



PHILADELPHIA GAS WORKS

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December 10, 2013

Administrative Law Judge Angela T. Jones
Pennsylvania Public Utility Commission
801 Market Street
Suite 4063
Philadelphia, PA 19107

Re: Victor Baron v. PGW, Docket No. C – 2013 – 2364328

Dear Judge Jones:

Pursuant to 52 Pa. Code §1.15(b), Philadelphia Gas Works, the Respondent (PGW) hereby requests a continuance of the hearing scheduled for Thursday, December 19, 2013.

If additional information is required, please do not hesitate to contact the undersigned. Thank you for your assistance in this matter.

Sincerely,


Danielle Leva

Enclosure

cc: Rosemary Chiavetta, Secretary
Victor Baron (Fed Ex)
Anne Marie Cromley (PGW Mail)
Linda Pereira (PGW Mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Victor Baron,	:	
	:	
Complainant	:	
v.	:	Docket No. C-2013-2364328
	:	
Philadelphia Gas Works,	:	
Respondent	:	

MOTION FOR CONTINUANCE OF HEARING

Pursuant to 52 Pa. Code § 1.15(b), Philadelphia Gas Works, the Respondent (PGW) hereby requests a continuance of the hearing in this matter scheduled for Thursday, December 19, 2013 due to the unavailability of one of its witnesses.

In support of its motion, PGW states as follows:

1. On May 21, 2013, the Commission served the Respondent with the Complaint filed in the above captioned matter, which is a property damage dispute.
2. On June 10, 2013, PGW filed an Answer to the Complaint in the above captioned matter.
3. By Notice dated September 11, 2013, the Commission scheduled an In Person Hearing in this matter for Wednesday, October 2, 2013 at 1:30 p.m., before Administrative Law Judge (ALJ) Angela T. Jones, in the Commission's Philadelphia office to hearing the adequate service issues associated with this matter.
4. Initially, PGW requested that the hearing scheduled for October 2, 2013 be continued due to the unavailability of PGW's witness, Anne Marie Cromley, Senior Customer Review Officer – PGW who performed an investigation of this complaint for her department. Ultimately, PGW offered the testimony of Linda Pereira, Senior Customer Review Officer – PGW, who reviewed the investigation of the matter.
5. On October 2, 2013, ALJ Jones presided over the Initial Hearing of the matter that commenced at 1:30 p.m. The Complainant presented his case in chief, sponsoring 8 exhibits. On or about 4:30 p.m. of that date. PGW had begun its case in chief, whereupon it marked and introduced 14 exhibits. With the introduction of PGW

exhibits, the hearing was recessed in order to schedule a further hearing of the matter, without too much time passing between the Initial and Further Hearings of the matter.

6. By Notice dated October 17, 2013, the Commission scheduled further hearings in this matter for Friday, November 15, 2013 at 10:00 a.m., and Wednesday, November 27, 2013, before Administrative Law Judge Angela T. Jones. That hearing notice informed the Parties of the possibility that one of the hearing dates might be cancelled. Notification of cancellation would be sent to the Parties by e-mail.

7. Due to the continued pendency of another matter scheduled for November 15, 2013, previously anticipated to be withdrawn, ALJ Jones cancelled the Further Hearing in the instant matter, scheduled for November 15, 2013, leaving the November 27, 2013 as the date for the Further Hearing of the instant matter.

8. Due to a weather emergency encountered while traveling for the Thanksgiving holiday, the Complainant requested a continuance.

9. After the commencement of a telephonic conference to discuss scheduling and by Notice dated December 4, 2013, the Commission rescheduled a Further Hearing in this matter for Thursday, December 19, 2013 at 10:00 a.m., and before Administrative Law Judge Angela T. Jones.

10. PGW intends to present two witnesses for testimony for this case, one of whom is Kevin I. Dixon, Supervisor, Distribution Department – PGW. Mr. Dixon was present and ready to testify at the Initial Hearing held on October 2, 2013.

11. For the two previously scheduled hearing dates, November 15 and 27, 2013, Mr. Dixon was scheduled to be off work, but made himself available for both hearing dates. In fact, he was waiting in the lobby of PGW headquarters to attend the hearing on November 27, 2013, when he was informed of the weather emergency and the cancellation of that hearing date.

12. Mr. Dixon is scheduled to be on vacation on the date of the hearing scheduled for December 19, 2013 and will not be available for testimony.

13. Mr. Dixon's testimony will address the many of the quality of service issues raised in the Complainant's case.

14. PGW requests a continuance of the Further Hearing date in this matter scheduled for December 19, 2013 as Mr. Dixon's testimony is essential to the

presentation of PGW's case in chief.

15. PGW has contacted Mr. Baron, the Complainant by telephone to inquire as to whether he objects to this request for a continuance. As of the filing of this motion, the Complainant has not responded to the telephone call.

WHEREFORE, for the reasons stated above, PGW respectfully requests that the hearing scheduled for Thursday, December 19, 2013 in the above captioned matter be continued and rescheduled.

Respectfully submitted,

December 10, 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.

December 10, 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).

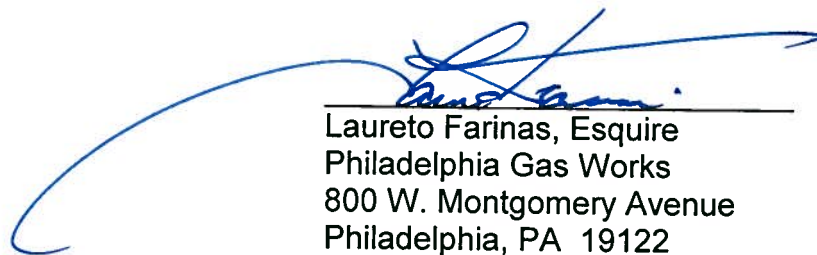
Service List:

For Complainant:

Mr. Victor Baron
636 West Avenue
West Cape May, NJ 08204-1005

Also by e-mail:
lbaronphl@yahoo.com

December 10, 2013



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