

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

555 Walnut Street 5th Floor, Forum Place  
Harrisburg, Pennsylvania 17101-1923  
(717) 783-5048

IRWIN A. POPOWSKY  
Consumer Advocate

FAX (717) 783-7152  
E-Mail: paoca@ptd.net

ORIGINAL

August 22, 2000

James J. McNulty, Secretary  
PA Public Utility Commission  
Room B-20, North Office Bldg.  
P.O. Box 3265  
Harrisburg, PA 17105-3265

00 AUG 22 PM 3:48  
PA.P.U.C.  
SECRETARY'S BUREAU  
DOCKETED

Re: Pa. Public Utility Commission  
v.

SEP 11 2000

Philadelphia Gas Works  
Docket No. R-00005654 C0001

Dear Secretary McNulty:

125042

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

Sincerely yours,

Stephen J. Keene  
Assistant Consumer Advocate

Enclosure

cc: All parties of record  
Hon. Marlane Chestnut, Administrative Law Judge  
Office of Small Business Advocate  
Office of Special Assistants

DOCUMENT  
FOLDED

499

FORMAL COMPLAINT  
BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PROBATION  
00 AUG 22 11 37 AM  
SECRETARY'S BUREAU  
ORIGINAL

For Commission Use Only:

COMPLAINT DOCKET

R-0000 56540001

REF. #

UTILITY

VS.

PLEASE PRINT:

1. YOUR NAME, ADDRESS AND TELEPHONE NUMBER.

DOCKETED

Name Irwin A. Popowsky, Consumer Advocate

Street 555 Walnut Street, 5<sup>th</sup> Floor, Forum Place

SEP 11 2000

City Harrisburg State Pennsylvania Zip 17101

County Dauphin Work Telephone-Area Code 717-783-5048

2. COMPANY YOU ARE COMPLAINING ABOUT.

Name Philadelphia Gas Works

3. WHAT IS YOUR COMPLAINT? (DESCRIBE PROBLEM).

A. On August 8, 2000, the Philadelphia Gas Works (PGW or the Company) filed a Petition for establishment of interim rate procedures and a declaratory order. The purpose of the Petition was to establish a procedure for the consideration of an interim base rate increase request by PGW of \$52 million. PGW seeks to have the Commission rule on its request by

DOCUMENT  
FOLDER

For Commission Use Only:

DATE

/ /

MONITO

BUREA

November 2000. PGW claims that the increase is necessary in order to maintain a minimal, adequate level of financial health required to fund operations and meet debt service requirements through the winter heating season.

- B. PGW filed its interim base rate increase request pursuant to Section 2212 of the Natural Gas Choice and Competition Act under which the public utility service being furnished or rendered by PGW became subject to the regulation and control of the Pennsylvania Public Utility Commission on July 1, 2000 and pursuant to Section IV of its existing Tariff. By a separate Petition docketed at P-00001831, PGW requested the Commission to expedite the interim base rate increase proceeding.
- C. The Consumer Advocate is empowered pursuant to 71 Pa.C.S. §§ 309-1 et seq. and 66 Pa.C.S. § 2212(i) to represent the interests of consumers before the Pennsylvania Public Utility Commission in matters involving PGW.
- D. PGW's proposed changes in its base rates will or may result in unjust and unreasonable rates, in violation of §1301 of the Public Utility Code, Section 2212 enacted as part of the Natural Gas Choice and Competition Act, and sound ratemaking principles.
- E. After an initial review of PGW's filing, the Consumer Advocate files this Complaint in order to ensure that the Company's proposed base rates are not excessive, discriminatory or otherwise contrary to the Public Utility Code, the PGW Tariff, Commission regulations, or sound ratemaking policy.

- F. With respect to the interim rate proposal of PGW, the OCA specifically seeks to ensure that any interim rate increase granted be subject to refund to the extent it is found excessive in the subsequent full base rate case; that PGW will not seek to recoup additional revenues from ratepayers if the Commission ultimately determines that a higher level of rates is just and reasonable in the subsequent full base rate case; that such increase, if any, be no greater than the amount that is necessary to ensure the provision of safe, adequate, and reliable natural gas service during the interim period; and that PGW commits to a plan for improvement and demonstrate throughout the interim rate period that it is providing safe, adequate and reliable service as well as making significant progress on restoring financial viability and increased efficiency to PGW.

