

1110 North Mountain Rd.  
Harrisburg, PA 17112

ANDERSON, GULOTTA & HICKS, P.C.

200 North Fifth Street  
Camden, NJ 08102

June 8, 2004

US MAIL

James J. McNulty, Secretary  
Commonwealth of Pennsylvania  
Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

DOCUMENT  
FOLDER

RECEIVED  
2004 JUN -9 AM 9:43  
SECRETARY'S BUREAU

**RE: Investigation Into Financial And Collection Issues Regarding The  
Philadelphia Gas Works  
Docket Nos. P-00042090; R-00049157; M-00021612; P-00032061**

Dear Mr. McNulty:

Enclosed please find for filing an original and three (3) copies of the Philadelphia Public Officials' Prehearing Memorandum in the above-referenced matter. As evidenced by the attached Certificate of Service, all parties of record have been served in the manner indicated.

Should you have any questions, please do not hesitate to contact me at (717) 541-1194.

Respectively Submitted,

*Renardo L. Hicks*

Renardo L. Hicks, Esquire

Enclosures

cc: Honorable Charles Rainey (w/enc)  
Parties of Record (w/enc)

38

RECEIVED  
2004 JUN -9 AM 9:43  
SECRETARY'S BUREAU

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Investigation Into Financial And Collection )  
Issues Regarding The Philadelphia Gas ) Docket Nos. P-00042090; R-00049157  
Works ) M-00021612; P-00032061

PREHEARING MEMORANDUM OF  
THE PHILADELPHIA PUBLIC OFFICIALS

DOCKETED  
JUN 21 2004

Pursuant to 52 Pa. Code Section 5.222, Pennsylvania State Senators Vincent J. Fumo, Michael J. Stack and Anthony H. Williams, Philadelphia City Council President Anna C. Verna, and Philadelphia City Council Members James F. Kenney, Frank DiCicco, Michael A. Nutter, David Cohen, Joan L. Krajewski and Juan F. Ramos, and Philadelphia District Attorney, Lynn Abraham, in their individual capacities as utility ratepayers and in their official capacities as duly elected officials from Philadelphia (hereinafter collectively referred to as "the Philadelphia Public Officials"), hereby submit this Prehearing Memorandum in the above-captioned matters.

**I. INTRODUCTION**

The Philadelphia Public Officials are represented in this matter by Christopher B. Craig, Esquire and Renardo L. Hicks, Esquire. All correspondence, notices, documents, orders or other communications with respect to the above-captioned proceeding should be addressed to both Mr. Craig and Mr. Hicks at the following addresses:

**Christopher B. Craig**  
Attorney No. 65203  
Counsel, Senate Democratic Appropriations Committee  
Room 545, Main Capitol Building  
Harrisburg, Pennsylvania 17120  
(Tel) 717.787.5662  
(Fax) 717.783.5210  
Email [ccraig@fumo.com](mailto:ccraig@fumo.com)

DOCUMENT  
FOLDER

Renardo L. Hicks, Esquire  
Anderson, Gulotta & Hicks, PC  
1110 North Mountain Road  
Harrisburg, PA 17112  
Tel: (717) 541-1194  
Fax: (717) 541-5434  
Email: [rhicks@aghweb.com](mailto:rhicks@aghweb.com)

## **II. DISCOVERY**

In recognition of the required dates for completion of this proceeding, pursuant to 52 Pa. Code Section 5.342, Philadelphia Public Officials encourages adoption of an abbreviated or expedited discovery schedule in this proceeding.

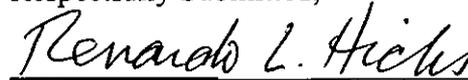
## **III. WITNESSES**

At this time, the Philadelphia Public Officials do not anticipate presenting the testimony of witnesses: however, we reserve the right to identify and present the testimony of witnesses in direct or rebuttal phases of these proceedings, in accordance with the schedule developed in these proceedings.

## **IV. SCHEDULE**

The Philadelphia Public Officials offers no proposal regarding the schedule to be adopted in this proceeding.

Respectfully Submitted,



Renardo L. Hicks, Esquire  
Anderson, Gulotta & Hicks, PC  
1110 North Mountain Road  
Harrisburg, PA 17112  
Tel: (717) 541-1194  
Fax: (717) 541-5434  
Email: [rhicks@aghweb.com](mailto:rhicks@aghweb.com)

Dated: June 8, 2004

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Investigation Into Financial And Collection )  
Issues Regarding The Philadelphia Gas ) Docket Nos. P-00042090; R-00049157  
Works ) M-00021612; P-00032061

**CERTIFICATE OF SERVICE**

I, Renardo L. Hicks, hereby certify that I have this day served a copy of the Prehearing Memorandum of the "Philadelphia Public Officials" upon the participants listed below, in the manner identified below, in accordance with the requirements of 52 Pa. Code Section 1.54 (related to service by a participant) and 1.55 (related to service upon attorneys).

Dated at Harrisburg, Pennsylvania, this 8<sup>th</sup> day of June, 2004.

Daniel Clearfield, Esquire  
Alan C. Kohler, Esquire  
Mark S. Stewart, Esquire  
Wolf Block Schorr & Solis-Cohen LLP  
212 Locust Street – Suite 300  
Harrisburg, PA 17101  
Sent via first class mail and email

Gregory J. Stunder, Esquire  
Philadelphia Gas Works  
800 West Montgomery Avenue  
Philadelphia, PA 19122

Stephen J. Keene, Esquire  
Aron J. Beatty, Esquire  
Office of Consumer Advocate  
555 Walnut Street  
Forum Place - 5<sup>th</sup> Floor  
Harrisburg, PA 17101-1923  
Sent via first class mail and email

RECEIVED  
2004 JUN -9 AM 9:43  
SECRETARY'S BUREAU

Mr. Richard LeLash  
18 Seventy Acre Road  
Redding, CT 06896  
Sent via first class mail and email

Steven C. Gray, Esquire  
Small Business Advocate  
Suite 1102, Commerce Bldg.  
300 North Second Street  
Harrisburg, PA 17101

Mr. Robert D. Knecht  
Industrial Economics Incorporated  
2067 Massachusetts Avenue  
Cambridge, MA 02140

David M. Kleppinger, Esquire  
Charis Mincavage, Esquire  
McNees Wallace & Nurick, LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
Sent via first class mail and email

Philip A. Bertocci, Esquire  
Laura Moskowitz, Esquire  
Community Legal Services, Inc.  
1424 Chestnut Street, 4<sup>th</sup> Floor  
Philadelphia, PA 19102-2505  
Sent via first class mail and email

Wendy Beetlestone, Esquire  
School District of Philadelphia  
Office of General Counsel  
2130 Arch Street, 5<sup>th</sup> Floor  
Philadelphia, PA 19103  
Sent via first class mail and email

Helen H. Richardson, Esquire  
Mondre Energy, Inc.  
1880 John F. Kennedy Blvd.  
Suite 1705  
Philadelphia, PA 19103

Honorable Charles E. Rainey, Jr.  
Administrative Law Judge  
Pa. Public Utility Commission  
1302 State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Sent via first class mail and email

Johnnie Simms  
PA Public Utility Commission  
Office of Trial Staff  
Commonwealth Keystone Bldg 2W  
PO Box 3265  
Harrisburg, PA 17105-3265  
Sent via first class mail and email

Janet Parrish  
Philadelphia Gas Commission  
1515 Arch Street 9<sup>th</sup> Floor  
Philadelphia, PA 19102

Mrs. M. Magenta  
6325 Lawndale Street  
Philadelphia, PA 19111

William Kitsch  
7021 Oakley Street  
Philadelphia, PA 19111

Ann Weitz  
1110 Brighton Street  
Philadelphia, PA 19111

Eleanore Cassidy  
10831 Academy Road Apt 1  
Philadelphia, PA 19154

Betty Levit  
111 Tyson Avenue  
Philadelphia PA 19111

Stanley H. Honisko  
3456 Helen Street  
Philadelphia, PA 19134

Nemesio Alvare  
418 Williams Road  
Wynnewood, PA 19096

Eugene P. Malin, Sr.  
3422 Ryan Avenue  
Philadelphia, PA 19136

Robert S. Wing Jr.  
6847 Ogontz Avenue  
Philadelphia, PA 19138

Rona Rosen  
9862 Bonner Street  
Philadelphia, PA 19115

Albert Rossi  
4606 Longshore Avenue  
Philadelphia, PA 19135

Cheryl Mack  
1445 Devereaux Avenue  
Philadelphia, PA 19149

Paula Cohen  
9019 Revere Street  
Philadelphia, PA 19152

Rick K. Henderson  
4014 Ridge Avenue  
Philadelphia, PA 19129

Kim D. Scarborough Et al  
PO Box 247  
Upper Darby, PA 19082

Marsettis Jackson  
5756 Jefferson Street  
Philadelphia, PA 19131

Patricia A. Powell  
2013 North Wannamaker Street  
Philadelphia, PA 19131

Oscar J. Brown  
4632 Newhall Street  
Philadelphia, PA 19144-4228

Anita A. Gordon  
9859 Bonner Street  
Philadelphia, PA 19115

Lisa Whitaker  
111 North Ruby Street  
Philadelphia, PA 19139

Joan R. Switzer  
7368 Valley Avenue  
Philadelphia, PA 19128

T Roach  
6325 Algon Avenue  
Philadelphia, PA 19111

Paul J. Coco  
3406 Vista Street  
Philadelphia, PA 19136

Harry Tanker  
151 Benjamin Court  
Philadelphia, PA 19114

Pauline D. Laverghetta  
2133 Vista Street  
Philadelphia, PA 19152

Michael O'Connor  
3546 Chalfont Drive  
Philadelphia, PA 19154

Joann Lala  
941 Christian Street  
Philadelphia, PA 19147

Charlene Rhodan  
3133 North 13<sup>th</sup> Street  
Philadelphia, PA 19133

Edith J. Kaplan  
323 Dickinson Street 1<sup>st</sup> Floor  
Philadelphia, PA 19147

James J. Dowling, Jr.  
1612 Comly Street  
Philadelphia, PA 19149

Robert Johnson  
1715 Ridge Avenue  
Philadelphia, PA 19130

Lois Klempner  
12506 Biscayne Drive  
Philadelphia, PA 19154

Bonnie C. Troy  
1025 St Vincent St  
Philadelphia, PA 19111

Mark L. Riddle  
2759 E Country Club Road  
Philadelphia, PA 19131

Mary Galiano  
2432 South Rosewood Street  
Philadelphia, PA 19145

Christopher S. Gardella  
1830 North 69<sup>th</sup> Street  
Philadelphia, PA 19151

Ray & Dori Gilchrist  
4125 Comby Street  
Philadelphia, PA 19135

Harry Dolbow  
5906 Cottage Street  
Philadelphia, PA 19135

Charlotte Melchiorre  
735 Latona Street  
Philadelphia, PA 19147

Dawn Delrocco  
9201 Degemow St  
Philadelphia, PA 19114

John Abbott  
2030 W Shunk St  
Philadelphia, PA 19145

Theresa C. Divincenzo  
2028 W Shunk Street  
Philadelphia, PA 19145

Jean Lentine  
2635 South Bancroft Street  
Philadelphia, PA 19145

Braub Nccrabew  
3662 Chesterfield Road  
Philadelphia, PA 19114-1806

Rosemarie McCrane  
3310 Birch Road  
Philadelphia, PA 19154

Faye & Michael McGinley  
2600 E Venango St  
Philadelphia, PA 19134

Adrienne Glenn  
6342 Ardleigh Stret  
Philadelphia, PA 19138-1002

Richard T. Barrett  
410 East Wildey Street  
Philadelphia, PA 19125

Dobres E. Fenne  
12177 Aster Road  
Philadelphia, PA 19154

Leslie & Patricia Simmins  
2238 Stanwood Street  
Philadelphia, PA 19152

Kristine & Nicholas Demtshuk  
2117 Ripley Street  
Philadelphia, PA 19152

George Hallowell  
3296 Red Lion Road  
Philadelphia, PA 19114

Deborah H. Massey  
6611 N American St  
Philadelphia, PA 19126

Jennifer Bonawitz  
c/o Dennis Bonawitz  
1118 Grant Avenue  
Philadelphia, PA 19115

