

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, Pennsylvania 17105-3265

Obioma Iro-Nwokeukwu
v.
Philadelphia Gas Works

Public Meeting held April 23, 2015
2247079-ALJ
Docket Number: C-2011-2247079

STATEMENT OF COMMISSIONER GLADYS M. BROWN

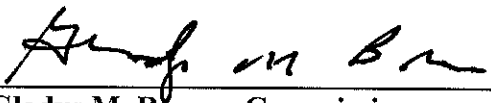
The Complainant in this case alleges that PGW improperly placed a municipal lien on her property and that the Company was not responsive to her request for assistance with regard to her enrollment in its Landlord Cooperation Program (LCP).

The ALJ correctly recognized that this Commission lacks subject matter jurisdiction over municipal liens. Citing *Cheryl Fisher v. Philadelphia Gas Works*, Docket No. F-2010-2215047 (July 31, 2012), the ALJ also concluded that the LCP is essentially a contract for private services that supplements the public utility services provided by PGW and, therefore, the Commission has no jurisdiction over the LCP. (I.D. at 13-14).

I agree that the Commission lacks subject matter jurisdiction over municipal liens but, I disagree with the ALJ's private contract theory.¹ Moreover, I believe that the LCP, although voluntarily provided by PGW, falls within the ambit of Section 1501 of the Public Utility Code, 66 Pa. C.S. § 1501, which requires public utilities to provide reasonable service.

That being said, I agree with the dismissal of this matter based on this Complainant's failure to meet the burden of proof.

April 23, 2015
Date



Gladys M. Brown, Commissioner

¹ The LCP allows residential rental property owners to avoid the imposition of gas liens on their registered properties, to help PGW with necessary meter access "for any reason, including but not limited to shutoff or turn-on of service, meter maintenance, performance of a leak survey, or for other safety or operational reasons," http://www.pgworks.com/files/pdfs/LCP_TermsConditions.pdf and to assist PGW in the timely collection of payment for its services. See <http://www.pgworks.com/lcp>. Although not tariffed, the LCP and many of its features relating to failure to pay accounts, access to meters, meter maintenance, and leak survey access are inextricably intertwined with the provision of PGW's utility service.