

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, Pennsylvania 17105-3265

Michael John Sottile
v.
Philadelphia Gas Works

Public Meeting held December 5, 2013
2352676-ALJ
Docket No. C-2013-2352676

MOTION OF COMMISSIONER GLADYS M. BROWN

On February 27, 2013, Michael John Sottile filed a formal Complaint alleging that Philadelphia Gas Works (PGW): 1) provided inadequate service by failing to show up for three service appointments to turn on service; 2) failed to bill him for three years; and, 3) that the PGW make-up bill for previously unbilled service contained incorrect charges.

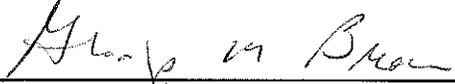
By Initial Decision served on October 8, 2013, ALJ Heep dismissed the portion of the Complaint dealing with the accuracy of the \$6,966.41 make-up bill. ALJ Heep sustained the Complaint insofar as it sought a finding that PGW did not provide adequate service in violation of 66 Pa. C.S. § 1501. The Initial Decision also imposed a civil penalty of \$200 due to PGW's failure to issue monthly bills for three years which was a violation of 52 Pa. Code § 56.11 and PGW's Gas Tariff.

As previously noted by this Commission, "[u]tilities need to be diligent in quickly identifying the correct party to bill, rather than allowing a sizeable balance to accrue in a "placeholder" account." *Margarita Kron v. PGW*, Docket No. F-2012-2332152 (Order entered October 3, 2013). I do not believe that the civil penalty imposed in this case is commensurate with the violations. PGW exhibited poor customer service by failing to keep appointments and violated the Commission's Regulations as well as its own Tariff by failing to issue monthly bills. Consistent with 52 Pa. Code § 69.1201(c), these violations merit a civil penalty of \$1,000.¹

THEREFORE, I MOVE THAT:

1. The Initial Decision be modified to levy a \$1,000.00 civil penalty against PGW, consistent with this Motion.
2. The Office of Special Assistants prepare an Opinion and Order consistent with this Motion.

December 5, 2013
Date


Gladys M. Brown, Commissioner

¹ The Commission has previously imposed civil penalties due to PGW's failure to read the gas meter. See, *Darlene O'Doe v. Philadelphia Gas Works*, Docket No. F-01559449, (Order entered December 13, 2005); *Ronald Ragland v. Philadelphia Gas Works*, Docket No. F-01386826, (Order entered March 17, 2006); and, *Eugene Allen v. Philadelphia Gas Works*, Docket No. F-01551573, (Order entered August 22, 2006).