

June 15, 2001

ORIGINAL

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building, 2nd Floor, 7 North
400 North Street
Harrisburg, PA 17120

Filed by Federal Express

Re: Philadelphia Gas Works Proposed 2001-2002 Gas Cost Rate
Docket No. R-00016378 C0002

Dear Secretary McNulty:

I represent the Consumers Education and Protective Association (CEPA), the Association of Community Organizations for Reform Now (ACORN), Action Alliance of Senior Citizens of Greater Philadelphia, and the Tenants' Action Group (TAG) (collectively CEPA et al.) in the above-captioned matter.

Enclosed please find for filing an original and three (3) copies of the Formal Complaint of CEPA et al.

As evidenced by the attached Certificate of Service, all parties to the proceeding are being served with copies of this Complaint.

Very truly yours,

**DOCUMENT
FOLDER**

PHILIP A. BERTOCCI

Philip A Bertocci

Attorney for CEPA et al.

RECEIVED

cc: Certificate of Service
Administrative Law Judge Marlane R. Chestnut

JUN 15 2001
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Enclosures

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3. The Respondent utility is:

Philadelphia Gas Works
800 West Montgomery Avenue
Philadelphia, PA 19122

4. On June 1, 2001, Philadelphia Gas Works (PGW) filed its FY2002 Gas Cost Rate for its Fiscal Year beginning September 1, 2001 and ending August 31, 2002, seeking authorization to recover \$324.7 million through that mechanism. Consistent with PGW's Tariff, the Company seeks to recover through its GCR not only natural gas costs not included in base rates, but also certain other costs, including inter alia, costs associated with PGW's low income customer assistance program (Customer Responsibility Program), its low income conservation program (Conservation Works Program) and a portion of costs associated with PGW's Senior Citizen Discount Program. These programs make a critical difference in the lives of thousands of PGW customers with low and moderate incomes. In this proceeding and prior proceedings, certain parties have questioned the appropriateness of continuing to provide funding for these programs through the Gas Cost Rate. In the period before the effective date of PGW's restructuring plan, CEPA et al. seek to assure that PGW low income customers and senior citizen customers continue to receive all the assistance currently provided to them under PGW's Tariff.

5. Complainant Consumer Education and Protective Association (CEPA) is a nonprofit corporation with an office at 6048 Ogontz Avenue, Philadelphia, PA. CEPA is

composed of hundreds of members, mostly low and moderate income, who have come together to address a variety of community and consumer issues, including the management, rates and quality of customer service of the Philadelphia Gas Works.

6. The Association of Community Organizations for Reform Now (hereinafter ACORN) is a registered non-profit corporation and membership organization with offices at 846 N. Broad Street, Philadelphia, PA 19130. ACORN's mission is to advocate on behalf of the economic well being of low income people, particularly with respect to such fundamental necessities of life as utility service, housing, healthcare and jobs.

7. Action Alliance of Senior Citizens of Greater Philadelphia (hereinafter Action Alliance) is a registered non-profit corporation and membership organization with offices at 1201 Chestnut Street, Philadelphia, PA. The mission of Action Alliance is to advocate on behalf of senior citizens, many of whom are low and moderate income, in a wide range of matters including the management, rates and quality of customer service of the Philadelphia Gas Works.

8. The Tenants' Action Group (TAG) is a registered non-profit organization with offices at 21 S. 12th Street, 12th Floor, Philadelphia, PA 19107. The mission of TAG is advocate on behalf of low and moderate income tenants.

9. In addition to their organizational missions to advocate on behalf of low and moderate income consumers, CEPA et al. count among their members many low and

moderate income customers of the Philadelphia Gas Works. For these two reasons, they therefore have an interest in this proceeding not adequately represented by any other party of record.

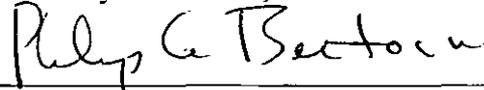
10. CEPA et al. have conducted an initial review of PGW's GCR filing. CEPA et al. intend to oppose this request to the extent that the proposed rate is not just and reasonable.

Wherefore, CEPA et al. respectfully request that the Pennsylvania Public Utility Commission:

(1) accept this Complaint and allow Complainants to intervene in this proceeding as an active party;

(2) require PGW at hearing to adduce evidence in justification of its proposed Gas Cost Rate, and that Complainants be accorded full opportunity to cross-examine PGW's witnesses, present evidence and offer argument.

Respectfully submitted,



PHILIP A. BERTOCCI, ESQUIRE
EDWARD A. MCCOOL, ESQUIRE

Attorneys for CEPA et al.

COMMUNITY LEGAL SERVICES, INC.
1424 Chestnut Street, 4th Floor
Philadelphia, PA 19102-2505
Tel.: 215-981-3702
FAX: 215-981-0435

June 15, 2001

VERIFICATION

I, Tina Nelsen, Executive Director of the Consumers Education and Protective Association, hereby state that the facts contained in the foregoing Formal Complaint are true and correct to the best of my knowledge, information and belief, that I am duly authorized to make this Verification, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the Statements herein are made subject to the penalties of 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities).

