



PHILADELPHIA GAS WORKS

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January 28, 2013

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

Re: Anne Te v. PGW, Docket No. F-2012-2300790

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code §5.535, the Philadelphia Gas Works ("PGW") hereby files the original and nine (9) copies of its reply to the Complainant's exceptions to the November 6, 2012, Initial Decision 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,


Danielle Ross

Enclosure

cc: Anne Te (Regular Mail)
Anne Marie Cromley (PGW Mail)
Linda Pereira (PGW Mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Anne Te :
 :
 :
 v. : **Docket No. F – 2012 – 2300790**
 :
 :
 Philadelphia Gas Works :

**PHILADELPHIA GAS WORKS’
REPLY TO COMPLAINANT’S EXCEPTIONS**

Pursuant to 52 Pa. Code §5.535, and the Secretary’s letter dated December 27, 2012 covering the Initial Decision in the above captioned matter, the Philadelphia Gas Works, (“PGW”) hereby files its reply to the Complainant’s exceptions to the Initial Decision issued December 27, 2012, in the above captioned matter (Initial Decision).

I. INTRODUCTION

On April 21, 2012, the Complainant filed a formal complaint against PGW with the Commission under the above captioned matter, seeking, *inter alia.*, the reduction in charges for gas utility service billed for previously unbilled service to 2022 Lott Street, Philadelphia, Pennsylvania (Service Address).¹

On May 16, 2012, PGW filed an answer denying the material allegations of the complaint and requested that the Commission dismiss the complaint averring that the automatic meter reading device at the Service Address was not transmitting all of the gas being used and registering on the meter at the Service Address.²

By hearing notice dated June 4, 2012 the Commission scheduled an Initial Hearing for August 6, 2012, over which Administrative Law Judge Cynthia Williams Fordham (ALJ) presided.

On December 27, 2012, the Commission issued the Initial Decision, which dismissed the Complaint, finding that the Complainant had failed to meet her burden of proof in showing that the Complainant was not responsible for payment of the bill issued for previously unbilled usage.

The Complainant filed exceptions to the Initial Decision on or about January 15, 2013. Pursuant to 52 Pa. Code §5.535, this timely reply follows.

¹ Complaint.

II. PGW'S REPLY TO EXCEPTIONS

The Complainant's exceptions fail to address any error in fact or law contained in the Initial Decision refuting the conclusion that the Complainant failed to carry her burden of proof in showing that she was not responsible for the payment of the amount billed for previously unbilled service at the Service Address.

Exceptions

(Referring to the Initial Decision Pages 8 through 11)

1. The mere fact that the Respondent has acknowledged "AMR" unknown magnetic interference with respect to the meter in question would lead one to raise concerns and doubts about the validity of the manual reading dated back to the start of the interference period of October 2006 through June 2011.
2. The Complainant acknowledges that the CURRENT TEST of the meter is within average specification but how can one be 100% confident that during the magnetic interference period (October 2006 through June 2011) that the MANNUAL RECORDINGS of gas consumption per ccfs is 100 reliably accurate given the nature of the magnetic interference.
3. Current test does show the meter is within specification but how would the results of the manual test show during the period of interference? Would it have tested at 99.4% accuracy rate? Could it have tested faster or slower in terms of ccfs recording? This may have led to the higher reporting of the ccfs usage on account.
4. The burden is on the paid commercial utility provider to bill its customers accurately, timely and to ensure the provided equipment reliably functions properly and to be tested from time to time to confirm it is within acceptable limits.

PGW's Reply

The Exceptions seek to challenge further the accuracy of the bill for previously unbilled services that was calculated from the index taken from the traditional meter upon which the automatic meter reading device (AMR) sits. The record of this matter clearly shows the difference in functionality of the AMR and that of the traditional meter (meter #1524698) at the Service Address. PGW witness clearly explains that magnetic

² PGW's Answer to the Complaint

interference stops or retards the transmission of accurate meter readings to the PGW van that electronically receives readings each month.³

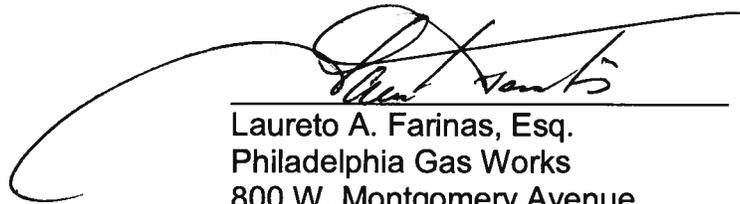
The functionality of the AMR is to be distinguished from traditional function of the traditional meter. The traditional meter measures the gas that passes through it. Any magnetic interference that would affect the AMR has no such effect on the traditional meter. The records of this proceeding reflects that the traditional meter had been tested on January 30, 2012 and was found to be within the acceptable parameters of the measurement of gas flow ($\pm 2\%$).⁴ Thus, the bill calculated for previously unbilled usage based upon the index reading of the traditional meter is reliable. Therefore, the Commission should deny the Complainant's exceptions.

III. CONCLUSION

For the reasons stated above, the PGW requests that the Commission deny the Complainant's exceptions to the Initial Decision and adopt the Initial Decision issued December 27, 2012 in this matter.

Respectfully submitted,

January 28, 2013



Laureto A. Farinas, Esq.
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122

³ PGW Exhibits – 1 and 2, Tr. p. 26, 27 and, 32

⁴ PGW Exhibits – 3 and 5; Tr. p. 34, 52 Pa. Code §§59.21 and 59.22

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).

Service List:

For Complainant:

Ms. Anne Te
2022 Lott Street
Philadelphia, PA 19115

January 28, 2013

A handwritten signature in black ink, appearing to read 'Laureto A. Farinas', is written over a horizontal line. The signature is stylized with a large loop on the left side.

Laureto A. Farinas, Esq.
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122