



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

RECEIVED

March 13, 2006

MAR 13 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building, 2nd Floor, 7 North
400 North Street
Harrisburg, PA 17120

Filed by Federal Express

DOCUMENT
FOLDER

Re: Philadelphia Gas Works Proposed 2006-2007 Gas Cost Rate,
PUC Docket No. R- 000612960001

Dear Secretary McNulty:

I represent Action Alliance of Senior Citizens of Greater Philadelphia and the Tenant Union Representative Network (TURN), (collectively "Action Alliance et al.") in the above-captioned matter.

Enclosed please find for filing an original and three (3) copies of the Formal Complaint of Action Alliance et al.

As evidenced by the attached Certificate of Service, all parties to the proceeding are being served with copies of these documents.

Very truly yours,

PHILIP A. BERTOCCI

Attorney for Action Alliance et al.

cc: Certificate of Service

Administrative Law Judge Marlane R. Chestnut

Enclosures

ORIGINAL

91

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of this document upon the following parties in the manner described below:

Dated: March 13, 2006

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MAR 13 2006

BY FIRST CLASS U.S. MAIL, POSTAGE PREPAID.

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Daniel Clearfield, Esquire
Mark Stewart, Esquire
Wolf, Block, Schorr & Solis-Cohen, LLP
213 Market Street, 9th Floor
Harrisburg, PA 17108

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

Johnnie E. Simms, Esquire
Pennsylvania Public Utility Commission
Office of Trial Staff
Commonwealth Keystone Bldg., 2 West
P.O. Box 3265
Harrisburg, PA 17120

Steven C. Gray, Esquire
Office of Small Business Advocate
Commerce Building, Suite 1102
300 North 2nd Street
Harrisburg, PA 17101

Stephen Keene, Esquire
Office of Consumer Advocate
Forum Place Building, 5th Floor
555 Walnut Street
Harrisburg, PA 17101-1921

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



PHILIP A. BERTOCCI

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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Pennsylvania Public Utility
Commission, et al.

MAR 13 2006

Complainants

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

v.

R-00061296 C000/

Philadelphia Gas Works

Respondent

DOCUMENT
FOLDER

FORMAL COMPLAINT

1. The Complainants are two membership consumer organizations, Action Alliance of Senior Citizens of Greater Philadelphia ("Action Alliance") and the Tenant Union Representative Network ("TURN") (hereinafter collectively "Action Alliance et al.") who advocate on behalf of low and moderate income residential customers and consumers of the utility services of the Philadelphia Gas Works.

2. The names and address of the Complainants' attorneys are:

Philip A. Bertocci, Esquire
Thu B. Tran, Esquire
COMMUNITY LEGAL SERVICES, INC.
1424 Chestnut Street
Philadelphia, PA 19102-2505
Telephone: (215) 981-3702
Fax: (215) 981-0435

DOCKETED
MAR 17 2006

3. The Respondent utility is:

PHILADELPHIA GAS WORKS
800 West Montgomery Avenue

Philadelphia, PA 19122

4. On February 28, 2006, the Philadelphia Gas Works ("PGW") made its Gas Cost Rate ("GCR") filing with the Pennsylvania Public Utility Commission ("PUC"). The filing also includes a request for costs associated with PGW's Universal Service Fund and Energy Conservation Surcharge.

5. Action Alliance of Senior Citizens of Greater Philadelphia is a registered non-profit corporation and membership organization with offices at 1201 Chestnut Street, 5th Floor, Philadelphia, PA 19107. The mission of Action Alliance is to advocate on behalf of senior citizens, many of whom are low and moderate income, in a wide range of matters including utility rates, consumer protections and quality of customer service.

6. The Tenant Union Representative Network (TURN) is a registered non-profit organization with offices at 315 Walnut Street, 3rd Floor, Philadelphia, PA 19107. The mission of TURN is to advocate on behalf of low and moderate income residential tenants.

7. In addition to their organizational missions to advocate on behalf of low and moderate income consumers, Action Alliance et al. count among their members many low and moderate income PGW customers. For these two reasons, they therefore have an interest in this proceeding not adequately represented by any other party of record.

8. Action Alliance et al. have conducted an initial review of PGW's GCR filing. Action Alliance et al. intend to oppose this request to the extent that the rate to be

proposed is not just and reasonable, including whether PGW has followed a least cost procurement policy.

Wherefore, Action Alliance et al. respectfully request that the Pennsylvania Public Utility Commission:

- (1) accept this Complaint and allow Complainants to intervene in this proceeding as an active party;
- (2) grant such other relief as is just and appropriate.

