



PHILADELPHIA GAS WORKS

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May 7, 2015

RECEIVED

MAY - 7. 2015

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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

Re: **Charles Dennis v. PGW, Docket No. C - 2014 - 2439816**

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code §5.535, the Philadelphia Gas Works ("PGW") hereby files its reply to the Complainant's exceptions to the March 31, 2015, Initial Decision in the above captioned matter.

If additional information is required, please do not hesitate to contact the undersigned. Thank you for your assistance in the matter.

Sincerely,


Danielle Leva

Enclosure

cc: Charles Dennis (Regular Mail)
Linda Pereira (PGW Mail)
Wendy Vacca (PGW Mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Charles Dennis

v.

Philadelphia Gas Works

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Docket No. C – 2014 – 2439816

**PHILADELPHIA GAS WORKS’
REPLY TO COMPLAINANT’S EXCEPTIONS**

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Pursuant to 52 Pa. Code §5.535, the Secretary's letter dated April 28, 2015 and the Initial Decision in the above captioned matter, the Philadelphia Gas Works, ("PGW") hereby files its reply to the Complainant's exceptions to the Initial Decision issued March 31, 2015, in the above captioned matter (Initial Decision).

I. INTRODUCTION

On August 25, 2014, the Complainant filed a complaint with the Commission against PGW seeking a payment arrangement for gas service at 5535 Irving Street, Philadelphia, PA (Service Address). The Complaint was an appeal of a decision issued by the Bureau of Consumer Services (BCS) on August 4, 2014 at Case No. 3224701. The BCS decision indicated that the Complainant had defaulted on a prior Commission payment arrangement issued on January 21, 2014 and dismissed the informal complaint under 66 Pa. C.S. §§ 1405 (c) & 1405 (d).

On September 17 2014, PGW filed an answer, indicating that the Complainant has defaulted on seven (7) PGW payment agreements.

By hearing notice dated October 3, 2014, the hearing in this matter was scheduled for December 4, 2014. The hearing was held in this matter on the date scheduled in the Philadelphia Regional Office at 801 Market Street before Administrative Law Judge Marta Guhl.

The Complainant, Charles Dennis, was present and represented himself. Mr. Dennis testified in support of the Complaint. PGW was represented by counsel and presented one witness, Joyshalyn Moore, a Customer Review Unit Officer.

On March 31, 2015, the Commission issued the Initial Decision, which dismissed the Complaint, finding that the Complainant had failed to establish that he is eligible for

a payment arrangement under Chapter 14, The Responsible Utility Customer Protection Act. Evidence presented by the Complainant during the hearing showed that there had actually been an increase in the household income since the BCS issued a payment arrangement.

The Complainant filed exceptions to the Initial Decision on or about April 23, 2015. Pursuant to 52 Pa. Code §5.535, and the Secretary's letter dated April 28, 2015 in this matter, this timely reply follows.

II. PGW'S REPLY TO EXCEPTIONS

The Complainant's Exceptions fail to address any error in fact or law contained in the Initial Decision refuting the conclusion that the Complainant failed to establish that he is eligible for a payment arrangement under Chapter 14, The Responsible Utility Customer Protection Act.

Exceptions

The Complainant's Exceptions merely reiterate the testimony he presented during the December 4th hearing in this matter, adding that his expenses are limited due to his having filed for bankruptcy.

PGW's Reply

The Exceptions fail to demonstrate that the Initial Decision is unsupported by substantial evidence.

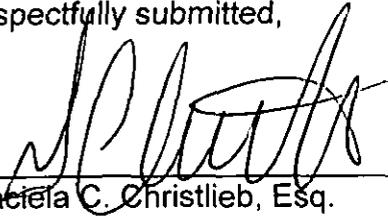
The record of this matter shows that the Complainant defaulted on seven (7) prior PGW payment arrangements. The Complainant presented no evidence of pay changes or hour reductions or other evidence that would establish the change in income requirements of 66 Pa.C.S. § 1403. In fact, testimony presented during the evidentiary hearing established that the Complainant's income had increased since the BCS issued the decision granting him a payment arrangement.

III. CONCLUSION

For the reasons stated above, the PGW requests that the Commission deny the Complainant's Exceptions to the Initial Decision and adopt the Initial Decision issued March 31, 2015 in this matter as written, dismissing the Complaint.

May 7, 2015

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Graciela C. Christlieb', written over a horizontal line.

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

CERTIFICATE OF SERVICE

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

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For Complainant:

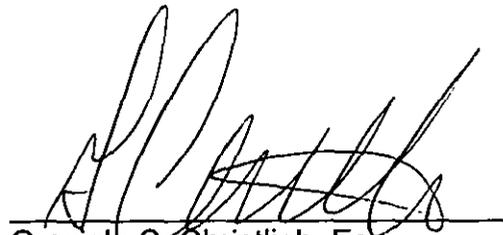
Mr. Charles Dennis
5535 Irving Street
Philadelphia, PA 19139

May 7, 2015

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



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

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