

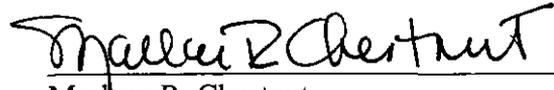
6. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa. Code §5.421. You must submit your written application to the Administrative Law Judge sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days' 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 undisputed bills for service pending the resolution of this complaint. 52 Pa. Code §56.181. Failure to make payments may result in the termination of utility service.

8. **THE COMPLAINT WILL BE DISMISSED IF THE CUSTOMER FAILS TO PARTICIPATE IN THE HEARING AND PRESENT EVIDENCE IN SUPPORT OF THE COMPLAINT.**

9. The complainant bears the burden of proof and must demonstrate by a preponderance of the evidence that respondent violated its tariff, the Public Utility Code or a Commission order or regulation, and that he/she is entitled to the relief requested in the Complaint.

Date: August 21, 2006



Marlane R. Chestnut
Administrative Law Judge

Andrew Carmichael v. Philadelphia Gas Works
Docket Number C-20055434

SERVICE LIST

Andrew Carmichael
2426 79th Avenue
Philadelphia, PA 19150

Denise Adamucci, Esquire
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122

C-20055434 ANDREW CARMICHAEL v. PHILADELPHIA GAS WORKS

ANDREW CARMICHAEL
2426 79TH AVENUE
PHILADELPHIA PA 19150
215-424-6226

ANDRE C DASENT ESQUIRE
PHILADELPHIA GAS WORKS
800 WEST MONTGOMERY AVENUE
PHILADELPHIA PA 19122
215-625-0555

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