Respectfully submitted,



PHILIP A. BERTOCCI, ESQUIRE
THU B. TRAN, ESQUIRE

Attorneys for Action Alliance et al.

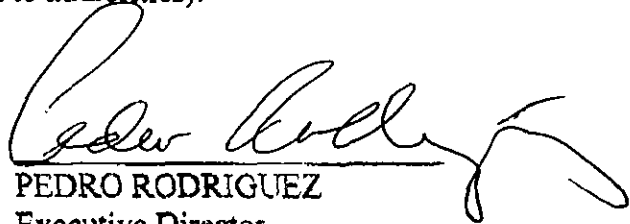
COMMUNITY LEGAL SERVICES, INC.
1424 Chestnut Street, 4th Floor
Philadelphia, PA 19102-2505
Tel.: 215-981-3702
FAX: 215-981-0435

March 13, 2006

VERIFICATION

I, Pedro Rodriguez, on behalf of Action Alliance of Senior Citizens of Greater Philadelphia, hereby state that the facts contained in the foregoing pleading are true and correct to the best of my knowledge, information and belief, that I am duly authorized to make this Verification, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities).

Date: 3/6/2007



PEDRO RODRIGUEZ
Executive Director,
Action Alliance of Senior Citizens

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MAR 13 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of this letter upon the following parties in the manner described below:

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Daniel Clearfield, Esquire
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213 Market Street, 9th Floor
Harrisburg, PA 17108

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

Johnnie E. Simms, Esquire
Pennsylvania Public Utility Commission
Office of Trial Staff
Commonwealth Keystone Bldg., 2 West
P.O. Box 3265
Harrisburg, PA 17120

Steven C. Gray, Esquire
Office of Small Business Advocate
Commerce Building, Suite 1102
300 North 2nd Street
Harrisburg, PA 17101

Stephen Keene, Esquire
Office of Consumer Advocate
Forum Place Building, 5th Floor
555 Walnut Street
Harrisburg, PA 17101-1921

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

Philip A Bertocci

PHILIP A. BERTOCCI

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P O BOX 3265, HARRISBURG PA 17105-3265

March 15, 2006

GREGORY J STUNDER ESQUIRE
PHILADELPHIA GAS WORKS
800 WEST MONTGOMERY AVENUE
PHILADELPHIA PA 19122

DOCUMENT
FOLDER

RE: PA PUC vs PHILADELPHIA GAS WORKS
Docket Number R-00061296C0001

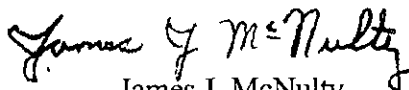
Dear Sir/Madam:

A Complaint has been filed against you in the above-captioned matter before the Pennsylvania Public Utility Commission by ACTION ALLIANCE OF SENIOR CITIZENS OF GREATER PHILADELPHIA AND THE TENANT UNION REPRESENTATIVE NETWORK.

This complaint, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. The Pennsylvania Public Utility Code, 66 Pa. C.S., requires the Commission to serve on each party named in a complaint a copy of the complaint.

Within twenty (20) days from the date on which this complaint is served, you may either satisfy this complaint or comply with the provisions of 52 Pa. Code, Section 5.61 et seq., as amended.

Very truly yours,


James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

ddi

DOCKETED
MAR 17 2006



OFFICE OF CONSUMER ADVOCATE

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

IRWIN A. POPOWSKY
Consumer Advocate

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

March 14, 2006

ORIGINAL

James J. McNulty
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, P. O. Box 3265
Harrisburg, PA 17105-3265

RE: Pennsylvania Public Utility Commission
v.
Philadelphia Gas Works - 2006 Purchased
Gas Cost (1307(f) Proceeding)
Docket No. R-00061296 *00002*

Dear Secretary McNulty:

Enclosed for filing, please find an original and three (3) copies of the Formal Complaint and Public Statement of the Office of Consumer Advocate, in the above-referenced proceeding.

Copies have been served on the parties of record as indicated on the enclosed Certificate of Service.

Sincerely,

Aron J. Beatty
Assistant Consumer Advocate

DOCUMENT
FOLDER

Enclosures

cc: Parties of Record
Office of Special Assistants

00087961.DOC

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2006 MAR 14 PM 4:00
PA PUC
SECRETARY'S BUREAU

6

Pennsylvania Public Utility Commission

ORIGINAL

Formal Complaint Form

Please Print.