4. WHAT DO YOU WANT US TO DO?

The Consumer Advocate respectfully requests that the Public Utility Commission:

- A. Hold evidentiary hearings;
- B. Hold public input hearings in PGW's service area;
- C. Deny any rate changes that are not just and reasonable, are not consistent with the Public Utility Code, and are not consistent with PGW's Tariff;
- D. Grant any other relief deemed appropriate.

YOU MUST SIGN AND DATE YOUR COMPLAINT.

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 of complainant

8/22/00  
Date

---

YOU DO NOT NEED A LAWYER If you DO have a lawyer PLEASE PRINT the lawyer's name, address and telephone number below.

Lawyers Tanya J. McCloskey, Senior Assistant Consumer Advocate, Stephen J. Keene and James A. Mullins, Assistant Consumer Advocates

Street 555 Walnut Street, 5<sup>th</sup> Floor, Forum Place

City Harrisburg Stat PA Zip 17101

Telephone Number-Area Code (717) 783-5048

PUBLIC STATEMENT OF THE CONSUMER ADVOCATE ISSUED IN  
ACCORDANCE WITH SECTION 904-(e) OF ACT OF APRIL 9, 1929  
(P.L. 177, No. 175), KNOWN AS "THE ADMINISTRATIVE CODE OF  
1929", AS AMENDED BY ACT 161 OF 1976 (APPROVED JULY 9, 1976)

Act 161 of the Pennsylvania General Assembly, 71 P.S. § 309-2, as enacted July 9, 1976, and Section 2212 of the Natural Gas Choice and Competition Act, 66 Pa. C.S. § 2212, authorize the Consumer Advocate to represent the interest of consumers before the Pennsylvania Public Utility Commission ("Commission"). In accordance with those statutory provisions, and for the following reasons, the Consumer Advocate determined to file a Formal Complaint and participate in proceedings before the Commission involving the interim base rate increase requested by Philadelphia Gas Works ("PGW" or the "Company") at docket number R-00005654. PGW is a municipally owned natural gas operation that provides service within the limits of the City of Philadelphia. In its filing, PGW proposes an increase in its base rates of \$52 million. PGW seeks to have the Commission rule on its request and set interim base rates by November 15, 2000.

Prior to the passage of the Natural Gas Choice and Competition Act, 66 Pa. C.S. § 2201 *et seq.*, PGW was regulated by the Philadelphia Gas Commission. Pursuant to Section 2212(d) of the Natural Gas Choice and Competition Act, however, PGW has come under the jurisdiction of the Pennsylvania Public Utility Commission. 66 Pa. C.S. § 2212(d).

The objective of the Consumer Advocate in filing a Formal Complaint in this matter is to protect the interests of the Company's customers. The Consumer Advocate will seek to ensure that the Company is permitted to implement only a level of

rates that is fully justified, just and reasonable and in accordance with the law and sound ratemaking principles. The Consumer Advocate will strive to prevent the Company from collecting from ratepayers any charges that are excessive, discriminatory, or otherwise contrary to the Public Utility Code, the PGW Tariff, Commission regulations or sound ratemaking policy.

59726.wpd

CERTIFICATE OF SERVICE

Re: Pennsylvania Public Utility Commission  
v.  
Philadelphia Gas Works  
Docket No. R-00005654

I hereby certify that I have this day served a true copy of the foregoing document, Formal Complaint 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 22<sup>nd</sup> day of August, 2000.

