



**PHILADELPHIA GAS WORKS**

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May 5, 2014

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 files its answer to the Complainants' motion for reconsideration of the Order of April 9, 2013 regarding discovery issued in the above referenced matters (the "Order").

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

Sincerely,

  
Danielle Leva

Enclosure

cc: Francine Thornton Boone, Esq. (FedEx and Email)  
Mr. Philip Pulley (Email)  
Ms. Kathy Treadwell (Email)  
Administrative Law Judge Eranda Vero (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 :

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

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

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

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**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 :

**Answer of Philadelphia Gas Works to Complainants’  
 Motion for the Reconsideration of the April 9, 2014 Order of  
 Administrative Law Judge Eranda Vero for Philadelphia Gas Works  
 Responses to Interrogatories, Set II, Nos. 17, 18, 19, 21, 35, 36, 37, 38, and 39**

Pursuant to 52 Pa. Code §5.103, the Philadelphia Gas Works (“PGW”) hereby answers the Complainants’ motion for reconsideration of the Order of April 9, 2014 regarding discovery issued in the above referenced matters (the “Order”). The Order, inter alia, denied the Complainants motion to compel PGW’s further responses to the Complainants’ Interrogatories, Set II, Nos. 14, 17, 18, 19, 21, 26, 28, 31, 33, 35, 37, 38,

and 39. The Complainants motion for reconsideration concerns the Order with regard to the Complainants' Interrogatories, Set II, Nos. 17, 18, 19, 21, 35, 36, 37, 38, and 39.

For the reasons stated herein the Complainants' motion should be denied.

1. Admitted in part, denied in part. PGW provided responses to the Complainants' Interrogatories that PGW believed were complete. In the Order the Commission found it necessary to have PGW provide additional responsive information to the Complainants' Interrogatories Set II, Nos. 5 through 13, 15, 16, 22, 23, 24, 27, 29, 30 and 36. In the Order the Commission found that PGW need not submit additional responsive information to Complainants' Interrogatories, Set II, Nos.14, 17, 18, 19, 20, 21, 26, 28, 31, 33, 34, 35, 37, 38, and 39, denying the Complainants' motion to compel with regard to these interrogatories.

2. Denied. The Order adequately addresses the Complainants' concerns with PGW's provision of information contained in PGW's responses to the Complainants Interrogatories Set II.

3. Admitted in part; denied in part. While PGW admits that discovery requests did not request "examples," PGW provided the method of the calculation of numerous late payment charges on several accounts. The Order addresses the adequacy of PGW's responses for Complainants Interrogatories, Set II Nos. 17, 18, and 38 on page 30. As PGW has provided the background information the formula for calculation and the calculation of many instances of late payment charges, but ordered only the PGW provide the completed responses to No. 36.

4. Admitted. The statement on page 47 of the Order is not inconsistent with the finding of the adequacy of information provided in response to Nos. 17, 18, and 38.

5. Denied. The Complainant errs with regard to No. 36. By way of further answer, the Order does not deny the Complainant's request concerning No. 36, although with the information provided, the Complainant may check calculations of the late payment charges for the remaining accounts.

6. Denied. The Complainants' ability to review its accounts is not prejudiced. PGW provided the information on all of the Complainants' accounts. Further, in response to Set II, No. 28, PGW stated the policy under which debt is retired/satisfied when payment is received. The Complainants need only apply this information.

7. Denied. The Order, pages 24 through 26, clearly outlines the adequacy of PGW's responses to in Set II Nos. 17, 18 and 19. The amount and type of account information provided allows the Complainants to review all aspects, "crucial" and secondary, of its accounts. Further PGW's responses to Set II, No. 38, in its attachments, describe the origin and the billing period of gas usage covered by each lien imposed in each of the Complainants' accounts.

8. Denied. Similarly, the Order, pages 24 through 30, clearly outlines the adequacy of PGW's responses to in Set II Nos. 18, 19 and 21. The amount and type of account information provided allows the Complainants to review all aspects, "crucial" and secondary, of its accounts. Further PGW's responses to Set II, No. 38, in its attachments, describe the origin and the billing period of gas usage covered by each lien imposed in each of the Complainants accounts.

9. Denied. As stated above and addressed in the Order pages 24 through 30, PGW has provided the requested information and has adequately responded to the Complainants' Interrogatories.

10. Denied. As stated above and addressed in the Order pages 24 through 30, PGW has provided the requested information and has adequately responded to the Complainants' Interrogatories.

11. Denied. As stated above and addressed in the Order pages 24 through 30, PGW has provided the requested information and has adequately responded to the Complainants' Interrogatories, Set II, Nos. 17, 18, 19, 21, 35, 36, 37, 38, and 39. The Complainants have failed to raise new and novel arguments, which were not previously considered in this matter relating to PGW's provision of discovery.

**WHEREFORE**, for the reasons stated above, PGW respectfully requests that the Commission issue an order denying the Complainants' motion for reconsideration of the Order of April 9, 2014, in this matter.

Respectfully submitted,

May 5, 2014



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 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:

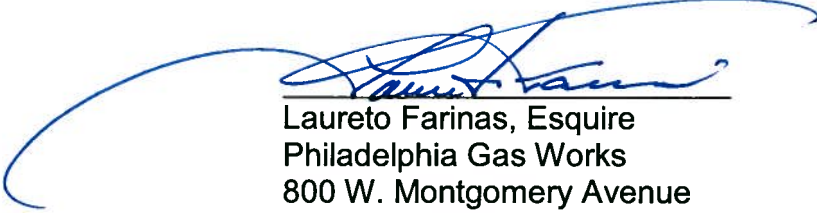
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