Michael Frame  
2821 Sotuh Camac St  
Philadelphia, PA 19148-4912

Doris Givens  
102 E 64<sup>th</sup> Ave  
Philadelphia, PA 19120-1023

Michael L. Pacillio  
1010 St Vincent Street  
Philadelphia, PA 19111

Joseph F. Monteleone Jr.  
2415 South Percy Street  
Philadelphia, PA 19148

Charles T. Holloran  
3546 Kyle Road  
Philadelphia, PA 19154-4021

Viola C. Moore  
2704 Seminger Street  
Philadelphia, PA 19148-2722

Gloria Henderson  
113 Gilham Street  
Philadelphia, PA 19111

Daniel J. & Michele M. Lawson  
3815 Salina Road  
Philadelphia, PA 19154

Sy Hakin  
3726 Manayunk Avenue  
Philadelphia, PA 19128

Joe Fedeli  
3116 Welsh Road  
Philadelphia, PA 19136-1810

Anne S Canlan  
4120 G Knorr Street  
Philadelphia, PA 19135

Joseph A. Martinez  
12030 Millbrook Road  
Philadelphia, PA 19154

Edward Sperdato  
8841 Calvert Street  
Philadelphia, PA 19152

Charles Sperdato  
7438 Whiticher Avenue  
Philadelphia, PA 19111

Robert Lagomarsino  
9616 Clark Street  
Philadelphia, PA 19115

Alvin R. Schwartz  
205 Locust Court  
Philadelphia, PA 19114

C. Hartzdell President  
HBESCO Inc.  
8358 Hegerman St  
Philadelphia, PA 19136

Kathleen Finnegan  
5424 Hermit Terrace  
Philadelphia, PA 19128

Barbara J. Vandevender  
4247 Glendale Street  
Philadelphia, PA 19124

Nicole Highland  
727 Kakr St  
Philadelphia, PA 19147

Kathy Doran  
2036 Lardner St  
Philadelphia, PA 19149

Donna Imperato  
1020 Larkspur St  
Philadelphia, PA 19116

Anna Baronett  
5424 Hermit Trail  
Philadelphia, PA 19128

Kenneth Gold  
721 S. 20<sup>th</sup> St  
Philadelphia, PA 19146

Colleen Corcoran  
8148 Moro St  
Philadelphia, PA 19136

Robert Scarpello  
6427 Palmetto Street  
Philadelphia, PA 19111

Edward P. Patanovich Jr.  
5017 North 12<sup>th</sup> St  
Philadelphia, PA 19141-3517

Joseph & Rita Stopyra  
1033 East Hunting Park Avenue  
Philadelphia, PA 19124

Geroge Sperduto  
3251 Byberry Road  
Philadelphia, PA 19154

Diane Levy  
58004 Delaire Landing Road  
Philadelphia, PA 19114

Elizabeth O'Neill  
3920 Howland Street  
Philadelphia, PA 19124

Edward Urban  
1720 S. 22<sup>nd</sup> Street  
Philadelphia, PA 19145

Eugene & Rossie Gardenhire  
5743 Wister Street  
Philadelphia, PA 19138

Barbara L. Ceo  
2175 Furley  
Philadelphia, PA 19138

Ralph S. Caponigro  
122 Watkins Street  
Philadelphia, PA 19148

Joseph O'Donnell  
707 Millwood Road  
Philadelphia, PA 19115

Michael Waninger  
4322 Aldine Street  
Philadelphia, PA 19136

Joseph R. D'Amore  
463 Monastery Avenue  
Philadelphia, PA 19128

Victoria T. Lawson  
708 North 10<sup>th</sup> Street  
Philadelphia, PA 19123

Jacqueline Lewis  
47 N 46<sup>th</sup> St  
Philadelphia, PA 19139

Stanley J. Komorowski Jr  
3300 Fordham Rd  
Philadelphia, PA 19114

Anna M Jacoby  
7118 Walker St  
Philadelphia, PA 19135

Margaret Curran  
4543 Loring St  
Philadelphia, PA 19136

Samuel J. Munafo  
3345 Holme Ave  
Philadelphia, PA 19114-3807

Stanley J. Rychlicki  
6108 Mulberry St  
Philadelphia, PA 19135

Mary Waninger  
4322 Aldine St  
Philadelphia, PA 19136

Mary Winston  
851 E Locust Ave  
Philadelphia, PA 19138

Robert C. Sterner Jr  
4755 Meridian St  
Philadelphia, PA 19136

Timothy A. Myers  
3531 Englewood St  
Apt 1

Philadelphia, PA 19136

Matthew Dadpwski  
4524 Tudor Street  
Philadelphia, PA 19136

Patti Swann Coyle  
3440 Chalfont Drive  
Philadelphia, PA 19136

Thomas Clements  
4710 Hartel Ave  
Philadelphia, PA 19136

James A. Mayer  
3414 Lansing St  
Philadelphia, PA 19136-3034

Dolores R. Dougherty  
4228 Bleigh Avenue  
Philadelphia, PA 19136-3913

Gerald P. Johnson  
4225 Aldine Street  
Philadelphia, PA 19136

Luis Dasilva  
5606 Ridge Ave  
Philadelphia, PA 19128

Anna M Baranoski  
7125 Charles St  
Philadelphia, PA 19135

Mary M Ward  
7130 Walker Street  
Philadelphia, PA 19135

David De Filippis  
7372 Torresdale Ave  
Philadelphia, PA 19136

Anne De Filippis  
1818 E Ontario St  
Philadelphia, PA 19134

Barbara Jo Hartzell  
9337 Edmund St  
Philadelphia, PA 19114

Margaret Jordan  
4421 Vista Street  
Philadelphia, PA 19136-3725

Richard F. Bauer  
7183 Charles St  
Philadelphia, PA 19135

Veronica A. Lewis  
6707 Ditman St  
Philadelphia, PA 19135

Cynthia M. Brockington  
2242 West Harold Street  
Philadelphia, PA 19132

Margaret M. Seltzer  
4237 Glendale Street  
Philadelphia, PA 19124

Laura Pekala  
7025 Vandike Street  
Philadelphia, PA 19135

Pat Medary  
4250 Levick Street  
Philadelphia, PA 19135

Louis Pappas  
4305 Vista Street  
Philadelphia, PA 19136

Bruce Snyder  
4433 Loring Street  
Philadelphia, PA 19136

Michael F. Simmons  
345 East Onley Avenue  
Philadelphia, PA 19120-2513

Richard Fusbenner  
7149 Montague St  
Philadelphia, PA 19135

David G. Abernethy  
5437 North Second Street  
Philadelphia, PA 19120

John Perzchowski  
4015 Hartel Avenue  
Philadelphia, PA 19136

Marica Kent  
4141 Maywood Street  
Philadelphia, PA 19124

Frank C. Davis  
10908 Kipling Lane  
Philadelphia, PA 19154

Eugene P. Vandiver  
4618 Hartel Avenue  
Philadelphia, PA 19136

Raymond H. Poplas  
4553 Bleigh Avenue  
Philadelphia, PA 19136

Charles Tabor  
7123 Walker St  
Philadelphia, PA 19135

Paul M. Roberts  
7229 Ditman Street  
Philadelphia, PA 19135

Edward J. Brown  
3035 Guilford Street  
Philadelphia, PA 19152

Henry C. Bittner  
7147 Erdrick Street  
Philadelphia, PA 19135

Anne B. Cheatham  
215 Rock St, Apt G5  
Philadelphia, PA 19128

Mary McCartney  
4203 Marple Street  
Philadelphia, PA 19136

JoAnne C. Murphy  
4552 Aldine Street  
Philadelphia, PA 19136

William F. Smith  
4309 Marple Street  
Philadelphia, PA 19136

Lisa K. Felix  
4637 Pine St  
Philadelphia, PA 19143

Albert Myers  
4319 Bleigh Avenue  
Philadelphia, PA 19136

Russel March  
7180 Cottage Street  
Philadelphia, PA 19135

Daniel E. Brozoski  
4428 Aldine Street  
Philadelphia, PA 19136

Anthony J Catalano  
713 South 3<sup>rd</sup> Street 1<sup>st</sup> Floor  
Philadelphia, PA 19147

Donna A. Larsen  
7156 Hegerman Street  
Philadelphia, PA 19135

Dorothy Miller  
1218 Hellerman Street  
Philadelphia, PA 19111

Joseph Kirschman  
4014 Oakmont Street  
Philadelphia, PA 19136

Doris Breuninger  
1029 East Columbia Avenue  
Philadelphia, PA 19125

Thomas C. Delellis  
4326 Chippendale Avenue  
Philadelphia, PA 19136

Frances Cannizzo  
3648 Jasper Street  
Philadelphia, PA 19136

Janet Wood  
4314 Sheffield Avenue  
Philadelphia, PA 19136

Sandra Zelonis  
7149 Charles Street  
Philadelphia, PA 19135

Philip L. Hinerman  
Fox Rothschild LLP  
2000 Market Street 10<sup>th</sup> Floor  
Philadelphia, PA 19103-3291  
Sent via email and first class mail

Christopher B. Craig  
Senate Democratic Appropriations Committee  
Main Capitol Building Room 545  
Harrisburg, PA 17120  
Sent via email and first class mail

Scott J. Rubin  
3 Lost Creek Drive  
Selinsgrove, PA 17870-9357

Anthony R Francioso  
Francioso and Francioso  
2585 Nottingham Way  
Hamilton, NJ 08619

Kent Murphy  
Assistant General Counsel  
Exelon Business Services Co.  
2301 Market Street S23-1  
Philadelphia, PA 19103

Amy Hamilton  
Assistant General Counsel  
Exelon Business Services Co.  
2301 Market Street S23-1  
Philadelphia, PA 19103

Daniel P. Delaney  
James P. Melia  
Kirkpatrick & Lockhart LLP  
240 North Third Street  
Harrisburg, PA 17101-1507

Rickard Kruse  
Texas Eastern Transmission LP  
PO Box 1642  
Houston, TX 77251-1642

Susan Linderg  
Texas Eastern Transmission LP  
PO Box 1642  
Houston, TX 77251-1642

Doreen F. Wrick  
Texas Eastern Transmission LP  
PO Box 1642  
Houston, TX 77251-1642

David Griesing  
Philadelphia Gas Works  
800 Montgomery Avenue  
Philadelphia, PA 19112

Richard A. Baudino  
J Kennedy & Associates Inc.  
570 Colonial Park Dr Ste 305  
Roswell, GA 30075

James P. Leonard  
City Counsel of Philadelphia  
Cooper Leonard & Schaffer

1525 Locust Street 13<sup>th</sup> Floor  
Philadelphia, PA 19102

Lance Haver  
Office of Consumer Affairs  
116 City Hall  
Philadelphia, PA 19107

Edward Morrison  
767 Cinnaminson Street  
Philadelphia PA 19128

Leslie B Hope  
Assistant City Solicitor  
One Parkway 16<sup>th</sup> Floor  
1515 Arch Street  
Philadelphia, PA 19102

Thomas E. Knudson  
Philadelphia Gas Works  
800 West Montgomery Avenue  
Philadelphia, PA 19112-2898

Anna C. Verna  
City Council  
City of Philadelphia  
Room 494, City Hall  
Philadelphia, PA 19107  
Sent via first class mail and email

*Renardo L. Hicks*

Renardo L. Hicks  
PA Attorney ID No. 40404  
Anderson, Gulotta & Hicks, PC  
1110 N. Mountain Road  
Harrisburg, PA 17112  
Tel.: (717) 541-1194  
Fax: (717) 541-5434  
[rhicks@aghweb.com](mailto:rhicks@aghweb.com)  
Counsel for Philadelphia Public Officials



COMMUNITY  
LEGAL SERVICES, INC.

RECEIVED

1424 Chestnut Street, Philadelphia, PA 19102-2505  
Phone: 215.981.3700, Fax: 215.981.0434  
Web Address: www.clsphila.org

2004 JUN 10 AM 9:20

SECRETARY'S BUREAU

June 8, 2004

HAND DELIVERED

The Honorable Charles E. Rainey, Jr.  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
1302 Philadelphia State Office Building  
Broad & Spring Garden Streets  
Philadelphia, PA 19130

DOCUMENT

**Re: Investigation into Financial and Collections Issues (PGW)  
P-00042090, R-00049157, M - 0021612, P-00032061**

Dear Judge Rainey:

Enclosed please find Action Alliance et al.'s Prehearing Memorandum in the above-captioned matters.

Copies of this document are being served upon all parties as evidenced by the attached Certificate of Service.

Very truly yours,

PHILIP A. BERTOCCI  
Attorney for Action Alliance et al.