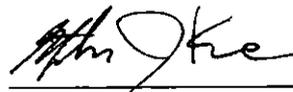
SERVICE BY INTEROFFICE MAIL

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

SERVICE BY FIRST CLASS MAIL, POSTAGE PREPAID

Daniel Clearfield, Esq.  
Wolf, Block, Schorr and Solis-Cohen, LLP  
Suite 300  
212 Locust Street  
Harrisburg, PA 17101

Marvin W. Silverstein  
8704 Frontenac Street  
Philadelphia, PA 19152



Tanya J. McCloskey  
Senior Assistant Consumer Advocate  
Stephen J. Keene  
Assistant Consumer Advocate

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

COMMONWEALTH OF PENNSYLVANIA

DATE: SEPTEMBER 11, 2000

SUBJECT: R-00005654C0001

TO: Office of Administrative Law Judge

FROM:  James J. McNulty, Secretary

OFFICE OF CONSUMER ADVOCATE  
v.  
PHILADELPHIA GAS WORKS

DOCKETED

SEP 11 2000

Attached is copy of a formal complaint filed in connection with the above docketed proceeding.

This matter is assigned to your office for necessary action.

Attachment - copy of complaint

cc:

Bureau of Fixed Utility Services - w/copy of complaint

Office of Trial Staff - w/copy of complaint

Office of Special Assistants - w/copy of complaint

JH

DOCUMENT  
FOLDER

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

SEPTEMBER 11, 2000

WOLF BLOCK SCHORR & SOLIS-COHEN  
212 LOCUST ST  
SUITE 300  
HARRISBURG PA 17101

RE: PA PUC vs PHILADELPHIA GAS WORKS  
Docket Number R-00005654C0001

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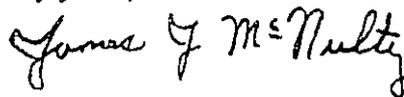
Dear Sir/Madam:

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,



James J. McNulty  
Secretary

DOCKETED

SEP 11 2000

DOCUMENT  
FOLDER

(SEAL)

Certified Mail  
Return Receipt Requested

JH

MCNEES, WALLACE & NURICK  
ATTORNEYS AT LAW

100 PINE STREET  
P. O. BOX 1166  
HARRISBURG, PA 17108-1166  
TELEPHONE (717) 232-8600  
FAX (717) 237-5300  
<http://www.mwn.com>

RECEIVED  
00 AUG 24 PM 2:30  
SECRETARY'S BUREAU

CHARIS M. BURAK  
DIRECT DIAL: (717) 237-5437  
E-MAIL ADDRESS: CBURAK@MWN.COM

August 24, 2000

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Room B-20, North Office Building  
Harrisburg, PA 17120

VIA HAND DELIVERY

Re: Philadelphia Industrial and Commercial Gas Users Group v. Philadelphia Gas  
Works; Docket No. R-00005654C 0002

125047

Dear Secretary McNulty:

Please find enclosed the original and three (3) copies of a Complaint of the Philadelphia Industrial and Commercial Gas Users Group ("PICGUG") in the above-referenced matter.

As evidenced by the attached Certificate of Service, all parties to the proceeding are being served with a copy of this document. Please date stamp the extra copy of this transmittal letter and kindly return it to our messenger for our filing purposes. Thank you.

Very truly yours,

MCNEES, WALLACE & NURICK

By *Charis M. Burak*  
Charis M. Burak

Counsel to the Philadelphia Industrial and  
Commercial Gas Users Group

CMB/lhe

c: Administrative Law Judge Marlane Chestnut (via facsimile and federal express)  
Certificate of Service

61

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PHILADELPHIA INDUSTRIAL AND  
COMMERCIAL GAS USERS GROUP

v.

PHILADELPHIA GAS WORKS

Docket No. R-00005654C 0002

COMPLAINT

ORIGINAL

1. The Complainants are the Philadelphia Industrial and Commercial Gas Users Group ("PICGUG"). Members of PICGUG are listed in Appendix A attached hereto. The PICGUG membership list will be updated as necessary.

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

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

3. The Respondent utility is:

Philadelphia Gas Works  
800 West Montgomery Avenue  
Philadelphia, PA 19122

4. This Complaint is directed towards Philadelphia Gas Works' ("PGW" or "Company") request for interim rates to become effective no later than November 15, 2000. According to PGW, without the receipt of additional revenues soon, PGW will not be able to meet monthly operating expenses and other bond covenants starting January 1, 2001.

