

Philadelphia Gas Works



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March 15, 2013

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

RE: Jose and Carmen Feliciano v. PGW, Docket No. F – 2012 – 2298302

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code §5.535, and the Secretary's letter dated March 4, 2013 and 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 February 13, 2013, in the above captioned matter

If you need additional information about this matter, please contact me at my direct-dial number above. Thank you for your assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Laureto Farinas", is written over a large, stylized blue circular flourish that extends across the page.

Laureto Farinas

cc: Service List
Anne Marie Cromley
Linda Pereira

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Jose & Carmen Feliciano

v.

Philadelphia Gas Works

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:
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Docket No. F – 2012 – 2298302

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

Pursuant to 52 Pa. Code §5.535, and the Secretary's letter dated March 4, 2013 and 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 February 13, 2013, in the above captioned matter (Initial Decision).

I. INTRODUCTION

On April 5, 2012, the Complainants' filed a complaint with the Commission against PGW alleging that there are incorrect charges on their bill and that PGW had failed to credit them for all of the payments that they made for service at 3417 Ryan Street, Philadelphia (Service Address).

On May 2, 2012, the PGW filed an answer, denying that there are incorrect charges on the bill. PGW further denied that the Complainants' payments do not coincide with the PGW account records for the Complainants' gas service from 2008 to date. PGW averred that it posted all payments that it received from the Complainants.

By hearing notice dated May 10, 2012, the hearing in this matter was scheduled for July 24, 2012, at 2:00 p.m. The hearing was held in this matter on the date scheduled in the Philadelphia Regional Office at 801 Market Street before Administrative Law Judge Cynthia Williams Fordham.

The Complainants, Jose and Carmen Feliciano, were present. Carmen Feliciano testified in support of the complaint. Luz B. Meck, an AOPC certified Spanish Interpreter, interpreted for Mrs. Feliciano in person. PGW was represented by counsel and presented one witness, Ann Marie Cromley, a senior customer review officer.

On February 13, 2013, 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 entire account balance.

The Complainant filed exceptions to the Initial Decision on or about February 27, 2013. Pursuant to 52 Pa. Code §5.535, and the Secretary's letter dated March 4, 2013 in this matter, this timely reply follows.

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 Complainants failed to meet their burden of proof in showing that she was not responsible for the payment of the amount billed at the Service Address.

Exceptions

The Felicianos' Exceptions

1. The statement of PGW is incorrect, the \$190.51. The company received that payment on the 4th of February, sufficiently early for it to be on the March statement.
2. This case has not ended, in every case there are two sides and one alone doesn't decide. PGW has a system to oppress the poor and to benefit them. I have paid my bills of use for 2012 on time and without missing a payment.
3. My complaint is not that I do not wish to pay it is the adjustments, late fees and interest they add on. Most of the time PGW works like this; they shut off the service, they add a charge for shutting off the service, that add it to the account, they add their adjustment (late fees and interest.)
4. The charges that they add prevent the person from seeing their account lowered. I can never see my account getting lowered if all of these fees keep getting added on.
5. This is the petition that I have made from the beginning, I want the old account separated from the current and then I will pay the old account separately and keep on payment my current usage charge on time like I have

always done. This is the only way I see fit that the company will stop charging late fee and their other charges on an account that I can't pay all at once. I do not want my old account interfering with the current one.

6. I am trying to negotiate a reasonable solution with PUC or PGW, otherwise this case will have to be taken to a higher level of court and if I have to keep going up higher I will.
7. Many people will know how PGW and PUC do their business; they help the companies but not the consumers. As for I do not want to own them anything, I want to pay what is just. I will pay the money but not at the way they do their business, to favor themselves.
8. I will not make any other agreements other than what I specified above. PGW tome has lost all credibility. My petition has been clear. I am awaiting response of your decision concerning this petition.

PGW's Reply

The Exceptions seek to further challenge their responsibility for payment for gas services at the Service Address. The Exceptions restated their dissatisfaction with the PGW information and the Initial Decision by repeating the arguments made in the complaint and raising new but generic concerns with PGW. The Exceptions fail to demonstrate that the Initial Decision is unsupported by substantial evidence.

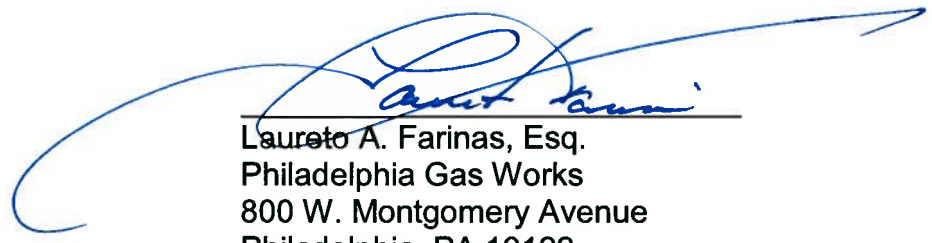
The record of this matter clearly shows that PGW properly billed the Complainants for each unit of gas consumed at the Service Address and applied each payment received from the Complainants. Further the record reflects how PGW reached and honored a settlement of previous formal complaint under *Jose and Carmen Feliciano v. PGW*, Docket No. C-2008-2057808. Finally, the Complainants improperly request that their outstanding account balance be on a separate payment schedule than on the Complainants' account. This is relief that had not been previously sought. 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 February 13, 2013 in this matter as written dismissing the Complaint.

Respectfully submitted,

March 15, 2013



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

CERTIFICATE OF SERVICE

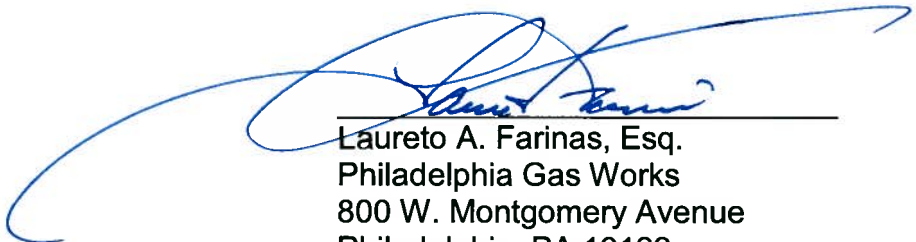
I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY OF THE FOREGOING DOCUMENT UPON THE PARTICIPANTS LISTED BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF 52 PA CODE §1.54 (RELATING TO SERVICE BY A PARTICIPANT).

Service List:

For Complainant:

Mr. Jose Feliciano
Mrs. Carmen Feliciano
3417 Ryan Avenue
Philadelphia, PA 19136

March 15, 2013



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