Enclosure

cc: James J. McNulty, Secretary  
Service List w/enclosure

JUL 07 2004

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Investigation into Financial and Collections : Docket Nos. P-00042090**  
**Issues Regarding the Philadelphia Gas : R-00049157**  
**Works : M - 00021612**  
**: P-090032061**

**Pre-Hearing Memorandum  
of Action Alliance of Senior Citizens of Greater Philadelphia,  
Association of Community Organizations for Reform Now  
and Tenants' Action Group**

Action Alliance of Senior Citizens of Greater Philadelphia, the Association of Community Organizations for Reform Now and the Tenants' Action Group (hereinafter "Action Alliance et al."), through counsel, hereby submit this Pre-Hearing Memorandum in the above-captioned matters.

**DOCUMENT**

**I. Procedural History.**

On March 1, 2004, the Philadelphia Gas Works (PGW) made a filing with the Pennsylvania Public Utility Commission for its FY2005 Gas Cost Rate, to be effective September 1, 2004 ("GCR Filing"). In addition, PGW filed a Petition to Establish a Cash Receipts Reconciliation Clause ("CRRC Petition"). On March 15, 2004, ALJ Rainey granted PGW's Motion to Consolidate these two matters for the purposes of hearings and disposition. Public Input Hearings were held in this case on May 5, 6 and 20, 2004.

Evidentiary hearings were held on May 11, 2004.

On May 20, 2004, ALJ Rainey granted the request that the GCR filing and the CRRC filing be placed on two separate tracks and the procedural schedule revised. It was anticipated that the parties would file a Joint Petition for Settlement of Philadelphia Gas Works' 2004-2005 GCR Proceeding by May 26, 2004.<sup>1</sup> As for the CRRC Petition, the due date for filing main briefs was extended from May 24, 2004 until June 14, 2004, to allow the parties more time to engage in settlement discussions.

On June 2, 2004, the Commission issued an Opinion and Order (hereinafter "Order") broadening the scope of this proceeding and establishing a new procedural schedule.

First, with regard to the CRRC Petition, the Commission directed that the record be certified to the Commission for decision at the Public Meeting of July 8, 2004, thereby accelerating the time for decision on this matter, and dispensing with the necessity for preparation of the ALJ's Recommended Decision on the CRRC.

Second, with regard to the GCR Filing, the Commission directed that the ALJ issue a separate recommended decision in accordance with the statutory deadline.

Third, it ordered an "investigation regarding the adequacy, cost effectiveness and management of PGW's collection practices be initiated..." Order, at 6. This investigation

---

<sup>1</sup> The parties filed a Joint Petition for Settlement of Philadelphia Gas Works' 2004-2005 GCR Proceeding on May 28, 2004.

should include consideration of the “level of PGW’s universal service costs as well as the cost effectiveness and management of these programs....” Order, at 7.

As part of this investigation, the Commission ordered that certain unresolved matters concerning the PGW’s proposed means-tested Senior Citizen Discount Petition (SCD Petition) (Docket Nos. M - 00021612 and P-00032061) and the Chapter 56 compliance of PGW’s Restructuring Gas Service Tariff (M - 00021612) be consolidated with this investigation.

The Commission also noted that in the “public debate over the CRRC,” some have argued that PGW’s collections efforts have been impeded by consumer protections contained in Chapter 56. The Commission stated that if PGW filed a petition within thirty (30) days seeking waiver of certain Chapter 56 provisions, the Commission would consolidate that petition with this investigation. The Commission further warned that “[i]f PGW does not file such a petition, the Commission will conclude that our regulations do not impede PGW’s collections efforts.” Order, at 4-5. The Commission also specified that any waiver petition should include a proposed duration of the waiver “as well as an alternative standard or procedure that would apply in place of those contained in the regulations. It would be PGW’s responsibility to explain in such a petition how the alternative standard or procedure adequately balances consumer protection rights with PGW’s financial integrity.” Order, at 5, fn. 2.

The Commission ordered that the ALJ conduct these hearings and issue a

recommended decision in such time as will allow the Commission to consider a decision at its September 30, 2004 Public Meeting.

## **II. Issues.**

Action Alliance et al. identify the following issues that they may raise in this proceeding:

1. Whether the projected costs of the proposed SCD are reasonable, and take into account all relevant factors, including but not limited to, the anticipated numbers of customers to be enrolled in future years, the decreases in costs attributable to the inevitable reductions in the numbers of Senior Citizens who are non-means tested grandfathered participants, the reduction in uncollectibles expense and collections costs attributable to the increased affordability associated with the discounted rates received by SCD participants.

2. Whether PGW's policies, practices and proposals concerning liens and judgments are consistent with Chapter 56, including but not limited to Chapter 56 Section 56.35.

3. Whether PGW's proposed Field Collection charge is consistent with Chapter 56, and whether the broadened applicability of the charge, in comparison with PGW's

prior Tariff, is justified in law, evidence and fact.

4. Whether PGW has carried its burden to show that “good cause” exists for a waiver(s) of specific Chapter 56 and/or Public Utility Code provisions and that such waiver(s) appropriately balance(s) consumer protection rights with PGW’s financial integrity.

5. Whether PGW’s proposed procedures, involving for waiver of Chapter 56 and/or Public Utility Code provisions, are consistent with the state and federal Constitutions.

Action Alliance et al. anticipate and reserve their right to pursue other issues that may arise during the course of this proceeding.

### **III. Witnesses.**

Action Alliance et al. have not yet identified witnesses that may be called in this proceeding. They reserve the right to present direct, rebuttal and surrebuttal testimony, as may be necessary, and will notify the presiding Judge and the parties as soon as such witness(es) may be identified.

**IV. Discovery.**

Action Alliance et al. will cooperate with other parties to establish appropriate discovery rules and an appropriate discovery schedule.

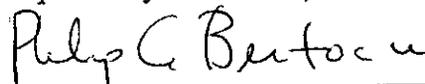
**V. Settlement.**

Action Alliance et al. anticipate participation in settlement discussions concerning this matter, once the scope of this proceeding has been determined, and PGW has provided necessary discovery.

**VI. Hearing and Briefing Schedule.**

CEPA et al. will cooperate with other parties to develop a proposed schedule for evidentiary hearings and for submission of briefs.

Respectfully submitted,



---

PHILIP A. BERTOCCHI, ESQUIRE  
LAURA MOSKOWITZ, ESQUIRE

Attorneys for Action Alliance et al.

COMMUNITY LEGAL SERVICES, INC.  
1424 Chestnut Street, 4<sup>th</sup> Floor  
Philadelphia, PA 19102  
(215) 981-3702

June 8, 2004

## CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the attached Pre-hearing Memorandum as follows:

Dated: June 8, 2004

### BY E-MAIL AND FIRST CLASS U.S. MAIL

Daniel Clearfield, Esquire  
Mark Stewart, Esquire  
Wolf, Block, Schorr & Solis-Cohen, LLP  
212 Locust Street, Suite 300  
Harrisburg, PA 17101  
[dclearfield@wolfblock.com](mailto:dclearfield@wolfblock.com)

Gregory J. Stunder, Esquire  
Philadelphia Gas Works  
800 W. Montgomery Avenue  
Philadelphia, PA 19122  
[greg.stunder@pgworks.com](mailto:greg.stunder@pgworks.com)

Johnnie E. Simms, Esquire  
Pennsylvania Public Utility Commission  
Office of Trial Staff  
Commonwealth Keystone Bldg., 2 West  
P.O. Box 3265  
Harrisburg, PA 17120  
[josimms@state.pa.us](mailto:josimms@state.pa.us)

Steven C. Gray, Esquire  
Office of Small Business Advocate  
Commerce Building, Suite 1102  
300 North 2<sup>nd</sup> Street  
Harrisburg, PA 17101  
[sgray@state.pa.us](mailto:sgray@state.pa.us)

Stephen Keene, Esquire  
Office of Consumer Advocate  
Forum Place Building, 5<sup>th</sup> Floor  
555 Walnut Street  
Harrisburg, PA 17101-1921  
[skeene@paoca.org](mailto:skeene@paoca.org)

David M. Kleppinger, Esquire  
Charis Mincavage, Esquire  
McNees, Wallace & Nurick  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
[cmincavage@mwn.com](mailto:cmincavage@mwn.com)

Renardo L. Hicks, Esquire  
Anderson, Gulotta, Hicks, PC  
1110 N. Mountain Road  
Harrisburg, PA 17112  
[rhicks@aghweb.com](mailto:rhicks@aghweb.com)

Philip L. Hinerman, Esquire  
Fox Rothschild, LLP  
2000 Market Street, 10<sup>th</sup> Floor  
Philadelphia, PA 19103-3291  
[phinerman@foxrothschild.com](mailto:phinerman@foxrothschild.com)

RECEIVED  
2004 JUN 10 AM 9:20  
SECRETARY'S BUREAU

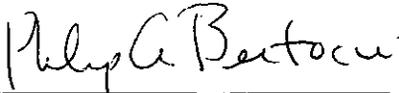
Christopher B. Craig, Esquire  
Senate Democratic Appropriations  
Committee  
Room 545, Main Capitol Building  
Harrisburg, Pa 17120  
[ccraig@fumo.com](mailto:ccraig@fumo.com)

SERVICE BY FIRST CLASS U.S. MAIL

William Kitsch  
1233 Stanwood Street  
Philadelphia, Pa 19111

Adrienne Glenn  
6342 Ardleigh Street  
Philadelphia, Pa 19138

Barbara Greening, Esquire  
1904 Green Street  
Philadelphia, :Pa 19130

---

PHILIP A. BERTOCCI

**DOCKETED**

JUL 06 2004

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**INVESTIGATION INTO FINANCIAL  
AND COLLECTION ISSUES  
REGARDING THE PHILADELPHIA  
GAS WORKS**

:  
:  
:  
:  
:  
:  
:

**DOCKET NOS.  
P-00042090  
R-00049157  
M-00021612  
P-00032061**

**DOCUMENT**

**PREHEARING MEMORANDUM  
OF THE  
OFFICE OF TRIAL STAFF**

2004 JUN 16 AM 10: 01  
SECRETARY'S BUREAU

**RECEIVED**

**TO THE HONORABLE CHARLES E. RAINEY:**

In accordance with the Prehearing Conference Order issued by Your Honor dated June 2, 2004, the Office of Trial Staff ("OTS") hereby submits this Prehearing Memorandum. The OTS prosecutors assigned to this proceeding are Johnnie E. Simms and Richard A. Kanaskie. Mr. Simms and Mr. Kanaskie may be contacted as follows:

**By Mail:** Johnnie E. Simms  
Chief Prosecutor  
Richard A. Kanaskie  
Prosecutor  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**By e-mail:** josimms@state.pa.us  
rkanaskie@state.pa.us

**By Telephone:** (717) 787-1976  
**By FAX:** (717) 772-2677

## I. BACKGROUND

The Philadelphia Gas Works ("PGW" or "Company") currently has four (4) Dockets Numbers before the Pennsylvania Public Utility Commission ("Commission"). These dockets include M-00021612 and the Company's subsequent filing of P-00032061 requesting a change to its original, successful position with respect to the Senior Citizen's Discount. Docket Number R-00049157, the Company's most recent Gas Cost Rate ("GCR") filing and Docket Number P-00042090 in which the Company requested approval of a cash receipts reconciliation clause ("CRRC").

By Order adopted May 27, 2004 and entered June 2, 2004 the Commission ordered that the Company's filings concerning its CRRC, GCR and Senior Citizens Discount be consolidated. The Commission has indicated that three separate decisions will be issued in accordance with statutory deadlines governing the individual dockets. A Prehearing Conference on the consolidated dockets has been scheduled for June 10, 2004. A shortened procedural schedule is required that requires Reply Briefs be served no later than July 20, 2004. A full procedural schedule will be established at the Prehearing Conference.

## II. ISSUES

Based upon a preliminary review of the consolidated filings, OTS has identified certain areas of inquiry. The following statement of areas of inquiry represents the identified issues in this proceeding at this time. However, OTS specifically reserves the right to address such other issues when those issues arise:

## Senior Citizen Discount

- a) precedent
- b) eligibility
- c) projected cost by year
- d) impact on ratepayers by class

## Collection Practices

- a) adequacy
- b) cost effectiveness
- c) management
- d) level of Universal Service Costs
  - i) cost effectiveness
  - ii) management

Most of the issues raised by OTS will be supported by the Direct Testimony of the OTS witness listed below. However, there may be issues of Commission policy or legal interpretation that are not properly the subject of testimony; or there may be factual issues that are clear on the record and need not be supported by testimony. OTS reserves the right to dispense with testimony when, in its opinion, an issue can be adequately addressed in brief.

### III. WITNESS

It is currently expected that OTS may call the following witness without being limited thereto:

Charles T. Weakley<sup>1</sup>      cweakley@state.pa.us

---

<sup>1</sup> The OTS witness may be reached at the same mailing and telephone locations as those provided earlier in this Prehearing Memorandum for Mr. Simms and Mr. Kanaskie.