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SECRETARY'S BUREAU

DOCKETED  
SEP 11 2000

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5. PICGUG is an ad hoc association of energy-intensive industrial and commercial customers receiving service from PGW under various rate schedules. PICGUG members use substantial volumes of natural gas in their businesses, and natural gas costs comprise a significant element of their respective costs of operation. Therefore, PICGUG members have an interest in this proceeding not represented by any other party of record.

6. Complainants allege that the information and data filed in support of the proposed interim rate increase are insufficient to establish that this rate increase is just and reasonable, as required by Section 1301 of the Public Utility Code, 66 Pa. C.S. § 1301. Moreover, PGW has failed to provide any information regarding the specific interim rates to be implemented, or any studies or reviews to support the Company's interim rate request.

7. PICGUG's preliminary review of the Company's filing indicates the need for Commission investigation into at least the following issues:

- (a) the appropriateness of interim rates;
- (b) the justness and reasonableness of the proposed interim rates;
- (c) whether the proposed interim rates will ensure nondiscriminatory treatment among PGW's customer classes;
- (d) the effective date for any approved interim rates to go into effect;
- (e) the appropriate ratemaking methodology to be used to determine interim rates;
- (f) the appropriate allocation for any increase in rates that might result from the implementation of interim rates;
- (g) the allocation of the proposed interim rates among and within PGW's rate schedules; and
- (h) rate design and rate structure.

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PA. P.U.C.  
SECRETARY'S BUREAU

PICGUG reserves the right to raise and address other issues of concern during the course of this proceeding.

8. The relief sought by this Complaint is that:
- (a) the Commission entertain this Complaint and allow Complainants to intervene in this proceeding with full party status;
  - (b) the Commission consolidate PICGUG's Complaint with its investigation regarding the setting of interim rates for PGW, and allow Complainants to participate fully as such in the proceeding; and
  - (c) PGW be required at hearing to adduce evidence in justification of its proposed interim rate request, and that PICGUG be accorded full opportunity to cross-examine the Company's witnesses, present evidence and offer argument on its own behalf.

**WHEREFORE**, the Philadelphia Industrial and Commercial Gas Users Group respectfully requests that the Pennsylvania Public Utility Commission grant PICGUG's aforementioned requested relief, and that upon a final hearing, the Commission make such order as it deems necessary.

Respectfully submitted,

McNEES, WALLACE & NURICK

By Charis M. Burak

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

SECRETARY'S BUREAU

00 AUG 24 PM 2:31

RECEIVED

Counsel to the Philadelphia Industrial and Commercial Gas Users Group

Dated: August 24, 2000

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA )  
 ) ss:  
COUNTY OF DAUPHIN )

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PA. P.U.C.  
SECRETARY'S BUREAU

Charis M. Burak, being duly sworn according to law, deposes and says that she is counsel to the Philadelphia Industrial and Commercial Gas Users Group, and that in this capacity she is authorized to and does make this affidavit for them, and that the facts set forth in the foregoing Complaint are true and correct to the best of her knowledge, information and belief.

Charis M. Burak  
Charis M. Burak

SWORN TO and subscribed  
before me this 24<sup>th</sup> day  
of August, 2000.

Mary A. Sipe  
Notary Public

NOTARIAL SEAL  
MARY A. SIPE, Notary Public  
Harrisburg, PA Dauphin County  
My Commission Expires March 19, 2001

**APPENDIX "A"**

**MEMBERS OF THE PHILADELPHIA  
INDUSTRIAL AND COMMERCIAL  
GAS USERS GROUP**

**("PICGUG")**

The Budd Company

The Building Owners' and Managers'  
Association of Philadelphia

Jefferson Health System

Nabisco, Inc.

Newman & Company, Inc.

Sunoco, Inc.

Temple University

12<sup>th</sup> Street Gym

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing document upon the participants listed below.

