



PHILADELPHIA GAS WORKS

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June 17, 2013

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

Re: Louigens Piller v. PGW, Docket No. C – 2013 – 2365623

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code §5.101, the Philadelphia Gas Works ("PGW") hereby files the original of its Preliminary Objections to the Complaint 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,

A handwritten signature in blue ink that reads "Danielle Leva".

Danielle Leva

Enclosure

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

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Louigens Piller

v.

Philadelphia Gas Works

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:
:
:
:

Docket No. C – 2013– 2365623

NOTICE TO PLEAD

To: Louigens Piller, Complainant,

Pursuant to 52 Pa. Code §5.101, you are hereby notified to file a written response to the enclosed Preliminary Objections, within ten (10) days from service hereof or you may be deemed to be in default and relevant facts stated in these pleadings may be deemed admitted and a judgment may be entered against you.

Respectfully submitted,

June 17, 2013



Laureto Farinas, Esquire
Attorney I.D. No. 50415
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122
(215) 684-6982

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Louigens Piller	:	
	:	
v.	:	Docket No. C – 2013 – 2365623
	:	
Philadelphia Gas Works	:	

**Philadelphia Gas Works’
Preliminary Objections and
Motion to Strike Impertinent Matter**

Pursuant to 52 Pa. Code §5.101, the Philadelphia Gas Works (“PGW”) hereby files its Preliminary Objections to the Complaint filed in the above captioned matter on the grounds that the Complaint lacks averments with sufficient specificity pursuant to 52 Pa. Code §5.101(a)(3).

In support of its preliminary objection, PGW hereby avers the following:

1. On or about May 6, 2013, the Complainant filed a formal complaint against PGW with the Commission under the above captioned matter, regarding debt for gas service to 7216 Pittville Avenue, Philadelphia, Pennsylvania (Service Address).
2. On May 28, 2013 the Commission served a copy of the Complainant on PGW, stating that there are incorrect charges on the bill for the Service Address.
3. Paragraph 4 of the Complaint does not contain any other facts in support of the Complaint.
4. The Complaint Paragraph 5 specifies no form of relief.
5. PGW received no factual averments or a narrative attached to the Complaint.
6. The Complainant’s account for service at the Service Address contains a history of failure to pay monthly bills and payments by checks with insufficient funds.

7. Under the Commission's Rules of Administrative Practice and Procedure at 52 Pa. Code §5.101, the treatment of preliminary objections is comparable to that of Pennsylvania civil practice. The Commission's regulations provide, in relevant part:

(a) *Grounds.* Preliminary objections are available to parties and may be filed in response to a pleading except motions and prior preliminary objections. Preliminary objections...must state specifically the legal and factual grounds relied upon and be limited to the following:

...

(3) Insufficient specificity of a pleading. 52 Pa. Code §§5.101 (a)(3)

8. In this case, the Complaint fails to provide any facts in support of the conclusion that there are incorrect charges on the bill for gas service to the Service Address.

9. Without sufficient factual averments in the Complaint, PGW cannot investigate and respond with other facts that will aid in the disposition of this matter. Without sufficient factual averments in the Complainant, PGW cannot formulate a defense for any violation of the Public utility Code.

Wherefore, PGW respectfully requests that this Commission sustain PGW's preliminary objections to the Complaint and order the Complainant to amend the Complaint or dismiss the Complaint.

Respectfully submitted,

June 17, 2013



Laureto Farinas, Esquire
Attorney I. D. No. 50415
Philadelphia Gas Works
800 W. Montgomery Avenue

Philadelphia, PA 19122
(215) 684-6982

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.

June 17, 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).

For Complainant:

Mr. Louigens Piller
7216 Pittville Avenue
Philadelphia, PA 19126

June 17, 2013



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