OTS reserves the right to call additional witnesses or delete the witness listed above. The above listing is provided without analysis of the positions of all parties to this proceeding and without the benefit of completed discovery. All active parties will be notified of any additions or deletions to the OTS witness list.

#### **IV. SCHEDULE**

Attached, as Appendix "A", is a proposed procedural schedule. OTS is prepared to discuss alternatives with the active parties.

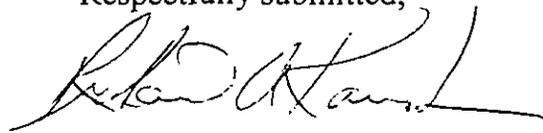
#### **V. SETTLEMENT**

OTS intends to participate in any settlement discussions and is willing to reach a resolution of any or all issues. Settlement discussions have been conducted in several of the Dockets that are now consolidated. The status of these discussions is not known.

#### **VI. DISCOVERY**

OTS believes that discovery involved from this point in the proceedings will be minimal. Should additional discovery be necessary, OTS recommends the Discovery Rules be modified to require a three (3) day oral response to Interrogatories with a hard copy follow-up as soon as practicable. OTS supports a "best efforts" approach to supplying requested information. Discovery requests should be closed as of June 25, 2004.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Johnnie E. Simms". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Johnnie E. Simms  
Chief Prosecutor

Richard A. Kanaskie  
Prosecutor

Office of Trial Staff  
Pennsylvania Public  
Utility Commission

Dated: June 8, 2004

## APPENDIX A

June 10, 2004	First Prehearing Conference
June 18, 2004	<b>Direct Testimony of Proposal Proponents (SCD Settlement) Company Direct Testimony</b>
June 28, 2004	Opposing Parties Direct Testimony
July 1, 2004	Evidentiary Hearing
July 14, 2004	Main Briefs
July 20, 2004	Reply Briefs



McNees Wallace & Nurick LLC  
attorneys at law

ORIGINAL

CHARIS MINCAVAGE  
DIRECT DIAL: (717) 237-5437  
E-MAIL ADDRESS: CMINCAVAGE@MWN.COM

June 8, 2004

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
The Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

VIA HAND DELIVERY

DOCUMENT  
FOLDER

**Re: Investigation into Financial and Collections Issue Regarding the Philadelphia Gas Works; Docket Nos: P-00042090; R-00049157; M-00021612; P-00032061**

Dear Secretary McNulty:

Enclosed for filing with the Commission are the original and three (3) copies of the Philadelphia Industrial and Commercial Gas Users Group's ("PICGUG") Prehearing Memorandum in the above-referenced proceeding.

As shown by the attached Certificate of Service, all parties to this proceeding are being duly served. Please date stamp the extra copy of this transmittal letter and kindly return it for our filing purposes.

Very truly yours,

MCNEES WALLACE & NURICK LLC

By   
Charis Mincavage

Counsel to the Philadelphia Industrial and  
Commercial Gas Users Group

Enclosures

CM/lhe

c: Administrative Law Judge Charles E. Rainey (via e-mail, facsimile, and federal express)  
Certificate of Service

RECEIVED  
2004 JUN -8 PM 3:56  
SECRETARY'S BUREAU

## CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of Section 1.54 (relating to service by a participant).

### VIA E-MAIL AND FIRST CLASS MAIL

Johnnie Simms, Esq.  
Office of Trial Staff  
Pennsylvania Public Utility Commission  
The Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
[josimms@state.pa.us](mailto:josimms@state.pa.us)

Stephen Keene, Esq.  
Office of Consumer Advocate  
555 Walnut Street, Forum Place - 5<sup>th</sup> Fl.  
Harrisburg, PA 17120  
[skeene@paoca.org](mailto:skeene@paoca.org)

Philip A. Bertocci, Esq.  
Community Legal Services, Inc.  
1424 Chestnut Street, 3<sup>rd</sup> Floor  
Philadelphia, PA 19102  
[pbertocci@clsphila.org](mailto:pbertocci@clsphila.org)

Christopher B. Craig, Esq.  
Senate Democratic Appropriations  
Committee  
Room 545, Main Capitol Building  
Harrisburg, Pennsylvania 17120  
[ccraig@fumo.com](mailto:ccraig@fumo.com)

Kent Murphy, Esq.  
Assistant General Counsel  
Exelon Business Services Co.  
2301 Market Street S23-1  
Philadelphia, PA 19103  
Murphy,  
[kent.murphy@exeloncorp.com](mailto:kent.murphy@exeloncorp.com)

Steven C. Gray, Esq.  
Office of Small Business Advocate  
Suite 1102, Commerce Building  
300 North Second Street  
Harrisburg, PA 17101  
[sgray@state.pa.us](mailto:sgray@state.pa.us)

Daniel Clearfield, Esq.  
Wolf, Block, Schorr and Solis-Cohen LLP  
212 Locust Street  
Suite 300  
Harrisburg, PA 17101  
[dclearfield@wolfblock.com](mailto:dclearfield@wolfblock.com)  
[mstewart@wolfblock.com](mailto:mstewart@wolfblock.com)

Greg Stunder, Esq.  
Philadelphia Gas Works  
800 W. Montgomery Avenue.  
Philadelphia, PA 19122  
[Greg.Stunder@pgworks.com](mailto:Greg.Stunder@pgworks.com)

Renardo L. Hicks, Esq.  
Anderson, Gulotta & Hicks, PC  
1110 North Mountain Road  
Harrisburg, PA 17112  
[rhicks@aghweb.com](mailto:rhicks@aghweb.com)

Philip L. Hinerman, Esq.  
Fox Rothschild LLP  
2000 Market Street 10<sup>th</sup> Floor  
Philadelphia, PA 19103-3291  
[phinerman@foxrothschild.com](mailto:phinerman@foxrothschild.com)

**Certificate of Service**

Page 2

**VIA FIRST CLASS MAIL**

William Kitsch  
7021 Oakley Street  
Philadelphia, PA 19111

Wendy Beetlestone, Esquire  
School District of Philadelphia  
Office of General Counsel  
2130 Arch Street, 5<sup>th</sup> Floor  
Philadelphia, PA 19103

Barbara Greening, Esquire  
1904 Green Street  
Philadelphia, PA 19130

Scott J. Rubin  
3 Lost Creek Drive  
Selinsgrove, PA 17870-9357

Richard J. Kruse, Esquire  
Susan Lindberg, Esquire  
Texas Eastern Transmission LP  
P.O. Box 1642  
Houston, TX 77251-1642

James P. Leonard, Esq.  
City Council of Philadelphia  
Cooper Leonard & Schaffer  
1525 Locust Street, 13<sup>th</sup> Floor  
Philadelphia, PA 19102

Edward Morrision  
767 Cinnaminson Street  
Philadelphia, PA 19128

Lance Haver, Director  
Mayor's Office of Consumer Affairs  
116 City Hall  
Philadelphia, PA 19102

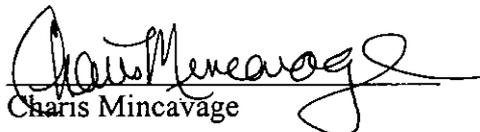
Leslie B. Hope, Esq.  
Assistant City Solicitor  
One Parkway, 16<sup>th</sup> Floor  
1515 Arch Street  
Philadelphia, PA 19102

Adrienne Glenn  
6342 Ardleigh Street  
Philadelphia, PA 19138-1002

Anthony R. Francioso, Esq.  
Francioso & Francioso  
2585 Nottingham Way  
Hamilton, NJ 08619

Daniel P. Delaney, Esq.  
James P. Melia, Esq.  
Kirkpatrick & Lockhart LLP  
240 North Third Street  
Harrisburg, PA 17101-1507

Doreen F. Wrick  
Texas Eastern Transmission LP  
1284 Soldiers Field Road  
Boston, MA 02135

  
Charis Mincavage

Dated this 8<sup>th</sup> day of June, 2004, in Harrisburg, Pennsylvania.

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Investigation into Financial and Collection : Docket Nos. P- 00042090  
: R-00049157  
Issues Regarding the Philadelphia Gas Works : M-00021612  
: P-00032061

---

**PREHEARING MEMORANDUM OF THE PHILADELPHIA INDUSTRIAL  
AND COMMERCIAL GAS USERS GROUP**

---

Pursuant to Administrative Law Judge ("ALJ") Rainey's June 2, 2004 Order, the Philadelphia Industrial and Commercial Gas Users Group ("PICGUG") hereby submits this Prehearing Memorandum in the above-captioned proceeding.

**DOCKETED**  
JUN 21 2004

**I. HISTORY OF THE PROCEEDING**

By Order entered June 2, 2004, the Pennsylvania Public Utility Commission ("PUC" or "Commission") consolidated Philadelphia Gas Works' ("PGW") 2004 Gas Cost Rate ("GCR") proceeding, Cash Receipts Reconciliation Clause ("CRRC") proceeding, and Senior Citizen Discount ("SCD") proceeding into one proceeding, along with the Commission's newly instituted investigation into PGW's collection practices and universal service costs. The PUC also consolidated with these matters two issues addressed in the Commission's May 14, 2004 Secretarial Letter and a potential petition for waiver by PGW regarding certain Commission regulations. The Commission directed ALJ Rainey to conduct hearings and issue a Recommended Decision for the PUC's consideration at its September 30, 2004 Public Meeting.

**DOCUMENT  
FOLDER**

PICGUG filed a Petition to Intervene in PGW's GCR/CRRRC and SCD proceedings. PICGUG's interventions in both of these proceedings was granted, and a more detailed description of PICGUG is set forth in each of these interventions.

## **II. ANTICIPATED ISSUES AND SUB-ISSUES**

PICGUG has participated in PGW's GCR, CRRRC, and SCD proceedings in order to protect the interests of PICGUG's members, all of whom use significant amounts of natural gas in their production and operation processes. Because any modification to PGW's finances or collections process could impact PICGUG members, PICGUG intends to participate in the PUC's investigation in order to ensure that PGW's commercial and industrial customers are not detrimentally impacted by any modifications to PGW's system. PICGUG also reserves the right to raise further issues and to respond to issues raised by other parties. At this time, PICGUG does not have any stipulations or admissions to enter into the record.

## **III. PROPOSED WITNESSES**

PICGUG is in the process of evaluating whether it will sponsor testimony in this proceeding. In the event that PICGUG decides to sponsor testimony, it will inform the parties and the ALJ as soon as possible of the intended witness and topics of testimony. PICGUG also intends to participate in this proceeding through the submission of discovery, cross-examination of other parties' witness, and the submission of briefs, exceptions and reply exceptions, if necessary.

**IV. PROPOSED SCHEDULE AND DISCOVERY RULES**

PICGUG will cooperate with the ALJ and the parties at the Prehearing Conference to develop an appropriate procedural schedule and discovery rules in accordance with the Commission's regulations and any ALJ directives. At this time, PICGUG does not have any outstanding discovery in any of the aforementioned proceedings.

**V. POSSIBILITY OF SETTLEMENT**

PICGUG has participated in and will continue to participate in any settlement discussions with the other parties to amicably resolve the issues in this proceeding.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By 

David M. Kleppinger  
Charis Mincavage  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
Phone: (717)232-8000  
Fax: (717)237-5300

Counsel to the Philadelphia Industrial and  
Commercial Gas Users Group

Dated: June 8, 2004

ORIGINAL



OFFICE OF CONSUMER ADVOCATE

555 Walnut Street, 5th Floor, Forum Place

Harrisburg, Pennsylvania 17101-1923

(717) 783-5048

800-684-6560 (in PA only)

IRWINA. POPOWSKY  
Consumer AdvocateFAX (717) 783-7152  
consumer@paoca.org

June 9, 2004

James J. McNulty, Secretary  
PA Public Utility Commission  
400 North Street  
Keystone Building  
Harrisburg, PA 17105-3265RE: Investigation into Financial and  
Collections Issues Regarding the  
Philadelphia Gas Works  
Docket Nos. P-00042090; R-00049157  
M-00021612; P-00032061

Dear Secretary McNulty:

Enclosed for filing please find an original and three (3) copies of the Office of Consumer Advocate's Notice of Intervention and Public Statement in the above-referenced proceeding.

Copies have been served upon all parties of record as shown on the attached Certificate of Service.