**VIA HAND DELIVERY**

Tanya McCloskey, Esq.  
Office of Consumer Advocate  
555 Walnut Street, Forum Place - 5<sup>th</sup> Fl.  
Harrisburg, PA 17120

Daniel Clearfield, Esq.  
Wolf, Block, Schorr and Solis-Cohen LLP  
212 Locust Street  
Suite 300  
Harrisburg, PA 17101

Bernard Ryan, Esq.  
Office of Small Business Advocate  
Suite 1102, Commerce Building  
300 North Second Street  
Harrisburg, PA 17101

Charles Hoffman, Esq.  
Office of Trial Staff  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17120

PA P.U.C.  
SECRETARY'S BUREAU

00 AUG 24 PM 2:30

RECEIVED

**VIA FACSIMILE AND FIRST CLASS MAIL**

Josephine Hayes, Manager  
Philadelphia Gas Works  
800 West Montgomery Avenue  
Philadelphia, PA 19122

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

Andre C. Dasent, Esq.  
785 The Bourse Building  
21 South 5<sup>th</sup> Street  
Philadelphia, PA 19106

Philip A. Bertocci, Esq.  
Community Legal Services, Inc.  
1424 Chestnut Street, 3<sup>rd</sup> Floor  
Philadelphia, PA 19102

Judith Mondre, President  
Mondre Energy, Incorporated  
1601 Market Street, Suite 1750  
Philadelphia, PA 19103

Lance Haver, Board Member  
Consumers Education & Protective  
Association  
6048 Ognotz Avenue  
Philadelphia, PA 19141

David E. Loder, Esq.  
Duane, Morris & Heckscher  
One Liberty Place  
Philadelphia, PA 19103-7396

Joseph G. Given, President  
Gas Works' Employees Union  
Local 686-SEIU, AFL-CIO/CLC  
7526 Frankford Avenue  
Philadelphia, PA 19136

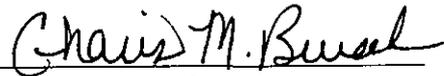
CERTIFICATE OF SERVICE

August 24, 2000

Page 2

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

James F. Runckel, Esq.  
Spear, Wilderman, Borish, Endy, Spear  
& Runckel  
230 South Broad Street, Suite 1400  
Philadelphia, PA 19102

  
Charis M. Burak

Dated this 24<sup>th</sup> day of August, 2000, in Harrisburg, Pennsylvania.

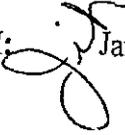
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00 AUG 21, PM 2:30  
P.A.P.U.C.  
SECRETARY'S BUREAU

COMMONWEALTH OF PENNSYLVANIA

DATE: SEPTEMBER 11, 2000

SUBJECT: R-00005654C0002

TO: Office of Administrative Law Judge

FROM:  James J. McNulty, Secretary

PHILADELPHIA INDUSTRIAL & COMMERCIAL GAS USERS GROUP

v.

PHILADELPHIA GAS WORKS

Attached is copy of a formal complaint filed in connection with the above docketed proceeding.

This matter is assigned to your office for necessary action.

Attachment - copy of complaint

cc:

Bureau of Fixed Utility Services - w/copy of complaint

Office of Trial Staff - w/copy of complaint

Office of Special Assistants - w/copy of complaint

JH

DOCKETED  
SEP 11 2000

DOCUMENT  
FOLDER

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

SEPTEMBER 11, 2000

WOLF BLOCK SCHORR & SOLIS-COHEN  
212 LOCUST ST  
SUITE 300  
HARRISBURG PA 17101

RE: PA PUC vs PHILADELPHIA GAS WORKS  
Docket Number R-00005654C0002

---

Dear Sir/Madam:

A Complaint has been filed against you in the above-captioned matter before the Pennsylvania Public Utility Commission by PHILADELPHIA INDUSTRIAL & COMMERCIAL GAS USERS GROUP.

