

Mary F. Kingcade
5538 Warrington Ave
Philadelphia PA. 19143

December 05, 2012

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

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DEC 05 2012

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Mary F. Kingcade v. PGW. Docket NO. C-2009-2134662
[APPEAL OF INITIAL DECISION]
[EXCEPTIONS DENIED]

Dear Secretary Chiavetta:

All of Complainant's EXCEPTIONS are Material Facts backed up with written documentation. The defendant, PGW has responded to Complainant's EXCEPTIONS with NO written documentations. PGW responded by the use of "Statements", "Avers" and "Hearsay". Hearsay cannot over ride or disprove written documentation of credible material or Evidential Facts.

Complainant has proved her case by a preponderance of the Evidence by producing and submitting credible written material and Evidential Facts.

(2)

This Case should be Remanded and Judge Veto's Decision should be reversed. This Case should be Remanded for a determination of Complainant's Requests.

Complainant is in disagreement with the Commission's Disposition as Complainant's Exceptions has been denied.

It is noted, by the Commission's Committee of Members, that no fine should be imposed in this instance as defendant PGW violated 66 Pa CS § 1501 when it failed to call 811 Service prior to excavating in Complainant's yard July 16, 2009.

The Fact that the defendant has ceased the offending conduct and the promise to cease and desist from further violation of the public utility code, is irrelevant as the Exemplary damages may be used as a future deterrent to others.

PGW violated the Commission code 66 Pa. CS § 1501 and broke the law. PGW should be held accountable. PGW has been placed above the law. Injustice has been committed in this case.

(3)

There is no justice in the Commission's Disposition. Under the 14th Amendment of the US Constitution it notes "Nor shall any state deprive any person of Life, Liberty or Property without Due Process of Law; nor deny to any person within its Jurisdiction the equal Protection of the Laws."

Judge Eranda VERO and the members of the Commission Appeal Board has blatantly ignored all of Complainant's documents and Exhibits submitted into Evidence.

Complainant has concluded that this three year old case was dismissed for no other reason than to cover up the Malicious actions of PGW: (1) Fraudulent Billing Practice (2) illegal digging on private property resulting in damage to a mainline Pipeline in complainant's home. (3) Violation of the Commission's code ~~bb~~ Pa. C.S § 1501.

This case has displayed nonfeasance, Willful Injustice and disrespect to the Integrity of the Judicial System.

cc: Judge Eranda Vero
PGW
Laurento Farinas Esq.
Commission Office
of Special Assistants

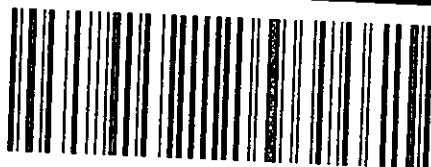
Respectfully,
Mary F. Kingcade
Mary F. Kingcade
Complainant

Mary Kingcade
5538 Warrington Ave
Phila. PA. 19143

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