Sincerely,

Lori A. Herman  
Assistant Consumer Advocate

Enclosures

cc: Honorable Charles E. Rainey, Jr. (via facsimile)  
All parties of record

79659.doc

DOCUMENT  
FOLDER

RECEIVED  
2004 JUN -9 PM 3:50  
SECRETARY'S BUREAU

74

ORIGINAL

BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

SECRETARY'S BUREAU

2004 JUN -9 PM 3:50

RECEIVED

Investigation into Financial and  
Collections Issues Regarding the  
Philadelphia Gas Works

:  
:  
:

Docket Nos. P-00042090  
R-00049157  
M-00021612  
P-00032061

NOTICE OF INTERVENTION

Pursuant to 52 Pa. Code Sections 5.71-74, the Office of Consumer Advocate hereby gives Notice of Intervention in the above-captioned consolidated proceedings. A copy of all correspondence and notices, documents, orders, or other communications with respect to the above-captioned proceeding should be addressed to the following:

Stephen J. Keene  
Senior Assistant Consumer Advocate  
Office of Consumer Advocate  
555 Walnut Street, 5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101-1923  
Phone: (717) 783-5048  
Fax: (717) 783-7152

Respectfully submitted,



Stephen J. Keene  
Senior Assistant Consumer Advocate  
Aron J. Beatty  
Lori A. Herman  
Christy M. Appleby  
Assistant Consumer Advocates

Counsel for:  
Irwin A. Popowsky  
Consumer Advocate

Date: June 8, 2004  
79649.wpd

DOCUMENT  
FOLDER

DOCKETED  
JUN 11 2004

PUBLIC STATEMENT OF THE  
OFFICE OF CONSUMER ADVOCATE  
PURSUANT TO 71 P.S. SECTION 309-4(e)

Act 161 of the Pennsylvania General Assembly, 71 P.S. § 309-2, as enacted July 19, 1976, authorizes the Consumer Advocate to represent the interests of consumers before the Pennsylvania Public Utility Commission ("PUC" or "Commission"). In accordance with Act 161, and for the following reasons, the Consumer Advocate determined to file a Notice of Intervention and to participate in the proceeding concerning the financial and collections issues involving the Philadelphia Gas Works ("PGW").

On June 2, 2004, the Commission entered an Order that initiated a formal investigation into the financial and collections practices of PGW. By this Order, the Commission consolidated several open proceedings before the Commission. The OCA is an active party in each of these proceedings, including PGW's Petition seeking approval of a cash receipts reconciliations clause, PGW's Petition seeking approval to implement a 20% senior citizen discount, PGW's current gas cost rate proceeding, and Chapter 56 related issues from PGW's restructuring proceeding. By intervening in this proceeding, the Office of Consumer Advocate seeks to ensure that PGW customers are receiving adequate and reasonable service and consumer protections as afforded by the Public Utility Code and Commission regulations.

CERTIFICATE OF SERVICE

Re: Investigation into Financial	:	
Collections Issues Regarding the	:	Docket Nos. P-00042090
Philadelphia Gas Works	:	R-00049157
	:	M-00021612
	:	P-00032061

I hereby certify that I have this day served a true copy of the foregoing document, Office of Consumer Advocate's Notice of Intervention and Public Statement, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 9<sup>th</sup> day of June, 2004.

SERVICE BY E-MAIL and INTEROFFICE MAIL

Richard A. Kanaskie, Esquire  
 Johnnie E. Simms, Esquire  
 Pennsylvania Public Utility Commission  
 Office of Trial Staff  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265  
[rkanaskie@state.pa.us](mailto:rkanaskie@state.pa.us)

RECEIVED  
 2004 JUN -9 PM 3:50  
 SECRETARY'S BUREAU

SERVICE BY E-MAIL and FIRST CLASS DELIVERY

Daniel Clearfield, Esquire  
 Alan C. Kohler, Esquire  
 Wolf, Block, Schorr and Solis-Cohen LLP  
 212 Locust Street, Suite 300  
 Harrisburg, PA 17101  
[dclearfield@wolfblock.com](mailto:dclearfield@wolfblock.com)  
[akohler@wolfblock.com](mailto:akohler@wolfblock.com)

Steven Gray, Esquire  
 Office of Small Business Advocate  
 Suite 1102 Commerce Building  
 300 North Second Street  
 Harrisburg, PA 17101  
[sgray@state.pa.us](mailto:sgray@state.pa.us)

David M. Kleppinger, Esquire  
 Charis Mincavage, Esquire  
 McNees, Wallace & Nurick LLC  
 100 Pine Street  
 P.O. Box 1166  
 Harrisburg, PA 17108-1166  
[dkleppin@mwn.com](mailto:dkleppin@mwn.com)  
[cmincavage@mwn.com](mailto:cmincavage@mwn.com)

Renardo L. Hicks  
 Anderson, Gullotta & Hicks, PC  
 1110 N. Mountain Road  
 Harrisburg, PA 17112  
 Counsel for Senator Fumo, et al.  
[rhicks@aghweb.com](mailto:rhicks@aghweb.com)

Gregory J. Stunder, Esquire  
Philadelphia Gas Works  
800 West Montgomery Avenue  
Philadelphia, PA 19122  
[greg.stunder@pgworks.com](mailto:greg.stunder@pgworks.com)

Mr. Robert Knecht  
Industrial Economics Incorporated  
2067 Massachusetts Avenue  
Cambridge, MA 02140  
[rdk@indecon.com](mailto:rdk@indecon.com)

Philip Herman, Esquire  
FOX ROTHSCHILD, LLP  
2000 Market Street  
Tenth Floor  
Philadelphia, PA 19103

Christopher B. Craig, Esquire  
Main Capitol Building  
Room 545  
Harrisburg, Pa 17120  
Counsel for Senator Fumo, et al  
District Attorney Lynne Abraham  
Counsel for Senator Stack  
Counsel for Senator Williams  
[ccraig@fumo.org](mailto:ccraig@fumo.org)

Philip A. Bertocci, Esq.  
Laura Moskowitz, Esq.  
1424 Chestnut Street  
3<sup>rd</sup> Floor  
Philadelphia, PA 19102  
[pbertocci@clsphila.org](mailto:pbertocci@clsphila.org)  
[lmoskowitz@clsphila.org](mailto:lmoskowitz@clsphila.org)

SERVICE BY FIRST CLASS MAIL

Wendy Beetlestone, Esq.  
School District of Philadelphia  
Office of General Counsel  
2130 Arch Street, 5<sup>th</sup> Floor  
Philadelphia, PA 19103

Barbara Greening, Esq.  
1904 Green Street  
Philadelphia, PA 19130

Helen Richardson  
Mondre Energy Inc  
1880 John F. Kennedy Boulevard  
Suite 1705  
Philadelphia, PA 19135

Ms. Adrienne Glenn  
6342 Ardleigh Street  
Philadelphia, PA 19138

Mr. William Kitsch  
1233 Stanwood Street  
Philadelphia, PA 19110



---

Stephen J. Keene  
Senior Assistant Consumer Advocate  
Aron J. Beatty  
Lori A. Herman  
Assistant Consumer Advocates

Counsel for  
Office of Consumer Advocate  
555 Walnut Street 5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101-1923  
(717) 783-5048  
79657

FOX • ROTHSCHILD LLP

ATTORNEYS AT LAW

2000 MARKET STREET • TENTH FLOOR • PHILADELPHIA, PA 19103-3291  
215.299.2000 • FAX 215.299.2150 • www.foxrothschild.com

ORIGINAL

A. Wesley Bridges  
Direct Dial: (215) 299-2761  
Internet Address: abridges@foxrothschild.com

June 9, 2004

VIA FACSIMILE/FIRST CLASS MAIL

Mr. James McNulty, Secretary  
Commonwealth of Pennsylvania  
Public Utilities Commission  
Commonwealth Keystone Bldg.  
Harrisburg, PA 17120

DOCUMENT  
FOLDER

SECRETARY'S BUREAU

JUN 14 AM 9:07

Dear Mr. McNulty:

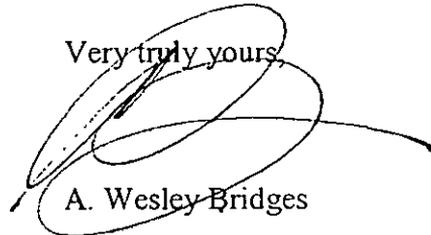
P-00043090; R-00049157, M00021612 & P-00033061

Enclosed are an original and four (4) copies of Philadelphia Housing Authority's Prehearing Memorandum in the above-referenced matter.

If you have any questions, please contact me directly.

Thank you.

Very truly yours,



A. Wesley Bridges

AWB:awb  
Enclosures

cc: Honorable Charles Rainey (via hand delivery)(w/enclosure)  
Parties of Record (via email)(w/enclosures)

37

**ORIGINAL**

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Investigation into Financial and Collection  
Issues Regarding the Philadelphia Gas Works

: Docket Nos. P- 00042090  
: R-00049152  
: M-00021617  
: P-00032061

SECRETARY'S  
OFFICE  
ON JUN 14 AM 9:07

**PREHEARING MEMORANDUM OF THE  
PHILADELPHIA HOUSING AUTHORITY**

**DOCKETED**  
AUG 12 2004

Pursuant to 52 Pa. Code § 5.222 and Administrative Law Judge ("ALJ") Rainey's June 2, 2004 Order, the Philadelphia Housing Authority submits this Prehearing Memorandum in the above-captioned proceeding as follows:

**DOCUMENT  
FOLDER**

**I. HISTORY OF THE PROCEEDING**

By Order entered June 2, 2004, the Pennsylvania Public Utility Commission ("PUC" or "Commission") consolidated Philadelphia Gas Works' ("PGW") 2004 Gas Cost Rate ("GCR") proceeding, Cash Receipts Reconciliation Clause ("CRRC") proceeding, and Senior Citizen Discount ("SCD") proceeding into one proceeding, ALJ Rainey is to conduct hearings and issue a Recommended Decision for the PUC's consideration at its September 30, 2004 Public Meeting.

PHA filed a Petition to Intervene in PGW's GCR/CRRC proceedings, and the pre-trial proceedings.

**II. ANTICIPATED ISSUES AND SUB-ISSUES**

PHA currently has its own rate class. That class is less than the commercial rate, but higher than the residential rate. All charges to PHA under this rate have been paid. There is no merit in increasing the PHA rate for non-payment. There is no non-payment. PHA also reserves

the right to raise further issues and to respond to issues raised by other parties. PHA will present a stipulation to enter into the record.

### **III. PROPOSED WITNESSES**

PHA is in the process of evaluating whether it will sponsor testimony in this proceeding. It will inform the parties and the ALJ as soon as possible of the intended witness and topics of testimony.

### **IV. PROPOSED SCHEDULE AND DISCOVERY RULES**

PHA's involvement is very straightforward. We will cooperate with the parties at the Prehearing Conference.

### **V. POSSIBILITY OF SETTLEMENT**

PHA has participated in and will continue to participate in any settlement discussions with the other parties to amicably resolve the issues in this proceeding.

