

Valerie J. Williams
816 N 21st Street
Philadelphia, PA 19130-1402

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2015 MAY 11 PM 12:41

PA P.U.C.
SECRETARY'S BUREAU

May 7, 2015

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

RE: Valerie J Williams v. PGW Docket No. F- 2014-2456937 Exceptions
to Ruling by Administrative Law Judge Ember S Jandebaur

Dear Secretary Chiavetta,

I take exception to the application of a Statute of Limitations by PGW and upheld by Judge Jandebaer (page 5) in the above referenced case I have against PGW. I believe a review of the legislative history of the issue will show that the statute of limitations was an attempt to limit a utility's ability to charge for its mistakes, not to limit a consumer's right to restitution for a utility's mistake. On its face it is unjust and unfounded in utility law that consumers and utilities are equal and must, by law, be held to the same standards.

Utilities have rate payers' dollars to use to hire accountants, technical experts and lawyers. Rate payers have only their own resources. To hold such disparate classes to the same rules and regulations is unwarranted and unsupported by the legislative history and the laws of the Commonwealth. There is no clear legislative intent to limit a consumers right for restitution and the Commission errors and violates the intent of the laws of the Commonwealth if it creates a rule that was not legislatively mandated.

In the alternative that the Commission finds the Statute of Limitations does limit the right of a consumer to restitution, I argue the Statute of Limitation should start when PGW realized its mistake then go back to the beginning of the period in question; the period where overpayment was deemed to have begun. It should cover four years **after** the mistake was discovered and go back 100% of the period of overpayment.

It is unjust to make the same standards hold for consumers as is decreed for the utilities. The Statute of Limitations was passed to protect consumers; not to unjustly hold them responsible for something they could not have known,. It was passed to protect consumers against utilities trying to collect past monies over a unduly length of time and not passed to protect utilities from reimbursing overpayments.

In this case, the Utility has admitted to be in error and it should not be allowed to apply to its error / wrong doing, the standards that are meant to protect the consumer.

In addition, in the case of Valerie J Williams v. PGW the refusal to make equitable adjustment and reimbursement for 100% of the overpayment, constitutes financial exploitation. The complainant was in a low-income relief program which apparently did not work for her and even though brought to the attention of the Utility,, her pleas for a just evaluation were ignored until March 2014. The inquiry in March 2014 shows that the Utility was in error and up until that point the Utility continued to take overpayment apparently without conscience and should be held responsible to correct the matter fairly.

It is understood that policy on this matter changed in April of 2014 and the Utility is now mandated by the Commission to oversee accounts in the CRP Program more carefully to make sure this kind of overpayment is not occurring in other accounts. Let's not punish this complainant and make her suffer the inequity and loss through an incomplete reimbursement because her complaint falls in the period just before the policy change; and in fact potentially helped to precipitate the change.

To cite the motto of one of our Commonwealths own and one of the nation's most prestigious law schools: *Lees Sine Moribus Vanae* ("Laws without morals [are] useless")

With all due respect, and a sense of humility for the lack of power and influence someone such as myself, the complainant, has over these matters, I am compelled to make what to many is an obvious observation. It is a travesty that often our modern day justice is blind to the very premises under which members of the judicial system were educated and sworn to serve. Unfortunately, the burden of this is many times carried on the backs of the poor who are often without a champion to speak for them.

It is with sincerity that I again request that this wrong be righted. And that full reimbursement be made. True justice would include further inquiry into a system which is found to be in error in other accounts. I plead to good conscience and the sincerity of those powers that govern to make the necessary corrections and serve justice in good faith. I plead with the Public Utility Commission to act in a moral fashion in this matter and be fair to this consumer. To do justice in the world is of greater value than to subjugate and agitate the populace with misinterpretation and misrepresentation. Such justice is far reaching and is the basis for better lives and affects us all.

Lees Sine Moribus Vanae.

Sincerely,

A handwritten signature in cursive script that reads "Valerie J. Williams". The signature is written in black ink and is positioned above the typed name.

Valerie J. Williams

cc: ALJ Jandebour
PGW Counsel, Graciela Christlieb, Esquire

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Ms. Valerie Williams
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