R-00051296 C0002

1. Your name, mailing address, telephone number and utility account number:

Name Irwin A. Popowsky, Consumer Advocate

Street/P.O.Box 555 Walnut Street 5th Floor Forum Place Apt # _____

City Harrisburg State Pennsylvania Zip 17101-1923

County Dauphin

Area Code/Home Phone _____ Area Code/Work Phone (717)783-5048

Utility Account Number _____

If the above mailing address differs from the address where the utility service is provided, list this information below.

Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

County _____

2. Name of utility company your complaint concerns: Philadelphia Gas Works

3. Type of Utility (circle one):

- GAS
- WATER
- MOTOR CARRIER
- STEAM HEAT
- ELECTRIC
- SEWER

TELEPHONE - (LOCAL OR LONG DISTANCE)

DOCKETED DOCUMENT FOLDER
MAR 17 2006

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2006 MAR 14 PM 4:01
PA PUC
SECRETARY'S BUREAU

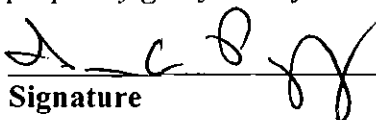
4. What is your complaint? (Use additional paper if you need more space and provide copies of any relevant documentation you believe will support your complaint).
- A. On January 31, 2006, pursuant to Sections 1307(f), 1317, 1318 and 2212 of the Public Utility Code, and Sections 53.64 and 53.65 of the Commission's Rules and Regulations, Philadelphia Gas Works ("PGW" or "Company") submitted pre-filed supporting information concerning its annual 2006-2007 Purchased Gas Cost ("PGC") Rate filing.
 - B. On February 28, 2006, the Company made its definitive 1307(f) filing, in which it stated that PGW's proposed PGC rate to be effective September 1, 2006 was projected to be \$12.3746. The Company's PGC rate on September 1, 2005 was \$9.7056. Since that rate became effective, PGW revised its PGC rate to \$12.5632 in an interim filing effective October 7, 2005. The PGC rate has remained at the same \$12.5632 rate since October 7th.
 - C. As can be seen from the Company's PGC rate adjustments of the past twelve months, PGW's customers have been exposed to extraordinarily high natural gas rates, which directly affects their overall gas service.
 - D. The Public Utility Code provides that no rates of a natural gas distribution utility shall be deemed just and reasonable unless the Commission finds that the utility is pursuing a least cost fuel procurement policy, consistent with the utility's obligation to provide safe, adequate and reliable service to customers. 66 Pa. C.S. § 1318. The Commission must find, among other things, that the utility has (1) fully and vigorously represented ratepayer interests before the Federal Energy Regulatory Commission; (2) taken all prudent steps to negotiate favorable gas supply contracts and to relieve its obligations under contracts that may be adverse to ratepayer interests; (3) taken all reasonable steps to obtain lower cost gas supplies; and (4) not withheld or caused to be withheld gas supplies that should have been utilized as part of a least cost fuel procurement policy. 66 Pa. C.S. § 1318(a).
 - E. The Consumer Advocate is empowered to represent the interests of consumers before the Pennsylvania Public Utility Commission, pursuant to Act 1976-161 of the General Assembly, as amended, 71 Pa. Stat. Ann. §§ 309-1 et seq. (Purdon's Supp. 1990).
 - F. After the initial review of PGW's pre-filing and definitive filing, the Consumer Advocate files this Formal Complaint in order to ensure that the Company's proposed purchased gas cost rates are consistent with a least cost fuel procurement policy and do not result in rates and charges that are excessive, unjust or unreasonable, discriminatory or otherwise contrary to Commission regulation or policy.

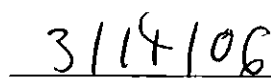
5. What do you want the Public Utility Commission to do about your complaint?
(Use additional paper if you need more space).

The Consumer Advocate respectfully requests that the Public Utility Commission:

1. Hold evidentiary hearings as mandated by Section 1307(f) of the Public Utility Code;
 2. Hold public input hearings in PGW's service territory, if consumer interest arises;
 3. Deny any rate or tariff changes which are not the result of a least cost fuel procurement policy as defined by the standards set forth in Section 1318 of the Public Utility Code, and as defined by other applicable ratemaking standards;
 4. Ensure that PGW's residential customers are not allocated any costs that should not be borne by them;
 5. Deny any rate or tariff change that is unjust, unreasonable, unduly discriminatory or contrary to sound ratemaking principles; and
 6. Grant any other relief deemed appropriate.
6. You must sign and date your complaint below.

The information I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.