Date:

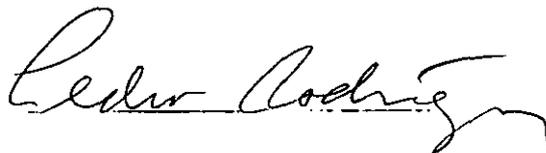
June 13, 2001

VERIFICATION

I, Pedro Rodriguez, Executive Director of the Action Alliance of Senior Citizens of Greater Philadelphia, hereby state that the facts contained in the foregoing Formal Complaint are true and correct to the best of my knowledge, information and belief, that I am duly authorized to make this Verification, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the Statements herein are made subject to the penalties of 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities).

Date:

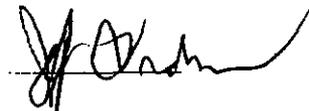
6/14/2001



VERIFICATION

I, Jeff Ordower, Executive Director of the Association of Community Organizations for Reform Now (ACORN), hereby state that the facts contained in the foregoing Formal Complaint are true and correct to the best of my knowledge, information and belief, that I am duly authorized to make this Verification, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the Statements herein are made subject to the penalties of 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities).

Date: June 14, 2001

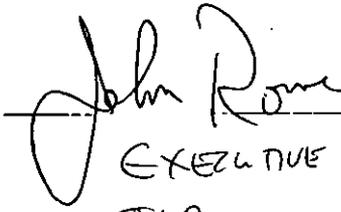
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VERIFICATION

I, John Rowe, Executive Director of the Tenants' Action Group, hereby state that the facts contained in the foregoing Formal Complaint are true and correct to the best of my knowledge, information and belief, that I am duly authorized to make this Verification, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the Statements herein are made subject to the penalties of 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities).

Date:

6/14/01


EXECUTIVE DIRECTOR
TAC

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the Formal Complaint in this matter docketed at R-00016378 upon the following parties by First Class U.S. Mail, postage prepaid, as follows:

Dated: June 15, 2001

Daniel Clearfield, Esquire
Wolf, Block, Schorr & Solis-Cohen, LLP
212 Locust Street, Suite 300
Harrisburg, PA 17101

Wendell F. Holland, Esquire
Stephen W.W. Ching, Jr., Esquire
Obermayer Rebmann Maxwell
& Hippel, LLP
One Penn Center, 19th Floor
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1895

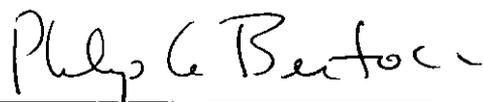
Johnnie E. Simms, Esquire
Office of Trial Staff
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Walter W. Cohen, Esquire
Obermayer Rebmann Maxwell
& Hippel, LLP
204 State Street
Harrisburg, PA 17101

Tanya J. McCloskey, Esquire
Stephen Keene, Esquire
Office of Consumer Advocate
Forum Place Building, 5th Floor
555 Walnut Street
Harrisburg, PA 17101-1921

Steven C. Gray, Esquire
Office of Small Business Advocate
Commerce Building, Suite 1102
300 North 2nd Street
Harrisburg, PA 17101

Charis M. Burak, Esquire
David M. Kleppinger, Esquire
McNees, Wallace & Nurick
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166



PHILIP A. BERTOCCI

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P O BOX 3265, HARRISBURG PA 17105-3265

JUNE 19, 2001

WENDELL F. HOLLAND
OBERMAYER REBMANN MAXWELL & HIPPEL LLP
1 PENN CNTR 19TH FL
1617 J KENNEDY BLVD
PHILADELPHIA PA 19103-1895

RE: PA PUC vs PHILADELPHIA GAS WORKS
Docket Number R-00016378C0002

Dear Sir/Madam:

A Complaint has been filed against you in the above-captioned matter before the Pennsylvania Public Utility Commission by CEPA "ET AL".

This complaint, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. The Pennsylvania Public Utility Code, 66 Pa. C.S., requires the Commission to serve on each party named in a complaint a copy of the complaint.

Within twenty (20) days from the date on which this complaint is served, you may either satisfy this complaint or comply with the provisions of 52 Pa. Code, Section 5.61 et seq., as amended.

DOCUMENT
FOLDER

Very truly yours,

James J. McNulty

James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

JIH

2. Article Number



7106 4575 1293 0537 3356

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) Yes

1. Article Addressed to:

R-000163780002
FC
Wendell F. Holland
ABee mayer Reisman
Maxwell & Huppel LLP

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) <i>R. SMITH</i>	B. Date of Delivery <i>6-25-1</i>
C. Signature <i>[Signature]</i>	<input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee
D. Is delivery address different from item 1? If YES, enter delivery address below:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

COMMONWEALTH OF PENNSYLVANIA

DATE: JUNE 19, 2001

SUBJECT: R-00016378C0002

TO: Office of Administrative Law Judge

FROM:  James J. McNulty, Secretary

DOCKETED

JUN 19 2001

**DOCUMENT
FOLDER**

CEPA "ET AL"
v.
PHILADELPHIA GAS WORKS

Attached is copy of a formal complaint filed in connection with the above docketed proceeding.

This matter is assigned to your office for necessary action.

Attachment - copy of complaint

cc:

Bureau of Fixed Utility Services - w/copy of complaint

Office of Trial Staff - w/copy of complaint

Office of Special Assistants - w/copy of complaint

JIH