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*

James J. McNulty  
Secretary

DOCKETED  
SEP 17 2000  
DOCUMENT  
FOLDER

(SEAL)

Certified Mail  
Return Receipt Requested

JIH

FORMAL COMPLAINT FORM  
Pennsylvania Public Utility Commission

R- 00005654C0003  
125042

Please Print:

1. Your Name, Mailing Address and Telephone Number

00 SEP -5 AM 9:44

Name THOMAS J. SMITH

RECEIVED  
SECRETARY'S BUREAU

Street/P.O. Box 7409 ROOSEVELT BLVD, Apt.

City PHILA.

State PA.

Zip 19152

County PHILA.

Home Telephone-Area Code (215) 335-3252

Work Telephone-Area Code ( )

2. Name of Company your complaint concerns:

PHILA. GAS WORKS

DOCKETED  
SEP 11 2000

3. What is your complaint?

THE PHILA. GAS CO. WANTS A 30% RATE INCREASE.  
20% FOR THE PRICE OF GAS AND 10% TO BAIL THEM  
OUT OF DEBT. THIS IS OUTRAGEOUS. THE PEOPLE  
SHOULD NOT BE FORCED TO PAY TO GET A COMPANY  
OUT OF DEBT. THEY SHOULD BE PUT UP FOR  
SALE OR HAVE SOMEONE COME IN THAT CAN  
PRIVATEIZE THE CO. THERE ARE A LOT OF PEOPLE  
WHO ARE UPSET THAT THIS MAY BE ABOUT TO  
HAPPEN. EVEN PHILA. CITY CONTROLLER WOULD NOT  
GIVE THE GAS CO. ANY MORE MONEY. (THAT'S WHAT

(If you need more space, use additional paper and attach to this form).

HE TOLD ME DURING OUR PHONE CONVERSATION.)

4. What do you want the Public Utility Commission to do about your complaint?

I THINK THE GAS CO. SHOULD BE AUDITED,  
AND SO SHOULD THE COMPANY THAT THE GAS CO.  
PAY \$500,000.00 A YEAR TO HANDLE THERE BOOKS.  
I DON'T THINK THE GAS CO. IS MANAGED RIGHT  
AND THERE COULD BE A MISMANAGEMENT OF  
FUNDS TO GET THIS FAR INTO DEBT.  
SOMETHING HAS TO BE DONE TO PROTECT  
THE PEOPLE, AND THAT JOB FALLS ON YOUR  
SHOULDERS. PLEASE DON'T LET US DOWN.

(If you need more space, use additional paper and attach to this form.)

5. 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.

Thomas J. Smith

Signature of complaining person

9-1-00

Date

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

Lawyer's Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone Number-Area Code ( \_\_\_\_\_ ) \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA

DATE: SEPTEMBER 11, 2000

SUBJECT: R-00005654C0003

TO: Office of Administrative Law Judge

FROM:  James J. McNulty, Secretary

DOCKETED  
SEP 11 2000

THOMAS J. SMITH  
v.  
PHILADELPHIA GAS WORKS

Attached is copy of a formal complaint filed in connection with the above docketed proceeding.

This matter is assigned to your office for necessary action.

Attachment - copy of complaint

cc:

Bureau of Fixed Utility Services - w/copy of complaint  
Office of Trial Staff - w/copy of complaint  
Office of Special Assistants - w/copy of complaint

JIH

DOCUMENT  
FOLDER

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

SEPTEMBER 11, 2000

WOLF BLOCK SCHORR & SOLIS-COHEN  
212 LOCUST ST  
SUITE 300  
HARRISBURG PA 17101

RE: PA PUC vs PHILADELPHIA GAS WORKS  
Docket Number R-00005654C0003

---

Dear Sir/Madam:

A Complaint has been filed against you in the above-captioned matter before the Pennsylvania Public Utility Commission by THOMAS J. SMITH.

