



PHILADELPHIA GAS WORKS

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May 16, 2014

Administrative Law Judge Christopher P. Pell
Pennsylvania Public Utility Commission
801 Market Street, Suite 4063
Philadelphia, PA 19107

RE: Steve Atuahene v. Philadelphia Gas Works, Docket No. F-2013-2389261

Dear Judge Pell:

Please find enclosed PGW's Objection to the Complainant's Motion for Leave to File Exceptions Out of Time, which has been filed with the Secretary.

If you need additional information about this matter, please contact me at my direct-dial number above. Thank you.

Sincerely,


Graciela C. Christlieb

cc: Service List
Steve Atuahene (Regular Mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

STEVE ATUAHENE,
Complainant

v.

PHILADELPHIA GAS WORKS,
Respondent

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F – 2013 – 2389261

**OBJECTION AND REPLY OF
PHILADELPHIA GAS WORKS TO THE
MOTION FOR LEAVE TO FILE EXCEPTIONS OUT OF TIME**

Pursuant to 52 Pa. Code §5.535, and the Secretary’s letter dated April 18, 2014 in the above captioned matter, the Respondent, Philadelphia Gas Works (PGW), hereby files its Objection and Reply to the Motion filed by the Complainant on May 12, 2014.

I. Introduction

On or about October 16, 2013, Steve Atuahene (“Complainant”) filed a formal Complaint against Philadelphia Gas Works (“PGW”) wherein he alleged that his bills were too high.

PGW filed an Answer (“Answer”) on or about November 12, 2013 wherein it denied that there were incorrect charges on the bills for the service at the service address.

On January 30, 2014, the hearing was held, as scheduled, in the Philadelphia Regional Office before Administrative Law Judge Darlene Davis Heep. The Complainant appeared and testified on her own behalf; she introduced no exhibits.

By Hearing Notice dated November 20, 2013, a hearing was scheduled for January 21, 2014 at 10:00 a.m. On January 15, 2014, the Complainant requested a continuance. PGW made no objection and the hearing was continued until February 27, 2014 at 10:00 a.m.

On the afternoon of February 26, 2014, the Complainant made a request for continuance of the February 27, 2014 hearing. PGW objected on the grounds that, even though the previous continuance had been granted to permit the Complainant to conduct discovery in this matter, he had failed to contact PGW in any way to request discovery or discuss the matter. The Complainant's request was ultimately denied.

The hearing convened as scheduled on February 27, 2014. Counsel for PGW was present with a witness and prepared to proceed. The Complainant failed to appear. Counsel for PGW moved to have the complaint dismissed with prejudice for lack of prosecution pursuant to 52 Pa.Code § 5.245. The motion was granted.

On April 14, 2014, the Commission issued the Initial Decision; it was served on the parties along with a letter from the Commission dated April 18, 2014. The letter stated that Exceptions were to be filed within 20 days of the date of the letter.

On May 12, 2014, the Complainant filed a Motion asking to be permitted to file Exceptions "out of time".

II. Objection

PGW hereby objects to the Complainant's Motion on the ground that there is nothing in the Motion to indicate that Exceptions could not be filed in a timely manner. There are no dates in the Motion to indicate the period of time during which the Complainant was in Alexandria, VA. The Motion alludes to a funeral in Africa without stating that the Complainant was in attendance. The Motion lacks any supporting documentation.

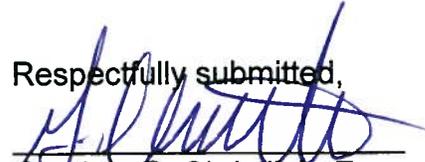
Moreover, the Motion is unaccompanied by any actual Exceptions, so as of the filing of this Objection, there are still no Exceptions to which PGW could make a Reply.

III. **Conclusion**

For the foregoing reasons, PGW respectfully requests that the Commission grant PGW's Objection and deny Complainant's motion to submit late Exceptions.

May 16, 2014

Respectfully submitted,


Graciela C. Christlieb, Esq.
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122

CERTIFICATE OF SERVICE

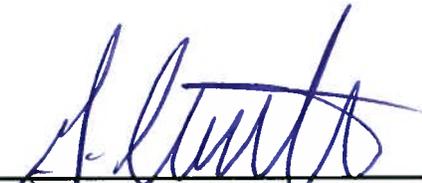
I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY OF THE FOREGOING DOCUMENT UPON THE PARTICIPANTS LISTED BELOW IN ACCORDANCE WITH THE REQUIREMENTS OF 52 PA CODE § 1.54 (RELATING TO SERVICE BY A PARTICIPANT).

Service List:

For Complainant:

Mr. Steve Atuahene
7000 Woodbine Avenue
Philadelphia, PA 19151

May 16, 2014



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