Signature


Date

7. If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name Stephen J. Keene, Senior Assistant Consumer Advocate; Aron J. Beatty,
Assistant Consumer Advocate

Street: 555 Walnut Street, Forum Place 5th Floor

City: Harrisburg State: PA Zip: 17109

Area Code/Phone Number 717-783-5048

8. **Mail to:**

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

If you have additional questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

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 9, 1976, authorizes the Consumer Advocate ("OCA") 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 Formal Complaint and participate in proceedings before the Commission involving Philadelphia Gas Works ("PGW" or "Company").

On January 31, 2006, PGW submitted pre-filed information in support of its annual reconciliation of its purchased gas cost rate ("PGC") in accordance with Section 1307(f) of the Public Utility Code. 66 Pa.C.S. §1307(f). On February 28, 2006, the Company made its definitive 1307(f) filing, in which it stated that PGW's proposed PGC rate to be effective September 1, 2006 is \$12.3746.

The Consumer Advocate has filed this Complaint with the Commission to ensure that each element of PGW's purchased gas cost rate is scrutinized. A thorough analysis and review are appropriate because Section 1318 of the Public Utility Code mandates that purchased gas costs cannot be determined to be just and reasonable unless such rates result from a least cost fuel procurement policy. That section of the Public Utility Code also specifies certain findings which must be made before such costs are determined to be lawful. The OCA, therefore, will seek to ensure that only those purchased gas costs which meet the requirements of Section 1318 will be paid by PGW's ratepayers.

In addition, the OCA also will seek to ensure that the rates approved by the Commission are otherwise just and reasonable, and not unduly discriminatory or excessive.

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MAR 17 2006

**DOCUMENT
FOLDER**

CERTIFICATE OF SERVICE

Pennsylvania Public Utility Commission :
 :
 v. : Docket No. R-00061296
 :
 Philadelphia Gas Works - 2006 1307(f) :
 Purchased Gas Cost Proceeding :

I hereby certify that I have this day served a true copy of the foregoing document, the Formal Complaint and Public Statement of the Office of Consumer Advocate, 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 14th day of March, 2006.

SERVICE BY E-MAIL and INTEROFFICE MAIL

Richard A. Kanaskie, Esquire
Office of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17105-3265

SERVICE BY E-MAIL and FIRST CLASS MAIL

Charis Mincavage, Esquire
McNees, Wallace, & Nurick, LLP
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
Counsel For: *Philadelphia Industrial and
Commercial Gas Users Group*

Gregory J. Stunder
Senior Attorney
Philadelphia Gas Works
800 West Montgomery Avenue
Philadelphia, PA 17122
Counsel For: *Philadelphia Gas Works*

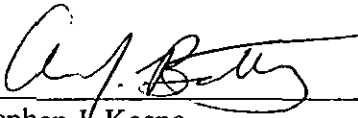
Stephen Gray, Esquire
Office of Small Business Advocate
Commerce Building - Suite 1102
300 North Second Street
Harrisburg, PA 17101
Counsel For: *Office of Small Business Advocate*

Daniel Clearfield, Esquire
Alan Kohler, Esquire
Wolf, Block Schorr and Solis-Cohen LLP
213 Market Street
9th Floor, P.O. Box 865
Harrisburg, PA 17101
Counsel For: *Philadelphia Gas Works*

Phillip Bertocci, Esquire
Community Legal Services
1424 Chestnut Street
Philadelphia, PA 19102
Counsel For: *Community Legal Services*

Robert Knecht
Industrial Economics, Inc.
2067 Massachusetts Avenue
Cambridge, MA 02140
Consultant For: *Office of Small Business Advocate*

Richard Lelash
Financial and Regulatory Consultant
18 Seventy Acre Road
Redding, CT 06896
Consultant For: *Office of Consumer Advocate*



Stephen J. Keene
Senior Assistant Consumer Advocate
Aron J. Beatty
Assistant Consumer Advocate

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

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PA PUC
SECRETARY'S BUREAU

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P O BOX 3265, HARRISBURG PA 17105-3265

March 15, 2006

GREGORY J STUNDER, ESQUIRE
PHILADELPHIA GAS WORKS
800 WEST MONTGOMERY AVENUE
PHILADELPHIA PA 19122

RE: PA PUC vs PHILADELPHIA GAS WORKS

Docket Number R-00061296C0002

Dear Sir/Madam:

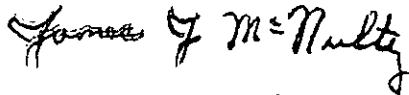
A Complaint has been filed against you in the above-captioned matter before the Pennsylvania Public Utility Commission by OFFICE OF CONSUMER ADVOCATE.