Respectfully submitted,



---

Philip J. Hinerman, Esquire  
A. Wesley Bridges, Esquire  
**FOX, ROTHSCHILD, LLP**  
2000 Market Street, 10<sup>th</sup> Floor  
Philadelphia, PA 19103-3291  
Phone: (215) 299-2000  
Fax: (215) 299-2150

Attorneys for Philadelphia Housing  
Authority

Dated: June 9, 2004

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

---

Investigation Into Financial and	:	Docket Nos.	P-00042090
Collection Issues Regarding	:		R-00049157
The Philadelphia Gas Works	:		M-00021612
	:		P-00032061

---

**CERTIFICATE OF SERVICE**

I, A. Wesley Bridges, Esquire, certify that on June 9, 2004, I served true and correct copies of the Prehearing Memorandum of the Philadelphia Housing Authority upon the following, via first class mail, fax and/or email pursuant to 52 Pa. Code § 1.54:

Honorable Charles E. Rainey, Jr.  
Administrative Law Judge  
Pa. Public Utility Commission  
1302 State Office Bldg.  
1400 West Spring Garden Street  
Philadelphia, PA 19130

Daniel Clearfield, Esquire  
Alan C. Kohler, Esquire  
Mark S. Stewart, Esquire  
Wolf Block Schorr & Solis-Cohen LLP  
212 Locust Street-Suit 300  
Harrisburg, PA 17101  
Sent via first class mail, fax and email

Gregory J. Stunder, Esquire  
Philadelphia Gas Works  
800 W. Montgomery Ave.  
Philadelphia, PA 19122  
Sent via first class mail, fax and email

Stephen J. Keene, Esquire  
Aaron J. Beatty, Esquire  
Office of Consumer Advocate  
555 Walnut Street  
Forum Place-5<sup>th</sup> Floor  
Harrisburg, PA 17101-1923  
Sent via first class mail, fax and email

Mr. Richard LeLash  
18 Seventy Acre Road  
Redding, CT 06896  
Sent via first class mail and email

Steven C. Gray, Esquire  
Small Business Advocate  
Suite 1102, Commerce Bldg.  
300 North Second Street  
Harrisburg, PA 17101  
Sent via first class mail, fax and email

Mr. Robert D. Knecht  
Industrial Economics Incorporated  
2067 Massachusetts Avenue  
Cambridge, MA 02140

David M. Kleppinger, Esquire  
Charis Mincavage, Esquire  
McNees Wallace & Nurick, LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
Sent via first class mail, fax and email

Philip A. Bertocci, Esquire  
Laura Moskowitz, Esquire  
Community Legal Services, Inc.  
1424 Chestnut Street, 4th Floor  
Philadelphia, PA 19102-2505  
Sent via first class mail, fax and email

Christopher B. Craig  
Senate Democratic Appropriations Committee  
Main Capitol Building Room 545  
Harrisburg, PA 17120  
Sent via email, fax and first class mail

Wendy Beetlestone, Esquire  
School District of Philadelphia  
Office of General Counsel  
2130 Arch Street, 5th Floor  
Philadelphia, PA 19103  
Sent via first class mail

Johnnie Simms  
PA Public Utility Commission

Office of Trial Staff  
Commonwealth Keystone Bldg 2W  
PO Box 3265  
Harrisburg, PA 17105-3265  
Sent via first class mail, fax and email

Philip L. Hinerman  
Fox Rothschild LLP  
2000 Market Street 1011, Floor  
Philadelphia, PA 19103-3291  
Sent via email and first class mail

Janet Parrish  
Philadelphia Gas Commission  
1515 Arch Street 9th Floor  
Philadelphia, PA 19102

Mrs. M. Magenta  
6325 Lawndale Street  
Philadelphia, PA 19111

William Kitsch  
7021 Oakley Street  
Philadelphia, PA 19111

Ann Weitz  
1110 Brighton Street  
Philadelphia, PA 19111

Helen H. Richardson, Esquire  
Mondre Energy, Inc.  
1880 John F. Kennedy Blvd.  
Suite 1705  
Philadelphia, PA 19103

Eleanore Cassidy  
10831 Academy Road Apt 1  
Philadelphia, PA 19154

Betty Levit  
111 Tyson Avenue  
Philadelphia PA 19111

Stanley H. Honisko  
3456 Helen Street  
Philadelphia, PA 19134

Nemesio Alvare  
418 Williams Road  
Wynnewood, PA 19096

Eugene P. Malin, Sr.  
3422 Ryan Avenue  
Philadelphia, PA 19136

Robert S. Wing Jr.  
6847 Ogontz Avenue  
Philadelphia, PA 19138

Rona Rosen  
9862 Bonner Street  
Philadelphia, PA 19115

Albert Rossi  
4606 Longshore Avenue  
Philadelphia, PA 19135

Cheryl Mack  
1445 Devereaux Avenue  
Philadelphia, PA 19149

Paula Cohen  
9019 Revere Street  
Philadelphia, PA 19152

Rick K. Henderson  
4014 Ridge Avenue  
Philadelphia, PA 19129

Kim D. Scarborough Et al  
PO Box 247  
Upper Darby, PA 19082

Marsettis Jackson  
5756 Jefferson Street  
Philadelphia, PA 19131

Patricia A. Powell  
2013 North Wannamaker Street  
Philadelphia, PA 19131

Oscar J. Brown  
4632 Newhall Street  
Philadelphia, PA 19144-4228

Anita A. Gordon  
9859 Bonner Street  
Philadelphia, PA 19115

Lisa Whitaker  
111 North Ruby Street  
Philadelphia, PA 19139

Joan R. Switzer  
7368 Valley Avenue  
Philadelphia, PA 19128

T Roach  
6325 Algon Avenue  
Philadelphia, PA 19111

Paul J. Coco  
3406 Vista Street  
Philadelphia, PA 19136

Harry Tanker  
151 Benjamin Court  
Philadelphia, PA 19114

Pauline D. Laverghetta  
2133 Vista Street  
Philadelphia, PA 19152

Michael O'Connor  
3546 Chalfont Drive  
Philadelphia, PA 19154

Joann Lala  
941 Christian Street  
Philadelphia, PA 19147

Charlene Rhodan  
3133 North 13th Street  
Philadelphia, PA 19133

Edith J. Kaplan  
323 Dickinson Street 1St Floor  
Philadelphia, PA 19147

James J. Dowling, Jr.  
1612 Comly Street  
Philadelphia, PA 19149

Robert Johnson  
1715 Ridge Avenue  
Philadelphia, PA 19130

Lois Klempner  
12506 Biscayne Drive  
Philadelphia, PA 19154

Bonnie C. Troy  
1025 St Vincent St  
Philadelphia, PA 19111

Mark L. Riddle  
2759 E Country Club Road  
Philadelphia, PA 19131

Mary Galiano  
2432 South Rosewood Street  
Philadelphia, PA 19145

Christopher S. Gardella  
1830 North 6911, Street  
Philadelphia, PA 19151

Ray & Dori Gilchrist  
4125 Comby Street  
Philadelphia, PA 19135

Harry Dolbow  
5906 Cottage Street  
Philadelphia, PA 19135

Charlotte Melchiorre  
735 Latona Street  
Philadelphia, PA 19147

Dawn Delrocco  
9201 Degemow St  
Philadelphia, PA 19114

John Abbott  
2030 W Shunk St  
Philadelphia, PA 19145

Theresa C. Divincenzo  
2028 W Shunk Street  
Philadelphia, PA 19145

jean Lentine  
2635 South Bancroft Street  
Philadelphia, PA 19145

Braub Nccrabew  
3662 Chesterfield Road  
Philadelphia, PA 19114-1806

Rosemarie McCrane  
3310 Birch Road  
Philadelphia, PA 19154

Faye & Michael McGinley  
2600 E Venango St  
Philadelphia, PA 19134

Adrienne Glenn  
6342 Ardleigh Stret  
Philadelphia, PA 19138-1002

Richard T. Barrett  
410 East Wildey Street  
Philadelphia, PA 19125

Dobres E. Fenne  
12177 Aster Road  
Philadelphia, PA 19154

Leslie & Patricia Simmins  
2238 Stanwood Street  
Philadelphia, PA 19152

Kristine & Nicholas Demtshuk  
2117 Ripley Street  
Philadelphia, PA 19152

George Hallowell  
3296 Red Lion Road  
Philadelphia, PA 19114

Deborah H. Massey  
6611 N American St  
Philadelphia, PA 19126

Jennifer Bonawitz c/o Dennis Bonawitz  
1118 Grant Avenue  
Philadelphia, PA 19115

