



**PHILADELPHIA GAS WORKS**

800 West Montgomery Avenue • Philadelphia, PA 19122

---

**Laureto A. Fariñas, Senior Attorney**  
**Legal Department**  
Direct Dial: 215-684-6982  
FAX: 215-684-6798  
E-mail: [laureto.farinass@pgworks.com](mailto:laureto.farinass@pgworks.com)

June 4, 2013

Administrative Law Judge Cynthia W. Fordham  
Pennsylvania Public Utility Commission  
Suite 4063  
801 Market Street  
Philadelphia, PA 19107

**RE: ABO Haven v. Philadelphia Gas Works, Docket No. C – 2013 – 2351088**

Dear Judge Fordham:

Please find attached a Motion for Continuance of the Initial Hearing scheduled in this matter for June 6, 2013 at 2:00 p.m. The Complainant's counsel does not object to this request.

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

Sincerely,



Laureto Farinas

cc: Service List  
Anne Marie Cromley  
Linda Pereira

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ABO Haven, Inc.,	:	
Complainant	:	
v.	:	Docket No. C – 2013 – 2351088
	:	
Philadelphia Gas Works,	:	
Respondent	:	

**MOTION FOR CONTINUANCE OF HEARING**

Pursuant to 52 Pa. Code § 1.15(b), Philadelphia Gas Works, the Respondent (PGW) and the Complainant, through its counsel, Nino v. Tinari, Esq. and Ashley DeAngelo, Esq., hereby requests a continuance of the Initial Hearing in this matter scheduled for Thursday, June 6, 2013. In support of its motion, PGW states as follows:

1. On or about February 5, 2013 the Complainant filed a formal complaint with the Commission under the above caption.
2. On March 5, 2013, the Commission served the Respondent, PGW with the Complaint, which is a dispute of a bill for previous unbilled and unauthorized usage at 1901 W. Girard Avenue, Philadelphia, PA, to which PGW filed an Answer on March 25, 2013.
3. By Notice dated March 29, 2013, the Commission scheduled an Initial Hearing for June 6, 2013 at 2:00 p.m., before Administrative Law Judge (ALJ) Cynthia W. Fordham in the Commission's Philadelphia Office.
4. This matter involves the proration of an amount calculated for unauthorized usage to the Complainant as a subtenant of another entity, from which the Complainant leases 1901 W. Girard Avenue from the Commonwealth of Pennsylvania.
5. The hearing of this matter will involve, *inter alia*, testimony concerning the relationship of the Complainant to the other tenant, the use of space and knowledge of and accessibility to the gas appliances of 1901 W. Girard Avenue. PGW further anticipates that there will be extensive testimony on the method of acquiring and the discovery of unauthorized usage as well as the method of

calculation of the charges for unauthorized usage to the Complainant.

6. The time required to hold this proceeding will exceed the 2.5 hours allotted for the hearing currently scheduled for the afternoon of June 6, 2013 at 2:00 p.m., and will require the scheduling of another day for hearing.

7. To avoid the scheduling of two days for this matter and to facilitate the continuity of the testimony given, this matter should be scheduled for another day to allow for a full day of testimony.

8. Although PGW has attempted to contact the Complainant's counsel previously, PGW was not able to discuss the need for a continuance for the reasons stated herein until today with Ashley DeAngelo, Esq, the Complainant's co-counsel.

9. Complainant's counsel agrees and joins in this request for a continuance.

10. The parties have not previously requested a continuance in this matter.

11. While a hearing is pending, the parties will engage in efforts reduce the number of issues to be litigated and perhaps to reach an amicable settlement of this matter with the Complainant.

12. Pursuant to 52 Pa. Code § 1.15(b), PGW has shown good cause for the grant of a continuance in this matter.

**WHEREFORE**, PGW respectfully requests that the Initial Hearing scheduled for 2:00 p.m., June 6, 2013, in the above captioned matter be continued and rescheduled.

Respectfully submitted,

June 4, 2013

  
Laureto Farinas

## VERIFICATION

I, Laureto Farinas, hereby declare that I am counsel for the Philadelphia Gas Works. I am authorized to make this verification on its behalf. The facts set forth in the foregoing Answer are true and correct to the best of my knowledge, information, and belief. I expect to be able to prove these facts at a hearing held in this matter. This verification is made subject to the penalties of 18 Pa. C.S. §4904, concerning false statements to authorities.

Dated: June 4, 2013



Laureto Farinas, Esquire

**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).

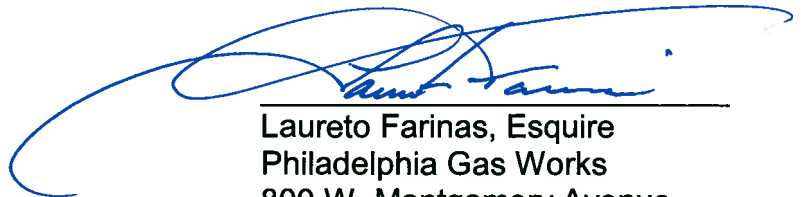
**Service List**

For Complainant:

Argo Simpkins, President and CEO  
ABO Haven, Inc.  
1901 W. Girard Avenue  
Philadelphia, PA 19130

Nino V. Tinari, Esq.  
Ashley DeAngelo, Esq.  
Nino v. Tinari & Associates  
1528 Walnut Street, Suite 1212  
Philadelphia, PA 19102

June 4, 2013



---

Laureto Farinas, Esquire  
Philadelphia Gas Works  
800 W. Montgomery Avenue  
Philadelphia, PA 19122  
(215) 684-6982