



PHILADELPHIA GAS WORKS

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November 19, 2013

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

Re: SBG Management Services, Inc v. PGW, Docket No. C – 2012 – 2304183, C – 2012 – 2304215, C – 2012 – 2304324, C – 2012 – 2304167, C – 2012 – 2304303, C – 2012 – 2308454, C – 2012 – 2308462, C – 2012 – 2308465, and C – 2012 – 2334253

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code §5.103, the Philadelphia Gas Works ("PGW") hereby requests the reconsideration of the Order on the motion to Compel of the above captioned matters dated November 14, 2013 (the "order").

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: Administrative Law Judge Eranda Vero (email)
Francine Thornton Boone, Esq. (email)
Mr. Philip Pulley (email)
Ms. Kathy Treadwell (email)
Anne Marie Cromley (PGW Mail)
Linda Pereira (PGW Mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

SBG Management Services, Inc. / :
Colonial Garden Realty, LP, :
Complainant :
v. : **Docket No. C – 2012 – 2304183**
: :
Philadelphia Gas Works, :
Respondent :

SBG Management Services, Inc. / :
Fairmount Realty, :
Complainant :
v. : **Docket No. C – 2012 – 2304215**
: :
Philadelphia Gas Works, :
Respondent :

SBG Management Services, Inc. / :
Simon Gardens Realty, LP, :
Complainant :
v. : **Docket No. C – 2012 – 2304324**
: :
Philadelphia Gas Works, :
Respondent :

SBG Management Services, Inc. / :
EIRae Garden Realty, LP, :
Complainant :
v. : **Docket No. C – 2012 – 2304167**
: :
Philadelphia Gas Works, :
Respondent :

SBG Management Services, Inc. / :
Marshall Square Realty, LP, :
Complainant :
v. : **Docket No. C – 2012 – 2304303**
: :
Philadelphia Gas Works, :
Respondent :

SBG Management Services, Inc. / :
Marchwood Realty, :
Complainant :
v. : **Docket No. C – 2012 – 2308454**
: :
Philadelphia Gas Works, :
Respondent :

SBG Management Services, Inc. / :
Oak Lane Realty Co., LP, :
Complainant :
v. : **Docket No. C – 2012 – 2308462**
: :
Philadelphia Gas Works, :
Respondent :

SBG Management Services, Inc. / :
Fern Rock Realty, :
Complainant :
v. : **Docket No. C – 2012 – 2308465**
: :
Philadelphia Gas Works, :
Respondent :

SBG Management Services, Inc. / :
Colonial Garden Realty, LP, :
Complainant :
v. : **Docket No. C – 2012 – 2334253**
: :
Philadelphia Gas Works, :
Respondent :

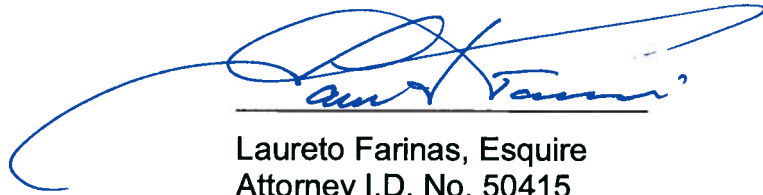
NOTICE TO PLEAD

To: SBG Management Services, Inc,

Pursuant to 52 Pa. Code §5.103, you are hereby notified to file a written response to the enclosed Motion for reconsideration of the Order on the Motion to Compel of the above captioned matters, within twenty (20) 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,

November 19, 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**

SBG Management Services, Inc. / :
Colonial Garden Realty, LP, :
Complainant :
v. : **Docket No. C – 2012 – 2304183**
: :
Philadelphia Gas Works, :
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SBG Management Services, Inc. / :
Fairmount Realty, :
Complainant :
v. : **Docket No. C – 2012 – 2304215**
: :
Philadelphia Gas Works, :
Respondent :

SBG Management Services, Inc. / :
Simon Gardens Realty, LP, :
Complainant :
v. : **Docket No. C – 2012 – 2304324**
: :
Philadelphia Gas Works, :
Respondent :

SBG Management Services, Inc. / :
EIRae Garden Realty, LP, :
Complainant :
v. : **Docket No. C – 2012 – 2304167**
: :
Philadelphia Gas Works, :
Respondent :

SBG Management Services, Inc. / :
Marshall Square Realty, LP, :
Complainant :
v. : **Docket No. C – 2012 – 2304303**
: :
Philadelphia Gas Works, :
Respondent :