This complaint, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. The Pennsylvania Public Utility Code, 66 Pa. C.S., requires the Commission to serve on each party named in a complaint a copy of the complaint.

Within twenty (20) days from the date on which this complaint is served, you may either satisfy this complaint or comply with the provisions of 52 Pa. Code, Section 5.61 et seq., as amended.

Very truly yours,

**DOCUMENT
FOLDER**



James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

DOCKETED
MAR 17 2006

anc



OFFICE OF SMALL BUSINESS ADVOCATE
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, Pennsylvania 17101

William R. Lloyd, Jr.
Small Business Advocate

(717) 783-2525
(717) 783-2831 (FAX)

March 13, 2006

DOCUMENT
FOLDER

HAND DELIVERED

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P. O. Box 3265
Harrisburg, PA 17105-3265

ORIGINAL

**Re: Pennsylvania Public Utility Commission v. Philadelphia Gas Works
Docket No. R-00061296 00003**

Dear Secretary McNulty:

I am delivering for filing today the original plus three copies of the Complaint and Public Statement of the Small Business Advocate in the above captioned matter.

Two copies have been served today on all known parties in this proceeding. A Certificate of Service to that effect is enclosed.

If you have any questions, please do not hesitate to contact me.

Sincerely,


Steven C. Gray
Assistant Small Business Advocate

Enclosures

cc: Hon. Marlane Chestnut
Parties of Record

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2006 MAR 13 PM 4:02
PA PUC
SECRETARY'S BUREAU

Handwritten initials

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY
COMMISSION

v.

PHILADELPHIA GAS WORKS

DOCKET NO. R-00061296 **C0003**

**COMPLAINT OF THE
SMALL BUSINESS ADVOCATE**

1. The Complainant is:

William R. Lloyd, Jr.
Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101
(717) 783-2525

2. The name and address of the Complainant's attorney is:

Steven C. Gray
Assistant Small Business Advocate
Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101
(717) 783-2525

3. The respondent utility is:

Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122

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SECRETARY'S BUREAU

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MAR 17 2006

4. The Complainant is authorized and directed by the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50, to represent the interests of small business consumers of utility services in matters before the Pennsylvania Public Utility Commission (“Commission”).

5. On February 28, 2006, pursuant to Section 1307(f) of the Public Utility Code, Philadelphia Gas Works (“PGW” or the “Company”) submitted the Company’s definitive annual 2006-2007 Purchased Gas Cost (“PGC”) Rate filing.

6. Section 1318 of the Public Utility Code, 66 Pa. C.S. § 1318, provides that no rates of a natural gas distribution utility shall be deemed just and reasonable unless the Commission finds that the utility is pursuing a least cost fuel procurement policy, consistent with the obligation to provide safe, adequate and reliable service. The Commission must find, among other things, that the utility has (1) fully and vigorously represented ratepayer interests before the Federal Energy Regulatory Commission; (2) taken all prudent steps to negotiate favorable gas supply contracts and to relieve its obligations under contracts that may be adverse to ratepayer interests; (3) taken all reasonable steps to obtain lower cost gas supplies; and (4) not withheld or caused to be withheld gas supplies that should have been utilized as part of a least cost fuel procurement policy. 66 Pa. C.S. § 1318(a).

7. The OSBA files this Formal Complaint to ensure that the Company’s proposed purchased gas cost rates are consistent with a least cost fuel procurement policy and do not result in rates and charges that are excessive, unjust or unreasonable, discriminatory or otherwise contrary to Commission regulation or policy.

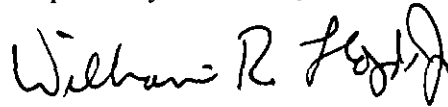
8. The OSBA also files this Formal Complaint to ensure that the Company properly files a tariff that will offer a 12 month fixed-rate option to its retail gas customers in light of the “interim

quarterly filing” submitted by the Company at Docket No. R-00050264 and the requirements of 66 Pa. C.S. § 1307(f)(1)(ii).

9. In view of the foregoing, the Small Business Advocate respectfully requests that the Pennsylvania Public Utility Commission:

- a. Order PGW to file a tariff that will offer a 12 month fixed-rate option to the *Company's retail gas customers*;
- b. Hold evidentiary hearings in accordance with Section 1307(f) of the Public Utility Code;
- c. Deny any proposed rate changes which are not the result of a least cost fuel procurement policy as defined by the standards set forth in Section 1318 of the Public Utility Code, and as defined by other applicable ratemaking standards;
- d. Ensure that the Company's business customers are not allocated any costs that should not be borne by them;
- e. Deny any rate change that is unjust, unreasonable, unduly discriminatory or contrary to sound ratemaking principles; and
- f. Grant such other relief as may be necessary or appropriate.