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*

James J. McNulty  
Secretary

(SEAL)

Certified Mail  
Return Receipt Requested

JJH

DOCKETED  
SEP 11 2000  
DOCUMENT  
FOLDER

FORMAL COMPLAINT FORM  
Pennsylvania Public Utility Commission

ORIGINAL

Please Print:

R-000056540000  
125042

1. Your Name, Mailing Address and Telephone Number.

Name EUGENE P. MALIN SR,

Street/P.O. Box 3422 RYAN AVE Apt.# \_\_\_\_\_

City PHILA State PA Zip 19136

County PHILA Home Telephone-Area Code (215) 331-2287

Work Telephone-Area Code ( ) \_\_\_\_\_

2. Name of Company your complaint concerns: P, G, W,

DOCKETED  
SEP 17 2000

3. What is your complaint?

P, G, W wants to raise the rates for gas by  
30%. Also they want to discontinue the 20% discount for seniors citizens. They want to  
charge \$15.00 just for bringing the gas into  
your home.

72533  
RECEIVED  
SECRETARY'S BUREAU  
DOCUMENT NUMBER  
00 AUG 24 01:18:08

(If you need more space, use additional paper and attach to this form).

31

4. What do you want the Public Utility Commission to do about your complaint?

Fire all of the people that run the gas  
co and put private company in charge. Also  
raise the basic rate from \$8.00/mo to \$2.00/mo  
and only raise the rate by 10%. If they get rid of  
the flat they will be in the black

(If you need more space, use additional paper and attach to this form.)

5. 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.

Eugene P. Malin Sr  
Signature of complaining person

8-21-00  
Date

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

Lawyer's Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

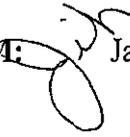
Telephone Number-Area Code ( \_\_\_\_\_ ) \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA

DATE: SEPTEMBER 11, 2000

SUBJECT: R-00005654C0004

TO: Office of Administrative Law Judge

FROM:  James J. McNulty, Secretary

DOCKETED  
SEP 11 2000

EUGENE P. MALIN SR.  
v.  
PHILADELPHIA GAS WORKS

Attached is copy of a formal complaint filed in connection with the above docketed proceeding.

This matter is assigned to your office for necessary action.

Attachment - copy of complaint

cc:  
Bureau of Fixed Utility Services - w/copy of complaint  
Office of Trial Staff - w/copy of complaint  
Office of Special Assistants - w/copy of complaint

JH

DOCUMENT  
FOLDER

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

SEPTEMBER 11, 2000

WOLF BLOCK SCHORR & SOLIS-COHEN  
212 LOCUST ST  
SUITE 300  
HARRISBURG PA 17101

RE: PA PUC vs PHILADELPHIA GAS WORKS  
Docket Number R-00005654C0004

---

Dear Sir/Madam:

A Complaint has been filed against you in the above-captioned matter before the Pennsylvania Public Utility Commission by EUGENE P. MALIN SR.

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*

James J. McNulty  
Secretary

(SEAL)

Certified Mail  
Return Receipt Requested

JIH

DUCKETED  
Sept 17 2000  
DOCUMENT  
FOLDER

R-00005634 C0005

12504+

Formal Complaint Form  
Pennsylvania Public Utility Commission

Please Print: (you may also type your answers directly onto the form as it appears on your screen)

735069

00 OCT 30 AM 9:02

1. Your name, mailing address and telephone number:

Name MICHAEL GOULD

RECEIVED  
SECRETARY'S BUREAU

Street/P.O.Box 2750 CLAYTON STREET Apt # —

City PHILADELPHIA State PA Zip 19152

County PHILADELPHIA Area Code/Home Phone (215) 698-9520  
Area Code/Work Phone (610) 270-6066

2. Name of company your complaint concerns: PHILADELPHIA GASWORKS (PGW)

3. What is your complaint? (Use additional paper if need more space).

I oppose the request by Philadelphia Gas Works (PGW) for a base rate and gas cost rate increase. The rates increases would increase rates by up to 35% (base rate 10%, gas cost rate  $\geq 20\%$ ). Customers would not receive improved products or services as a result of the rate increases.

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

DOCUMENT FOLDED  
I want the Pennsylvania PUC to ~~deny both~~ requests from PGW. I do not want the PUC to approve either the base rate increase, the gas cost rate increase, or any other related rate increase proposed by PGW.

5. 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.

