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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Venessa Burrell

v.

Philadelphia Gas Works

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FOLDER

F-01763537

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ORDER #2

On March 14, 2006, a hearing was held in this matter in the Philadelphia State Office Building before Administrative Law Judge Cynthia Williams Fordham. The Complainant, Venessa Burrell, appeared, testified and sponsored nineteen exhibits. The Respondent was represented by Andre C. Dasent, Esquire. The Respondent presented the testimony of Eloise Carnall, a customer review officer for the Respondent, who sponsored five exhibits.

The Complainant is the landlord of the two properties involved in this matter. The Complainant testified that the Respondent added the charges incurred by her former tenant, Arnetra James, to her bill (Tr. 8; C. Ex. 1, 2, 3; PGW Ex. 2). The evidence in the record shows that Ms. James' account with the Respondent began on April 2, 2002 and ended February 19, 2004 (Tr. 43; PGW Ex. 1). The Respondent issued Ms. James a final bill in the amount of \$1,972.75 for service to 7353 N. 20th Street (Tr. 43; PGW Ex. 1). The Complainant initiated gas service in her name at the Tulpehocken Street address on August 20, 2003 (PGW Ex. 2). In May 2004, the Respondent added \$841.82 to the Complainant's bill. Ms. Carnall explained that the prior tenant requested that service be terminated on January 3, 2003. However, the Respondent did not turn the gas service off until July 28, 2003 (Tr. 44; PGW Ex. 2). The Respondent's position is that the Complainant was responsible for the gas used between January 3, 2003 and July 28, 2003 (Tr. 44, 53). Therefore, the \$841.82 charge was added to her account (Tr. 53; PGW Ex. 1, 2).

The Complainant also disputed the amount of the bills she received for the 20th Street property (Tr. 20, 21; C. Ex. 14, 15, 16). The account was initiated in 2004 so that repairs could be made. The Complainant also contends that tenants have been in the property since July 2005 (Tr. 22-24; C. Ex. 17, 18). She testified that the Respondent denied her request to discontinue service in her name. In addition, she stated that the tenant had an account for the service to the same property between July 2005 and November 2005 (Tr. 23, 24).

The record was held open because, at the conclusion of the hearing, it was not clear to the presiding officer whether one or more tenants needed to be added as an indispensable party. Based on the evidence in the record, the Complainant was not asked to pay for service rendered to Arnetra James. Consequently, there is no need to add Ms. James as a party. However, if the tenant on 20th Street did have an account or requested a gas account between July 2005 and November 2005, it might be necessary to add that person. The Complainant is ordered to provide the name of the tenant who applied for service from the Respondent and either a copy of a bill for service between July and November 2005 or some evidence that the tenant applied for or paid the Respondent for service during this time. This information should be sent to the presiding officer and Mr. Dasent on or before May 26, 2006. (Mr. Dasent's address is on the last page-service list.) The information will be reviewed to determine whether the person needs to be added as an indispensable party. If the Complainant fails to provide information, the record will be marked closed on June 2, 2006 and a decision will be made based on the evidence in the record.

Please send my copy to:

Administrative Law Judge Cynthia Williams Fordham
1302 State Office Building
1400 W. Spring Garden Street
Philadelphia, PA 19130

ORDER

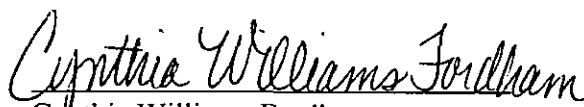
THEREFORE,

IT IS ORDERED:

1. That the Complainant shall submit the name and address of the tenant who applied for service from the Respondent for the 20th Street property. In addition, she shall submit a copy of the tenant's bill for service between July and November 2005 or some evidence that the tenant applied for or paid the Respondent for service during that time. This information should be sent to the presiding officer and Mr. Dasent on or before May 26, 2006.

2. That if the Complainant fails to provide information regarding the tenant on 20th Street, the record in this matter will close on June 2, 2006.

Date: May 8, 2006


Cynthia Williams Fordham
Administrative Law Judge

Venessa Burrell v. Philadelphia Gas Works
Docket No. F-01763537

SERVICE LIST

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