Respectfully submitted,



William R. Lloyd, Jr.
Small Business Advocate

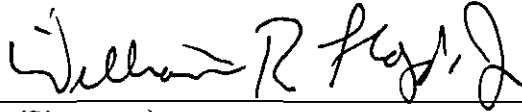
Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)

Dated: March 13, 2006

VERIFICATION

I, William R. Lloyd, Jr., hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).

Date: March 13, 2006

A handwritten signature in cursive script, appearing to read "William R. Lloyd, Jr.", written over a horizontal line.

(Signature)

ORIGINAL

ORIGINAL

**PUBLIC STATEMENT OF
SMALL BUSINESS ADVOCATE
CONCERNING THE INTEREST
OF SMALL BUSINESS CONSUMERS**

**TO BE PROTECTED BY THE FILING OF A COMPLAINT
AGAINST THE 2006 GAS COST RATE FILING OF
PHILADELPHIA GAS WORKS
DOCKET NO. R-00061296**

DOCKETED
MAR 17 2006

**DOCUMENT
FOLDER**

The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 ("Act"). The Act further provides that the Small Business Advocate is to issue publicly a written statement stating concisely the specific interest of small business consumers to be protected by his initiation of or intervention in any proceeding involving those interests before the Public Utility Commission or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of a complaint against the proposed 2006 Gas Cost Rate Filing of Philadelphia Gas Works ("PGW" or the "Company").

The Small Business Advocate files this formal complaint against the Company's proposed gas cost rate in order to protect the interests of the Company's small business customers. A thorough inquiry by the Public Utility Commission into all of the elements of the Company's proposed gas cost rate is necessary to ensure that the utility is pursuing a least cost fuel procurement policy, consistent with the obligation to provide safe, adequate and reliable service. The Commission must also require PGW to file a tariff that will offer a 12 month fixed-rate option to the Company's retail customers in light of the "interim quarterly filing" submitted by the Company at Docket No. R-00050264 and the requirements of 66 Pa. C.S. § 1307(f)(1)(ii).

In view of the foregoing, the Small Business Advocate will participate in proceedings before the Public Utility Commission to investigate the reasonableness of the proposed rates in the Company's 2006 Gas Cost Rate Filing. The Small Business Advocate will ask the

Commission to deny any proposed rate increase or other changes in the Company's present tariffs that apply to small business customers that are not proven by PGW to be lawful, just, reasonable, and non-discriminatory to all of its customer classes.

Dated: March 13, 2006

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY
COMMISSION

v.

PHILADELPHIA GAS WORKS

DOCKET NO. R-00061296

00003

CERTIFICATE OF SERVICE

I certify that I am serving two copies of the Complaint, Verification, and Public Statement, on behalf of the Office of Small Business Advocate by e-mail and first class mail upon the persons addressed below:

Hon. Marlane R. Chestnut
Administrative Law Judge
Pa. Public Utility Commission
Rm. 1302, Philadelphia State Office Building
1400 West Spring Garden Street
Philadelphia, PA 19130
(215) 560-2105
(215) 560-3133 - Fax
machestnut@state.pa.us

Daniel Clearfield, Esquire
Alan C. Kohler, Esquire
Wolf, Block, Schorr & Solis-Cohen
Locust Court Building, Suite 300
212 Locust Street
Harrisburg, PA 17101
(717) 237-7160
(717) 237-7161 (fax)
dclearfield@wolfblock.com
akohler@wolfblock.com

Gregory J. Stunder, Esquire
Philadelphia Gas Works
900 West Montgomery Avenue
Philadelphia, PA 19122
(215) 684-6878
(215) 684-6798 (fax)
greg.stunder@pgworks.com

Richard W. LeLash
18 Seventy Acre Road
Redding, CT 06896
(203) 438-4659
(203) 431-9625 (fax)
lelash@sprintmail.com

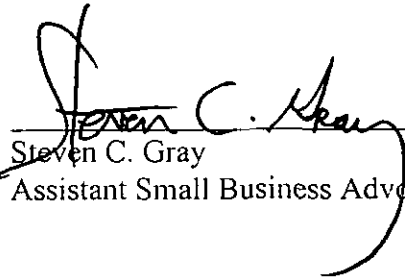
Stephen J. Keene, Esquire
Office of Consumer Advocate
555 Walnut Street 5th FL Forum Place
Harrisburg, PA 17101-1923
(717) 783-5048
(717) 783-7152 (fax)
skeene@paoca.org