SBG Management Services, Inc. / Marchwood Realty,	:	
Complainant	:	
v.	:	Docket No. C – 2012 – 2308454
Philadelphia Gas Works,	:	
Respondent	:	
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SBG Management Services, Inc. / Oak Lane Realty Co., LP,	:	
Complainant	:	
v.	:	Docket No. C – 2012 – 2308462
Philadelphia Gas Works,	:	
Respondent	:	
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SBG Management Services, Inc. / Fern Rock Realty,	:	
Complainant	:	
v.	:	Docket No. C – 2012 – 2308465
Philadelphia Gas Works,	:	
Respondent	:	
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SBG Management Services, Inc. / Colonial Garden Realty, LP,	:	
Complainant	:	
v.	:	Docket No. C – 2012 – 2334253
Philadelphia Gas Works,	:	
Respondent	:	

**Philadelphia Gas Works’ Motion for
Reconsideration of Order on Motion to Compel Responses to the
Complainants’ Interrogatories and Requests for Production of Documents, Set II**

Pursuant to 52 Pa. Code §5.103, the Philadelphia Gas Works (“PGW”) hereby requests the reconsideration of the Order on the Motion to Compel of the above captioned matters dated November 14, 2013 (the “Order”). Particularly, PGW requests reconsideration of Paragraphs 5, 10 and 11 of the Order. In support of is motion PGW avers the following:

1. PGW has reviewed the Order and assess the time and human resource that would be required to comply with the Order in the amount of days set forth in the Order, Paragraphs 5, 10 and 11. With the approach of the holiday season, the increased work of the PGW Customer Review Unit during the heating season and pending vacations and retirements, PGW does not have the requisite time to answer the remaining requests by November 29, 2013, (15 days of the date of the Order).
2. On Monday, November 18, 2013, PGW contacted the Complainants in order to discuss their offer to extend the time for discovery that was made at the conclusion of the Prehearing Conference of November 7, 2013. PGW has proposed a method used in other cases which have extended discovery and serves to provide not only information but also facilitates a better understanding of the documents and company procedures they contain.
3. PGW has proposed to the Complainants to provide the responses over the next 60 days (January 17, 2014) by providing responses to several of the questions each week, so that there is a constant flow of information to digest and discuss if necessary.
4. PGW envisions that the bulk of the requests would be provided before the Christmas/New Year holidays so that the remaining two weeks (between January 3 and 17, 2014) could be used to finish up and perhaps discuss any issues to be eliminated from litigation.
5. PGW's proposal necessitates the rescheduling of all of the hearings presently scheduled for December 2013 as the Parties will need time to prepare, digest and possibly discuss the responses in preparation of their cases.
6. PGW has informed the Complainants that as the PGW/Commission calendar is full through the end of January 2014, the new schedule of hearings finishing will not be until mid-February or March 2014. This may give the Parties more time to prepare our cases more efficiently and perhaps eliminate issues to litigate.
7. The Complainants have not rejected PGW's proposal out of hand but rather, have conditioned their agreement to the proposal upon several pending non-discovery issues that are the subject of these matters.
8. PGW is considering the Complainants' counter proposal and will respond to the Complainant's by the end of the day tomorrow, November 20, 2013.

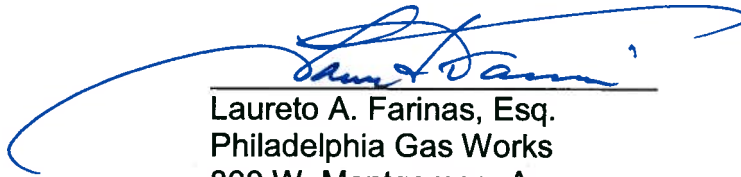
9. Regardless of the outcome of those discussions, PGW requests that you reconsider Ordering Paragraphs 5, 10 and 11 of the Order, and provide that, absent an agreement of the Parties, PGW provide responses to the Complainants' discovery pursuant to the method described in Paragraphs 3 and 4, herein.

10. PGW requests that, due to the nature and volume of the new discovery information to be provided to the Complainants, that the remaining hearings in these matters scheduled for December 2013 be continued to another date.

WHEREFORE, for the reasons stated above, PGW respectfully requests that the Commission reconsider the Order on the Complainants' motion to compel dated November 14, 2013 and issue an order consistent with this motion.

Respectfully submitted,

November 19, 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, PHILADELPHIA GAS WORKS' OBJECTION TO THE COMPLAINANTS' INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS UPON THE PARTICIPANTS LISTED BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF 52 PA CODE §§1.54 and 5.342(c) (RELATING TO SERVICE BY A PARTICIPANT).

Service List

For Complainants:

Francine Thornton Boone, Esq.
SBG Management Services, Inc.
702 N. Marshall Street
Philadelphia, PA 19123

& by e-mail: fboone@sbgmanagement.com

Mr. Philip Pulley
Ms. Kathy Treadwell
SBG Management Services, Inc.
P.O. Box 459
Abington, PA 19001

& by e-mail: phil@sbgmanagement.com
ktreadwell@sbgmanagement.com

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