Michael Frame  
2821 Sotuh Camac St  
Philadelphia, PA 19148-4912

Doris Givens  
102 E 64th Ave  
Philadelphia, PA 19120-1023

Michael L. Pacillio  
1010 St Vincent Street  
Philadelphia, PA 19111

Joseph F. Monteleone Jr.  
2415 South Percy Street  
Philadelphia, PA 19148

Charles T. Holloran  
3546 Kyle Road  
Philadelphia, PA 19154-4021

Viola C. Moore  
2704 Seminger Street  
Philadelphia, PA 19148-2722

Gloria Henderson  
113 Gilham Street  
Philadelphia, PA 19111

Daniel J. & Michele M. Lawson  
3815 Salina Road  
Philadelphia, PA 19154

Sy Hakin  
3726 Manayunk Avenue  
Philadelphia, PA 19128

Nicole Highland  
727 Kakr St  
Philadelphia, PA 19147

Kathy Doran  
2036 Lardner St  
Philadelphia, PA 19149

Donna Imperato  
1020 Larkspur St  
Philadelphia, PA 19116

Anna Baronett  
5424 Hermit Trail  
Philadelphia, PA 19128

Kenneth Gold  
721 S. 20th St  
Philadelphia, PA 19146

Colleen Corcoran  
8148 Moro St  
Philadelphia, PA 19136

Robert Scarpello  
6427 Palmetto Street  
Philadelphia, PA 19111

Edward P. Patanovich Jr.  
5017 North 121h St  
Philadelphia, PA 19141-3517

Joseph & Rita Stopyra  
1033 East Hunting Park Avenue  
Philadelphia, PA 19124

Geroge Sperduto  
3251 Byberry Road  
Philadelphia, PA 19154

Diane Levy  
58004 Delaire Landing Road  
Philadelphia, PA 19114

Elizabeth O'Neill  
3920 Howland Street  
Philadelphia, PA 19124

Edward Urban  
1720 S. 22nd Street  
Philadelphia, PA 19145

Eugene & Rossie Gardenhire  
5743 Wister Street  
Philadelphia, PA 19138

Barbara L. Ceo  
2175 Furley  
Philadelphia, PA 19138

Ralph S. Caponigro  
122 Watkins Street  
Philadelphia, PA 19148

Joseph O'Donnell  
707 Millwood Road  
Philadelphia, PA 19115

Michael Waninger  
4322 Aldine Street  
Philadelphia, PA 19136

Joseph R. D'Amore  
463 Monastery Avenue  
Philadelphia, PA 19128

Victoria T. Lawson  
708 North 10th Street  
Philadelphia, PA 19123

Jacqueline Lewis  
47 N 46th St  
Philadelphia, PA 19139

Stanley J. Komorowski Jr  
3300 Fordham Rd  
Philadelphia, PA 19114

Anna M Jacoby  
7118 Walker St  
Philadelphia, PA 19135

Margaret Curran  
4543 Loring St  
Philadelphia, PA 19136

Samuel J. Munafo  
3345 Holme Ave  
Philadelphia, PA 19114-3807

Stanley J. Rychlicki 6108 Mulberry St  
Philadelphia, PA 19135

Mary Waninger 4322 Aldine St  
Philadelphia, PA 19136

Mary Winston  
851 E Locust Ave  
Philadelphia, PA 19138

Robert C. Sterner Jr  
4755 Meridian St  
Philadelphia, PA 19136

Timothy A. Myers  
3531 Englewood St Apt 1  
Philadelphia, PA 19136

Matthew Dadpwski  
4524 Tudor Street  
Philadelphia, PA 19136

Patti Swann Coyle  
3440 Chalfont Drive  
Philadelphia, PA 19136

Thomas Clements  
4710 Hartel Ave  
Philadelphia, PA 19136

James A. Mayer  
3414 Lansing St  
Philadelphia, PA 19136-3034

Dolores R. Dougherty  
4228 Bleigh Avenue  
Philadelphia, PA 19136-3913

Gerald P. Johnson  
4225 Aldine Street  
Philadelphia, PA 19136

Luis Dasilva  
5606 Ridge Ave  
Philadelphia, PA 19128

Anna M Baranoski  
7125 Charles St  
Philadelphia, PA 19135

Mary M Ward  
7130 Walker Street  
Philadelphia, PA 19135

David De Filippis  
7372 Torresdale Ave  
Philadelphia, PA 19136

Anne De Filipps  
1818 E Ontario St  
Philadelphia, PA 19134

Barbara Jo Hartzell  
9337 Edmund St  
Philadelphia, PA 19114

Margaret Jordan  
4421 Vista Street  
Philadelphia, PA 19136-3725

Richard F. Bauer  
7183 Charles St  
Philadelphia, PA 19135

Veronica A. Lewis  
6707 Ditman St  
Philadelphia, PA 19135

Cynthia M. Brockington  
2242 West Harold Street  
Philadelphia, PA 19132

Margaret M. Seltzer  
4237 Glendale Street  
Philadelphia, PA 19124

Laura Pekala  
7025 Vandike Street  
Philadelphia, PA 19135

Pat Medary  
4250 Levick Street  
Philadelphia, PA 19135

Louis Pappas  
4305 Vista Street  
Philadelphia, PA 19136

Bruce Snyder  
4433 Loring Street  
Philadelphia, PA 19136

Michael F. Simmons  
345 East Onley Avenue  
Philadelphia, PA 19120-2513

Richard Fusbenner  
7149 Montague St  
Philadelphia, PA 19135

David G. Abernethy  
5437 North Second Street  
Philadelphia, PA 19120

John Perzchowski  
4015 Hartel Avenue  
Philadelphia, PA 19136

Marica Kent  
4141 Maywood Street  
Philadelphia, PA 19124

Frank C. Davis  
10908 Kipling Lane  
Philadelphia, PA 19154

Eugene P. Vandiver  
4618 Hartel Avenue  
Philadelphia, PA 19136

Raymond H. Poplas  
4553 Bleigh Avenue  
Philadelphia, PA 19136

Charles Tabor  
7123 Walker St  
Philadelphia, PA 19135

Paul M. Roberts  
7229 Ditman Street  
Philadelphia, PA 19135

Edward J. Brown  
3035 Guilford Street  
Philadelphia, PA 19152

Henry C. Bittner  
7147 Erdrick Street  
Philadelphia, PA 19135

Anne B. Cheatham  
215 Rock St, Apt G5  
Philadelphia, PA 19128

Mary McCartney  
4203 Marple Street  
Philadelphia, PA 19136

JoAnne C. Murphy  
4552 Aldine Street  
Philadelphia, PA 19136

William F. Smith  
4309 Marple Street  
Philadelphia, PA 19136

Lisa K. Felix  
4637 Pine St  
Philadelphia, PA 19143

Albert Myers  
4319 Bleigh Avenue  
Philadelphia, PA 19136

Russel March  
7180 Cottage Street  
Philadelphia, PA 19135

Daniel E. Brozoski  
4428 Aldine Street  
Philadelphia, PA 19136

Anthony J Catalano  
713 South 3rd Street 1St Floor  
Philadelphia, PA 19147

Donna A. Larsen  
7156 Hegerman Street  
Philadelphia, PA 19135

Dorothy Miller  
1218 Hellerman Street  
Philadelphia, PA 19111

Joseph Kirschman  
4014 Oakmont Street  
Philadelphia, PA 19136

Doris Breuninger  
1029 East Columbia Avenue  
Philadelphia, PA 19125

Thomas C. Delellis  
4326 Chippendale Avenue  
Philadelphia, PA 19136

Frances Cannizzo  
3648 Jasper Street

Philadelphia, PA 19136

Janet Wood  
4314 Sheffield Avenue  
Philadelphia, PA 19136

Sandra Zelonis  
7149 Charles Street  
Philadelphia, PA 19135

Scott J. Rubin  
3 Lost Creek Drive  
Selinsgrove, PA 17870-9357

Anthony R Francioso  
Francioso and Francioso  
2585 Nottingham Way  
Hamilton, NJ 08619

Kent Murphy  
Assistant General Counsel  
Exelon Business Services Co.  
2301 Market Street S23-1  
Philadelphia, PA 19103

Amy Hamilton  
Assistant General Counsel  
Exelon Business Services Co.  
2301 Market Street S23-1  
Philadelphia, PA 19103

Daniel P. Delaney  
James P. Melia  
Kirkpatrick & Lockhart LLP  
240 North Third Street  
Harrisburg, PA 17101-1507

Rickard Kruse  
Texas Eastern Transmission LP  
PO Box 1642  
Houston, TX 77251-1642

Susan Linderg  
Texas Eastern Transmission LP  
PO Box 1642  
Houston, TX 77251-1642

Doreen F. Wrick  
Texas Eastern Transmission LP  
PO Box 1642  
Houston, TX 77251-1642

David Griesing  
Philadelphia Gas Works  
800 Montgomery Avenue  
Philadelphia, PA 19112

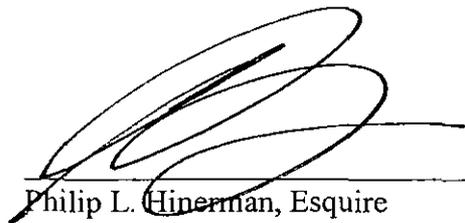
Richard A. Baudino  
J Kennedy & Associates Inc.  
570 Colonial Park Dr Ste 305  
Roswell, GA 30075

James P. Leonard  
City Counsel of Philadelphia  
Cooper Leonard & Schaffer  
1525 Locust Street 13th Floor  
Philadelphia, PA 19102

Lance Haver  
Office of Consumer Affairs  
116 City Hall  
Philadelphia, PA 19107

Edward Morrison  
767 Cinnaminson Street  
Philadelphia PA 19128

Leslie B Hope  
Assistant City Solicitor  
One Parkway 16th Floor  
1515 Arch Street  
Philadelphia, PA 19102



---

Philip L. Hinerman, Esquire  
A. Wesley Bridges, Esquire  
**FOX, ROTHSCHILD, LLP**  
2000 Market Street, 10<sup>th</sup> Floor  
Philadelphia, PA 19103-3291  
Phone: (215) 299-2000  
Fax: (215) 299-2150

Attorneys for Philadelphia Housing  
Authority

Date: June 9, 2004



ORIGINAL

## OFFICE OF CONSUMER ADVOCATE

555 Walnut Street, 5th Floor, Forum Place  
 Harrisburg, Pennsylvania 17101-1923  
 (717) 783-5048  
 800-684-6560 (in PA only)

IRWINA. POPOWSKY  
 Consumer Advocate

FAX (717) 783-7152  
 consumer@paoca.org

June 10, 2004

DOCUMENT  
FOLDER

James J. McNulty, Secretary  
 PA Public Utility Commission  
 400 North Street  
 Keystone Building  
 Harrisburg, PA 17105-3265

RE: Investigation into Financial and  
 Collections Issues Regarding the  
 Philadelphia Gas Works  
 Docket Nos. P-00042090; R-00049157  
 M-00021612; P-00032061

Dear Secretary McNulty:

Enclosed for filing please find an original and three (3) copies of the Office of Consumer Advocate's Motion to Dispense with Preparation of a Recommended Decision, in the above-referenced proceeding.

Copies have been served upon all parties of record as shown on the attached Certificate of Service.

Sincerely,

Stephen J. Keene  
 Senior Assistant Consumer Advocate

## Enclosures

cc: Terrance J. Fitzpatrick, Chairman  
 Robert K. Bloom, Vice Chairman  
 Glen R. Thomas, Commissioner  
 Kim Pizzingrilli, Commissioner  
 Wendell F. Holland, Commissioner  
 Cheryl W. Davis, Director, Office of Special Assistants  
 Bohdan R. Pankiw, Chief Law Bureau  
 All parties of record

79701.doc

RECEIVED  
 2004 JUN 10 AM 9:33  
 SECRETARY'S BUREAU

ORIGINAL

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Investigation Into Financial and  
Collections Issues Regarding the  
Philadelphia Gas Works

:  
:  
:  
:  
Docket Nos. P-00042090  
R-00049157  
M-00021612  
P-00032061

**DOCKETED**  
JUN 21 2004

SECRETARY'S BUREAU

2004 JUN 10 AM 9:33

RECEIVED

---

THE OFFICE OF CONSUMER ADVOCATE'S  
MOTION TO DISPENSE WITH PREPARATION  
OF A RECOMMENDED DECISION

---

AND NOW, pursuant to 52 Pa.Code §5.103, the Office of Consumer Advocate hereby files this Motion to Dispense with Preparation of a Recommended Decision in the above-captioned Investigation, and submits in support thereof the following:

1. On June 2, 2004, the Pennsylvania Public Utility Commission ("Commission") entered an Order ("June 2 Order") consolidating two open proceedings involving the Philadelphia Gas Works ("PGW" or "Company") into the above-captioned investigative proceeding. The first proceeding docketed at P-00042090/R-00049157 involves both PGW's 2004 annual gas cost rate ("GCR") filing pursuant to Section 1307(f) of the Public Utility Code, in addition to the Company's Petition seeking approval for a "cash receipts reconciliation clause" ("CRRC"). The second proceeding, at Docket Nos. M-00021612/P-00032061, involved PGW's Petition seeking to implement a "means tested" Senior Citizen Discount ("SCD") program.

2. The June 2 Order also gave PGW until July 2<sup>nd</sup> to petition for waivers of any Commission regulations that the Company believes impede its collection efforts. June 2

DOCUMENT  
FOLDER

Order at 5. If the Company elects to file such a Petition, it will be consolidated into this investigative proceeding. *Id.*

3. The Commission Order stated that the "Commission believes it necessary to take a comprehensive approach to PGW's financial and collection problems" and therefore consolidated the SCD proceeding and the CRRC/GCR proceedings. June 2 Order at 4. The June 2 Order further required that the CRRC record be certified to the Commission to allow for a decision on the CRRC issue at the July 8<sup>th</sup> Public Meeting. June 2 Order at 6.

4. In addition, the parties reached a Settlement of the GCR portion of this case and have submitted a Joint Petition for Settlement of the GCR issues to Administrative Law Judge Rainey. The June 2 Order provides that ALJ Rainey will issue a separate Recommended Decision on the PGC issues in order to comply with the statutory deadline set forth in Section 1307(f). Therefore, a final Order in the GCR proceeding will be issued prior to September 1, 2004.

5. The June 2 Order directed that the issues that are to be examined as part of the instant investigation include:

- Adequacy, cost effectiveness and management of PGW's collection practices;
- Whether PGW is entitled to any requested waivers and/or modifications to the Commission's Chapter 56 regulations;
- The reasonableness of implementing a means-tested Senior Citizen Discount program;
- Tariff issues arising out of PGW's compliance filing in its restructuring proceeding at Docket No. M-00021612; and
- The level of PGW's universal service costs as well as the cost effectiveness, program designs and management of these programs.

6. The June 2 Order provided that the investigation into these issues was to be completed in time for the Commission to make its decision at the September 30, 2004 Public Meeting.

7. On June 2, 2004, ALJ Rainey issued a Prehearing Conference Order in the investigative proceeding. The Prehearing Order stated that the procedural schedule in this case must conclude with any reply briefs being filed no later than July 20, 2004. A Prehearing Conference is scheduled for June 10, 2004, at which time a procedural schedule will be established. A true and correct copy of the June 2, 2004 Prehearing Conference Order is attached hereto and marked Appendix "A".

8. The OCA submits that it is impractical for the parties to conduct a meaningful investigation of the complex issues set forth in the Commission's June 2 Order by September 30, 2004 if investigation time must be utilized for the preparation of a Recommended Decision and Exceptions and Reply Exceptions. With reply briefs due no later than July 20, 2004, the parties will, realistically, have only 3-4 weeks to conduct discovery, prepare testimony and conduct evidentiary hearings. Such time does not allow for any meaningful examination of the issues presented by the investigation. This is especially true where, to date, PGW has not

filed any testimony or request for waivers of Chapter 56 regulations. The OCA submits that PGW holds all of the information pertaining to this investigation and the parties must be given enough time to conduct a meaningful investigation into these issues.

9. Therefore, the OCA respectfully requests that the Commission dispense with the preparation of a Recommended Decision in this expedited investigation proceeding. The OCA suggests that the Commission direct that the record be certified to the Commission no later than August 31, 2004. This will allow the parties additional time to conduct discovery and prepare recommendations to be presented in testimony to the Commission. The OCA submits that this is the only way for the Commission to “take a comprehensive approach” to PGW’s financial and collection problems and fully investigate these important issues.

10. The OCA has contacted the active parties in this proceeding and is authorized to represent that the following parties concur in this request: Office of Trial Staff; Office of Small Business Advocate; Action Alliance, *et.al.*; Philadelphia Public Officials; Philadelphia Housing Authority; and Philadelphia Industrial and Commercial Users Group. PGW does not concur in this request at this time.

11. The OCA further requests that the Commission grant this Motion on an expedited basis in order to provide the parties with more certainty about the procedural schedule that will be utilized in this investigative proceeding.

**WHEREFORE**, for the reasons set forth above, the Office of Consumer Advocate respectfully requests that the Commission dispense with the preparation of a Recommended Decision in the above-captioned investigation and procedural schedule adopted in accordance with this request.