Richard A. Kanaskie, Esquire
Office of Trial Staff
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105
(717) 787-1976
(717) 772-2677 (fax)
rkanaskie@state.pa.us

Charis Mincavage, Esquire
McNees, Wallace & Nurick
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
(717) 232-8000
(717) 237-5300 (fax)
cmincavage@mwn.com

RECEIVED
2006 MAR 13 PM 4:02
PA PUC
SECRETARY'S BUREAU

Phillip Bertocci, Esquire
Community Legal Services
1424 Chestnut Street
Philadelphia, PA 19102



Steven C. Gray
Assistant Small Business Advocate

Date: March 13, 2006

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P O BOX 3265, HARRISBURG PA 17105-3265

MARCH 16, 2006

GREGORY J. STUNDER, ESQUIRE
PHILADELPHIA GAS WORKS
800 WEST MONTGOMERY AVENUE
PHILADELPHIA PA 19122

RE: PA PUC vs. PHILADELPHIA GAS WORKS
Docket Number R-00061296C0003

Dear Sir/Madam:

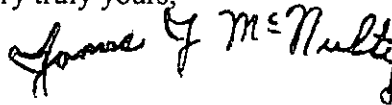
A Complaint has been filed against you in the above-captioned matter before the Pennsylvania Public Utility Commission by OFFICE OF SMALL BUSINESS ADVOCATE.

This complaint, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. The Pennsylvania Public Utility Code, 66 Pa. C.S., requires the Commission to serve on each party named in a complaint a copy of the complaint.

Within twenty (20) days from the date on which this complaint is served, you may either satisfy this complaint or comply with the provisions of 52 Pa. Code, Section 5.61 et seq., as amended.

**DOCUMENT
FOLDER**

Very truly yours,



James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

JIH

DOCKETED
MAR 17 2006

untimely

BCS1879535

PHILADELPHIA GAS WORKS

ORIGINAL

Must be returned by MARCH 30, 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

Please print or type.

R-00061296 C0004

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address:

Name Irving Countley Jones

Street/P.O. Box 4609 Blakiston St Apt # #09-2

City Philadelphia State PA Zip 19136

County Philadelphia

Area Code/HOME Phone none

Area Code/WORK Phone none

Utility Account Number 0947443720 (from your bill)

RECEIVED

APR 1 2006

PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name

Street/P.O. Box

City State Zip

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: P.G.W.

DOCUMENT FOLDER

DOCKETED MAY 3 2006

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

(taxi, moving company, limousine)

TELEPHONE

(local, long distance)

4. COMPLAINT (check one)

A. In general, what is your complaint?

I want to oppose the company's proposed rate increase.

There are incorrect charges on my bill.

There is a reliability, safety or quality problem with my utility service.

I received a notice that my utility service is being terminated.

I would like a payment agreement.

Other.
(explain)

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

Basically, I cannot afford a rate increase. It is difficult to pay bills now, ~~and~~ I don't know how I will be able to afford it in the future, ~~esp.~~ in light of ~~the~~ the Utility Assistance Payment ~~deductions~~ redactions and a general decrease in income. Because of the lousy cold winters my utility bill has been too high.

5. RELIEF

What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space.

1. A reduction in the amount of bills to pay for utilities.
2. Investigation of Gas Executives and improper spending of PGW Executives.
3. An additional 30 days ~~before~~ after the shut off date has been determined if there is an definite need for the services.

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company **AND** your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES
(includes appeals of BCS determinations)

NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification: I Irving C Jones, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Irving C Jones (Signature) 3/30/06 (Date)

9. LEGAL REPRESENTATION (IF ANY)

If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

10. FILING

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
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Facsimiles and/or electronic filings of the complaint form will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your complaint for your records.



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

March 10, 2006

BCS1879535

IRVING JONES
4609 BLAKISTON STREET
PHILADELPHIA PA 19136

Dear Sir/Madam:

We have received your request to appeal the decision of the Bureau of Consumer Services.

We have enclosed one complaint form for you to complete. Please read carefully the instructions to help you complete the form.

**** Please make sure you sign the form. We must receive your original signature in order for us to process your complaint. Your form will be returned to you if an original signature is not received.**

Return the form to us on or before MARCH 30, 2006 to the address listed below:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

While you wait for us to reach a decision on your complaint, you must pay all undisputed bills (ones that are not a part of your complaint). As long as you pay all undisputed bills and return these formal complaint forms to us on time, the company is not permitted to terminate your service.

