



PHILADELPHIA GAS WORKS

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September 5, 2014

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

Re: Curtis Morgan v. Philadelphia Gas Works, Docket No. C-2014-2428050

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code §5.102, the Philadelphia Gas Works ("PGW") hereby files the original Motion for Summary Judgment in the above captioned matter.

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: Cursti Morgan (Regular Mail)
Linda Pereira (PGW Mail)
Wendy Vacca (PGW Mail)

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Curtis Morgan

v.

Philadelphia Gas Works

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Docket No. C – 2014 – 2428050

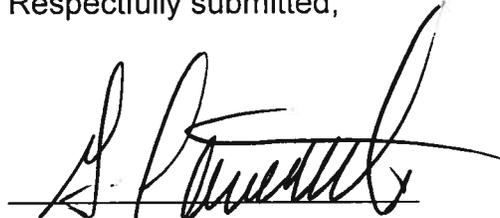
NOTICE TO PLEAD

To: Curtis Morgan,

Pursuant to 52 Pa. Code §5.102, you are hereby notified to file a written Answer or other response to the enclosed Motion for Summary Judgment, 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,

September 4, 2014



Graciela Christlieb, Esquire
Attorney I.D. 200760
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122
(215) 684-6164

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Curtis Morgan

v.

Philadelphia Gas Works

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Docket No. C-2014-2428050

**Philadelphia Gas Works'
Motion For Summary Judgement**

Pursuant to 52 Pa. Code §5.102, the Philadelphia Gas Works ("PGW") hereby moves for a summary judgement and the dismissal of the above captioned matter on the grounds that the exact and identical factual and legal issues that are the basis of the instant complaint have been addressed and previously settled by the parties by way of a Certificate of Satisfaction under Docket No. C-2014-2399289, filed on April 2, 2014.

In support of this motion, PGW hereby avers the following:

1. The Complaint established service at the Service Address on November 8, 2005.
2. The account is listed as residential gas heat and other domestic usage.
3. The Complainant has had 11 PGW payment agreements, 3 CRP agreements, and 4 PUC payment agreements.
4. The Complainant has exhausted all three allowable medical certifications under his current account balance.
5. On or about November 5, 2013, the Complainant filed a Formal Complaint at Docket No. C-2014-2399289.
6. The Formal Complaint at Docket No. C-2014-2399289 requested a payment agreement that the Complainant can afford.
7. On April 2, 2014, the Formal Complaint was settled. The Complainant agreed to pay \$1,570 towards his account balance within 45 days of the settlement and

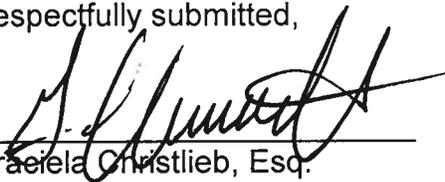
PGW agreed to waive \$185.00 in late payment charges. PGW also agreed to enroll the Complainant in a Budget Billing Payment Arrangement for 36 months.

8. A Certificate of Satisfaction was filed with the commission regarding the settlement on April 2, 2014. A copy of the Certificate of Satisfaction along with a Settlement letter were sent to the Complainant.
9. The Complainant failed to comply with the settlement agreement.
10. Commission regulations at 52 Pa.Code § 5.24(b) permit a utility to file a Certificate of Satisfaction, indicating that a complaint has been addressed. A complainant then has ten (10) days in which to object to the Certificate, and if no objection is filed, the matter is closed.
11. The Complainant did not file an objection to the Certificate of Satisfaction.
12. On June 11, 2014 the Complainant filed the Complaint against PGW in the instant matter under Docket No. C-2014-2428050.
13. The Complaint under Docket No. C-2014-2428050 again requests a payment agreement. The Complainant in the instant matter references the previous settlement and questions why PGW wouldn't accept an amount other than what was previously agreed to. It is clear that the Complainant is attempting to have a hearing on an issue that was settled earlier this same year.

WHEREFORE, PGW respectfully requests that pursuant to Titus Wright v. PGW, Docket No. C-2013-2368462, and 52 Pa.Code § 5.24(b), the Commission dismiss the instant complaint as all of the factual and legal issues that are the basis of the instant complaint were previously addressed and settled under Docket No. C-2014-2399289. PGW further requests that the Commission issue an order for the payment of the arrearage on the Complainant's PGW account in the amount of \$7,768.43 in full.

September 4, 2014

Respectfully submitted,



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

VERIFICATION

I, Graciela Christlieb, hereby declare that I am counsel to the Philadelphia Gas Works; and that as such, I am authorized to make this verification on its behalf, that the facts set forth in the foregoing Answer are true to the best of my knowledge, information and belief, and that I expect to be able to prove these at a hearing held in this matter. I make this verification subject to the penalties of 18. Pa. C.S. §4904, pertaining to false statements to authorities.

September 4, 2014



Graciela Christlieb, Esq.

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 § 1.54 (RELATING TO SERVICE BY A PARTICIPANT).

Service List

Curtis Morgan
6945 Wister Street
Philadelphia, PA 19138

September 4, 2014



Graciela Christlieb, Esq.
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Philadelphia, PA 19122
215-684-6162