Respectfully submitted,



---

Stephen J. Keene  
Senior Assistant Consumer Advocate  
Aron J. Beatty  
Christy M. Appleby  
Lori A. Herman  
Assistant Consumer Advocates

Counsel for:  
Irwin A. Popowsky  
Consumer Advocate

Office of Consumer Advocate  
555 Walnut Street, 5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101-1923  
(717) 783-5048

DATED: June 10, 2004

79703.doc

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Investigation Into Financial and	:	
Collections Issues Regarding the	:	Docket Nos. P-00042090
Philadelphia Gas Works	:	R-00049157
	:	M-00021612
	:	P-00032061

---

APPENDIX A

---

RECEIVED  
2004 JUN 10 AM 9:34  
SECRETARY'S BUREAU

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

JUN 07 2004

SK  
LH  
AB  
file

OFFICE OF  
CONSUMER ADVOCATE

Investigation into Financial and Collections Issues	:	Docket Nos.	P-00042090
Regarding the Philadelphia Gas Works	:		R-00049157
	:		M-00021612
	:		P-00032061

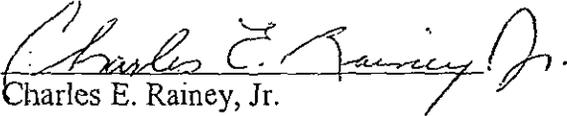
PREHEARING CONFERENCE ORDER

A prehearing conference pursuant to 52 Pa. Code §5.221 will be held on June 10, 2004. In preparation for the prehearing conference, submit to me and serve on all parties a prehearing conference memorandum. Your prehearing conference memorandum must be in my hands and the hands of the other parties by 4:00 p.m. on June 8, 2004. Your prehearing conference memorandum must include:

- (1) the status of any settlement discussions;
- (2) the status of discovery;
- (3) proposed discovery rules;
- (4) a proposed schedule for discovery;
- (5) any admissions or stipulations;
- (6) the factual issues to be addressed in this case;
- (7) the legal issues to be addressed in this case;
- (8) the names, titles and business addresses of each witness;
- (9) the issues each witness will address;
- (10) a proposed date for a second prehearing conference, if necessary;
- (11) a proposed schedule for the submission of written testimonies;
- (12) a proposed schedule for evidentiary hearings;
- (13) a proposed briefing schedule;
- (14) any other pertinent information.

The procedural schedule that you propose must conclude with any reply briefs no later than July 20, 2004.

The parties are encouraged to communicate with each other and arrive at mutually acceptable proposals. A representative of the parties may call me regarding the dates I am available for hearings in this case.

  
Charles E. Rainey, Jr.  
Administrative Law Judge

Date: June 2, 2004

CERTIFICATE OF SERVICE

Re: Investigation into Financial :  
Collections Issues Regarding the : Docket Nos. P-00042090  
Philadelphia Gas Works : R-00049157  
: M-00021612  
: P-00032061

I hereby certify that I have this day served a true copy of the foregoing document, Office of Consumer Advocate's Motion to Dispense with Preparation of a Recommended Decision, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 9<sup>th</sup> day of June, 2004.

SERVICE BY E-MAIL and INTEROFFICE MAIL

Richard A. Kanaskie, Esquire  
Johnnie E. Simms, Esquire  
Pennsylvania Public Utility Commission  
Office of Trial Staff  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
[rkanaskie@state.pa.us](mailto:rkanaskie@state.pa.us)

Bohdan R. Pankiw  
Chief Counsel  
Law Bureau Office  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
[bpankiw@state.pa.us](mailto:bpankiw@state.pa.us)

Cheryl W. Davis, Esquire  
Director  
Office of Special Assistants  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
[cwdaviswalk@state.pa.us](mailto:cwdaviswalk@state.pa.us)

SECRETARY'S BUREAU

2004 JUN 10 AM 9:34

RECEIVED

SERVICE BY E-MAIL and FIRST CLASS DELIVERY

Daniel Clearfield, Esquire  
Alan C. Kohler, Esquire  
Wolf, Block, Schorr and Solis-Cohen LLP  
212 Locust Street, Suite 300  
Harrisburg, PA 17101  
[dclearfield@wolfblock.com](mailto:dclearfield@wolfblock.com)  
[akohler@wolfblock.com](mailto:akohler@wolfblock.com)

David M. Kleppinger, Esquire  
Charis Mincavage, Esquire  
McNees, Wallace & Nurick LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
[dkleppin@mwn.com](mailto:dkleppin@mwn.com)  
[cmincavage@mwn.com](mailto:cmincavage@mwn.com)

Steven Gray, Esquire  
Office of Small Business Advocate  
Suite 1102 Commerce Building  
300 North Second Street  
Harrisburg, PA 17101  
[sgray@state.pa.us](mailto:sgray@state.pa.us)

Gregory J. Stunder, Esquire  
Philadelphia Gas Works  
800 West Montgomery Avenue  
Philadelphia, PA 19122  
[greg.stunder@pgworks.com](mailto:greg.stunder@pgworks.com)

Mr. Robert D. Knecht  
Industrial Economics Incorporated  
2067 Massachusetts Avenue  
Cambridge, MA 02140  
[rdk@indecon.com](mailto:rdk@indecon.com)

Christopher B. Craig, Esquire  
Main Capitol Building  
Room 545  
Harrisburg, Pa 17120  
Counsel for Senator Fumo, et al  
District Attorney Lynne Abraham  
Counsel for Senator Stack  
Counsel for Senator Williams  
[ccraig@fumo.org](mailto:ccraig@fumo.org)

Renardo L. Hicks  
Anderson, Gullotta & Hicks, PC  
1110 N. Mountain Road  
Harrisburg, PA 17112  
Counsel for Senator Fumo, et al.  
[rhicks@aghweb.com](mailto:rhicks@aghweb.com)

Philip A. Bertocci, Esq.  
Laura Moskowitz, Esq.  
1424 Chestnut Street  
3<sup>rd</sup> Floor  
Philadelphia, PA 19102  
[pbertocci@clsphila.org](mailto:pbertocci@clsphila.org)  
[lmoskowitz@clsphila.org](mailto:lmoskowitz@clsphila.org)

SERVICE BY FIRST CLASS MAIL

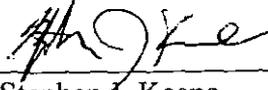
Philip Herman, Esquire  
FOX ROTHSCHILD, LLP  
2000 Market Street  
Tenth Floor  
Philadelphia, PA 19103

Helen Richardson  
Mondre Energy Inc  
1880 John F. Kennedy Boulevard  
Suite 1705  
Philadelphia, PA 19135

Wendy Beetlestone, Esq.  
School District of Philadelphia  
Office of General Counsel  
2130 Arch Street, 5<sup>th</sup> Floor  
Philadelphia, PA 19103

Barbara Greening, Esq.  
1904 Green Street  
Philadelphia, PA 19130

Ms. Adrienne Glenn  
6342 Ardleigh Street  
Philadelphia, PA 19138



---

Stephen J. Keene  
Senior Assistant Consumer Advocate  
Aron J. Beatty  
Lori A. Herman  
Assistant Consumer Advocates

Mr. William Kitsch  
1233 Stanwood Street  
Philadelphia, PA 19110

Counsel for  
Office of Consumer Advocate  
555 Walnut Street 5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101-1923  
(717) 783-5048  
79657

Kirkpatrick & Lockhart LLP

ORIGINAL

Payne Shoemaker Building  
240 North Third Street  
Harrisburg, PA 17101-1507  
717.231.4500  
www.kl.com

June 10, 2004

VIA HAND DELIVERY

James P. Melia  
717.231.5842  
Fax: 717.231.4501  
jmelia@kl.com

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building, 2<sup>nd</sup> Floor  
400 North Street  
Harrisburg, PA 17120

**DOCKETED**  
JUN 21 2004

Re: Investigation Into Financial and Collection Issues Regarding The Philadelphia Gas Works.  
Docket Nos. P-00042090, R-00049157, M-00021612, P-00032061

Dear Secretary McNulty:

Please remove the names of the following individuals on behalf of Texas Eastern Transmission, LP from the service list in the foregoing proceedings:

Richard J. Kruse, Esquire  
Texas Eastern Transmission, LP  
P.O. Box 1642  
Houston, TX 77251-1642

Susan S. Lindberg, Esquire  
Texas Eastern Transmission, LP  
P.O. Box 1642  
Houston, TX 77251-1642

Doreen F. Wrick  
Project Director, Marketing  
Texas Eastern Transmission, LP  
Waltham Woods Corporate Center  
890 Winter Street, Suite 300  
Waltham, MA 02451

**DOCUMENT  
FOLDER**

RECEIVED  
2004 JUN 10 PM 3:27  
SECRETARY'S BUREAU

HA-146512 v1 0115080-0601

45

James J. McNulty, Secretary  
June 10, 2004  
Page 2

Daniel P. Delaney, Esquire  
James P. Melia, Esquire  
Kirkpatrick & Lockhart LLP  
240 North Third Street  
Harrisburg, PA 17101-1507

Your consideration of this request is greatly appreciated.

Very truly yours,



James P. Melia  
Counsel for Texas Eastern Transmission, LP

JPM/cem

**ORIGINAL**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Investigation Into Financial and : Docket Nos. P-00042090,  
Collection Issues Regarding The : R-00049157, M-00021612,  
Philadelphia Gas Works. : P-00032061

---

**CERTIFICATE OF SERVICE**

---

I hereby certify that I have this day served true and correct copies of the foregoing document upon the individuals listed, in accordance with the requirements of Section 1.54 (relating to service by a participant).

Via First Class Mail

Daniel Clearfield, Esquire  
Alan C. Kohler, Esquire  
Mark S. Stewart, Esquire  
Wolf Block Schorr & Solis-Cohen LLP  
212 Locust Street – Suite 300  
Harrisburg, PA 17101

Gregory J. Stunder, Esquire  
Philadelphia Gas Works  
800 West Montgomery Avenue  
Philadelphia, PA 19122

Stephen J. Keene, Esquire  
Aaron J. Beatty, Esquire  
Office of Consumer Advocate  
Forum Place, 5<sup>th</sup> Floor  
555 Walnut Street  
Harrisburg, PA 17101-1923

Richard LeLash  
18 Seventy Acre Road  
Redding, CT 06896

Steven C. Gray, Esquire  
Office of Small Business Advocate  
Suite 1102, Commerce Building  
300 North Second Street  
Harrisburg, PA 17101

Robert D. Knecht  
Industrial Economics Incorporated  
2067 Massachusetts Avenue  
Cambridge, MA 02140

David M. Kleppinger, Esquire  
Charis Mincavage, Esquire  
McNees Wallace & Nurick, LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166

Philip A. Bertocci, Esquire  
Laura Moskowitz, Esquire  
Community Legal Services Inc.  
1424 Chestnut Street, 4<sup>th</sup> Floor  
Philadelphia, PA 19102-2505

SECRETARY'S OFFICE  
2004 JUN 10 PM 3:27  
RECEIVED

Wendy Beetlestone, Esquire  
School District of Philadelphia  
Office of General Counsel  
2130 Arch Street, 5<sup>th</sup> Floor  
Philadelphia, PA 19103

Helen H. Richardson, Esquire  
Mondre Energy, Inc.  
1880 John F. Kennedy Blvd.  
Suite 1705  
Philadelphia, PA 19103

Hon. Charles E. Rainey, Jr.  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
1302 State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130

Johnnie Simms, Esquire  
Office of Trial Staff  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Philip L. Hinerman  
Fox Rothschild LLP  
2000 Market Street, 10<sup>th</sup> Floor  
Philadelphia, PA 19103-3291

Christopher B. Craig  
Senate Democratic Appropriations  
Committee  
Main Capitol Building, Room 545  
Harrisburg, PA 17120

Scott J. Rubin  
3 Lost Creek Drive  
Selinsgrove, PA 17870-9357

Anthony R. Francioso  
Francioso and Francioso  
2585 Nottingham Way  
Hamilton, NJ 08619

Kent Murphy, Esquire  
Assistant General Counsel  
Exelon Business Services Co.  
2301 Market Street, S23-1  
Philadelphia, PA 19103

David Griesing  
Philadelphia Gas Works  
800 Montgomery Avenue  
Philadelphia, PA 19112

Richard A. Baudino  
J. Kennedy & Associates Inc.  
570 Colonial Park Drive, Suite 305  
Roswell, GA 30075

James P. Leonard  
City Council of Philadelphia  
Cooper Leonard & Schaffer  
1525 Locust Street, 13<sup>th</sup> Floor  
Philadelphia, PA 19102

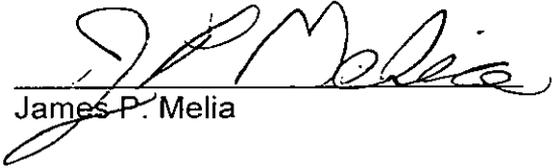
Lance Haver  
Office of Consumer Affairs  
116 City Hall  
Philadelphia, PA 19107

Leslie B. Hope  
Assistant City Solicitor  
One Parkway, 16<sup>th</sup> Floor  
1515 Arch Street  
Philadelphia, PA 19102

Thomas E. Knudson  
Philadelphia Gas Works  
800 West Montgomery Avenue  
Philadelphia, PA 19112-2898

Anna C. Verna  
City Council  
City of Philadelphia  
Room 494, City Hall  
Philadelphia, PA 19107

Kirkpatrick & Lockhart LLP  
240 North Third Street  
Harrisburg, PA 17101-1507  
(717) 231-4500  
(717) 231-4501 (Fax)  
jmelia@kl.com

  
James P. Melia

Counsel for Texas Eastern Transmission, LP

Dated: June 10, 2004