Commission Procedures for Formal Complaints

- We send a copy of this letter to the company so they know you are appealing the Bureau of Consumer Services' decision;
- We also send the company a copy of your completed formal complaint forms. Once they receive it, they have 20 days to send us an answer to your complaint. The company will send you a copy of their answer.

- Once we receive all the paperwork, we usually will schedule your hearing before an Administrative Law Judge.
- We will notify both you and the company by mail when the hearing date is set.
- If you cannot travel to your hearing, you can request that the hearing be held by phone. This is called a telephonic hearing. If we can, we will schedule a telephonic hearing for you.
- We will most likely schedule your hearing sometime within three months after you file your complaint forms. If you know of certain dates when you will not be available for a hearing, let us know when you file your forms. We will try to work around your schedule.
- **If you cannot attend the hearing on the scheduled date, you must request a different time or date. You should request the change at least 5 days before your hearing by writing to:**

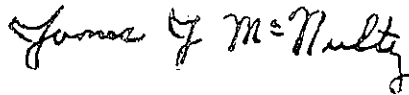
**Office of Administrative Law Judge
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265**

YOU SHOULD INCLUDE YOUR DAYTIME TELEPHONE NUMBER IN YOUR LETTER. DEPENDING ON YOUR REASON FOR NOT BEING ABLE TO ATTEND THE SCHEDULED HEARING, YOUR REQUEST TO CHANGE THE HEARING MAY OR MAY NOT BE APPROVED. WE WILL LET YOU KNOW OUR DECISION ON YOUR REQUEST FOR CHANGING THE HEARING DATE BEFORE THE DATE OF THE HEARING.

YOU MUST ATTEND SCHEDULED HEARINGS IN PERSON OR BY PHONE. IF YOU DO NOT ATTEND, YOUR COMPLAINT MAY BE DISMISSED (THROWN OUT).

If you have any questions about the complaint process, please call the Bureau of Consumer Services, toll free, at 1-800-782-1110.

Very truly yours,



James J. McNulty
Secretary

ane

cc: PHILADELPHIA GAS WORKS

NOTIFICATION OF INTENT TO APPEAL
(Request For Formal Complaint Forms)

Notice to Customer:

If you sign and return this form you are notifying the Public Utility Commission that you intend to appeal this informal complaint decision. Do not return this form unless you want to appeal this decision.

If you want to appeal this decision, you must return this Notification of Intent to Appeal form within twenty days of this date: February 23, 2006. The Commission will send you formal complaint forms.

You must comply with the terms of this decision until the Public Utility Commission completes the formal complaint process. You must make all of the required payments, or the utility company may pursue the termination of your service.

Thank You.
Pennsylvania Public Utility Commission

Yes, I want to appeal the decision of the Bureau of Consumer Services. Please send formal complaint forms to me at the following address:

Customer name and address:
(Please correct any mistakes.)

IRVING JONES
4609 BLAKISTON ST
PHILADELPHIA PA 19136-2439

none
(Area Code) Telephone Number


Signature

Mail this completed form to:

SECRETARY
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265
HARRISBURG, PA 17105-3265

FOR OFFICE USE ONLY	
BCS Number: 1879535	Date of mailing: February 23, 2006
Company: PHILADELPHIA GAS WORKS	

RECEIVED
2006 MAR 0 AM 8:49
REVISED 11/97
P.P.U.C.
SECRETARY'S BUREAU

30

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P O BOX 3265, HARRISBURG PA 17105-3265

MAY 3, 2006

GREGORY J. STUNDER, ESQUIRE
PHILADELPHIA GAS WORKS
800 WEST MONTGOMERY AVENUE
PHILADELPHIA PA 19122

RE: PA PUC vs. PHILADELPHIA GAS WORKS
Docket Number R-00061296C0004

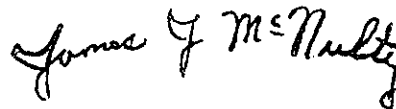
Dear Sir/Madam:

A Complaint has been filed against you in the above-captioned matter before the Pennsylvania Public Utility Commission by IRVING COUNTLEY JONES.

This complaint, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. The Pennsylvania Public Utility Code, 66 Pa. C.S., requires the Commission to serve on each party named in a complaint a copy of the complaint.

Within twenty (20) days from the date on which this complaint is served, you may either satisfy this complaint or comply with the provisions of 52 Pa. Code, Section 5.61 et seq., as amended.

Very truly yours,



James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

jih

DOCKETED
MAY 3 2006

DOCUMENT
FOLDER