



PHILADELPHIA GAS WORKS

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August 11, 2014

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

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

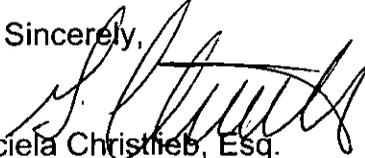
Re: Jahnene Hasty v. PGW, Docket No. C – 2014 – 2419203

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code §5.102, the Philadelphia Gas Works ("PGW") hereby files the original Motion to Dismiss as well as the 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,



Graciela Christlieb, Esq.

Enclosure

cc: Jahnene Hasty (FedEx)
Administrative Law Judge Marta Guhl (FedEx)
Jack Irizarry (PGW Mail)

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Jahnene Hasty

v.

Philadelphia Gas Works

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Docket No. C – 2014 – 2419203

NOTICE TO PLEAD

To: Jahnene Hasty,

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,

August 11, 2014



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

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Jahnene Hasty

v.

Philadelphia Gas Works

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Docket No. C-2014-2419203

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

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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-2010-2183089, filed on January 5, 2011.

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

1. The Complaint established service at the Service Address on March 7, 2002.
2. The account is listed as residential gas heat and other domestic usage.
3. The bills are based on actual gas usage.
4. The Complainant contacted PGW on April 12, 2004, May 5, 2004, and October 27, 2004, to enter into payment arrangements.
5. On December 7, 2004, the account balance was \$1,288.25.
6. On August 1, 2005, the Complainant contacted PGW requested a duplicate bill. The Complainant also requested that her mailing address be changed.
7. On September 21, 2005, PGW terminated the service at the Service Address for non-payment. The gas was shut off at the curb valve.
8. On September 23, 2005, PGW issued a final bill in the amount of \$2,622.11.
9. On January 3, 2006, the total finalized account balance of \$2,731.83, which included late payment charges, went into a "write-off" status.

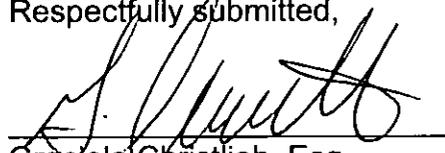
10. On March 19, 2007, the Complainant contacted PGW and a PGW representative confirmed the account balance.
11. On January 3, 2009, The Complainant contacted PGW for the "write-off" balance.
12. On June 5, 2009, the Complainant was at a PGW Service Center for a payment arrangement on the "write-off" balance. The PGW representative explained that PGW does not make payment arrangements on "write-off" balances.
13. On June 5, 2009, the complainant contacted PGW because a PGW representative at the Service Center provided the PGW Customer Service telephone number to her. The Complainant wanted to know what collection agency PGW uses and wanted to make a settlement offer. The PGW representative explained that we could not offer anything due to the account being closed but explained to the Complainant that she can still make payments on the closed account.
14. On June 25, 2010, the Complainant filed a Formal Complaint at Docket No. C-2010-2183089.
15. On January 4, 2011, the Formal Complaint was settled. PGW agreed to waive \$219.94 in late payment charges and the Complainant agreed to pay \$105 per month for 24 months.
16. A Certificate of Satisfaction was filed with the commission regarding the settlement on January 4, 2011. A copy of the Certificate of Satisfaction along with a Settlement letter were sent to the Complainant.
17. On January 4, 2011, PGW issued the agreed upon Revenue Credit Adjustment to the Complainant's account to reflect the waiver of Late Payment Charges.
18. The Complainant failed to comply with the settlement agreement.
19. 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.
20. The Complainant did not file an objection to the Certificate of Satisfaction.

21. On April 24, 2014 the Complainant filed the Complaint against PGW in the instant matter under Docket No. C-2014-2419203.
22. The Complaint under Docket No. C-2014-2419203 again requests a "reduced" payment agreement. As there have been no new charges on the account since 2005, the Complainant is attempting to have a hearing on an issue that was settled in 2011.

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-2013-2379053. 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 \$2,731.83 in full.

August 11, 2014

Respectfully submitted,



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

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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.

August 11, 2014



Graciela Christlieb, Esq.

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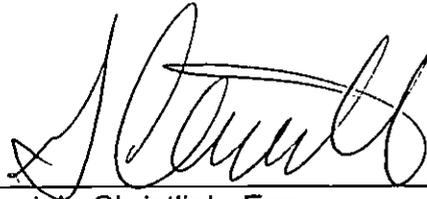
CERTIFICATE OF SERVICE

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

Jahnene Hasty
5149 N Fairhill Street
Philadelphia, PA 19120

August 11, 2014



Graciela Christlieb, Esq.
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122
215-684-6162

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