Michael Gould  
Signature

10 OCTOBER 2000  
Date

Continued on next page

cc: Administrative Law Judge Marlane R. Chestnut

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

Lawyer's Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Area Code/Phone Number \_\_\_\_\_

**Mail to:**  
Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

**For more information, please contact the Secretary's Bureau at 717-772-7777.**

COMMONWEALTH OF PENNSYLVANIA

DATE: NOVEMBER 2, 2000

SUBJECT: R-00005654C0005

TO: Office of Administrative Law Judge

FROM:  James J. McNulty, Secretary

**DOCKETED**  
NOV 02 2000

DOCUMENT  
FOLDER

MICHAEL GOULD  
v.  
PHILADELPHIA GAS WORKS

Attached is copy of a formal complaint filed in connection with the above docketed proceeding.

This matter is assigned to your office for necessary action.

Attachment - copy of complaint

cc:

Bureau of Fixed Utility Services - w/copy of complaint

Office of Trial Staff - w/copy of complaint

Office of Special Assistants - w/copy of complaint

JH

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

NOVEMBER 2, 2000

WOLF BLOCK SCHORR & SOLIS-COHEN LLP  
212 LOCUST ST, SUITE 300  
HARRISBURG PA 17101

RE: PA PUC vs PHILADELPHIA GAS WORKS  
Docket Number R-00005654C0005

---

Dear Sir/Madam:

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

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*

James J. McNulty  
Secretary

DOCUMENT  
FOLDER

RECORDED  
NOV 02 2000

(SEAL)

Certified Mail  
Return Receipt Requested

JH

Wolf, Block, Schorr and Solis-Cohen LLP

212 Locust Street  
Suite 300  
Harrisburg, PA 17101

T: 717 237 7160  
F: 717 237 7161  
www.wolfblock.com

DANIEL CLEARFIELD  
DIRECT DIAL: (717) 237-7173  
E-MAIL: DCLEARFIELD@WOLFBLOCK.COM

November 13, 2000

ORIGINAL 737174

James J. McNulty  
Secretary  
PA Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 1715-3265

DOCUMENT  
FOLDER

RE: PA PUC V. PHILADELPHIA GAS WORKS  
Docket Number R-00005654C0004 and C0005

00 NOV 14 AM 10:28  
RECEIVED  
SECRETARY'S OFFICE

Dear Secretary McNulty:

On behalf of Philadelphia Gas Works ("PGW"), I am responding to your letter dated November 2, 2000 attaching complaints in the above-captioned dockets submitted against PGW's pending interim rate request submitted by two individuals, Michael Gould and Ida Shugerman. The cover letter indicates that answers to these complaints are due within twenty (20) days.

Please be advised that, the presiding Administrative Law Judge ruled that complaints in the above docket do not require separate answers as the issues raised in the complaints will be dealt with in the investigations pending before the PUC. (See, Amended Prehearing Order #2, ¶ 5(B), excerpts attached) Accordingly, PGW will not be filing formal answers to these complaints.

DOCKETED  
NOV 20 2000

4

DSH:24806.1

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission :
v. : Docket No. R-00005654
Philadelphia Gas Works :
Office of Consumer Advocate :
v. : Docket No. R-00005654C0001
Philadelphia Gas Works :
Philadelphia Industrial and Commercial Gas Users Group :
v. : Docket No. R-00005654C0002
Philadelphia Gas Works :

737174

RECEIVED SECRETARY'S BUREAU 00 NOV 14 AM 9:06

AMENDED PREHEARING ORDER #2

A prehearing conference in this case was held on August 25, 2000 at 1:00 p.m. in Philadelphia, PA. Present were respondent Philadelphia Gas Works (PGW); the Office of Small Business Advocate (OSBA); the Office of Consumer Advocate (OCA); the Office of Trial Staff (OTS); the Philadelphia Industrial and Commercial Gas Users Group (PICGUG); the Consumers Education & Protective Association, Association of Community Organizations for Reform Now, Action Alliance of Senior Citizens of Greater Philadelphia and Tenants Action Group (CEPA et al). Not present, due to counsel's family emergency, was the Apartment Association of Greater Philadelphia (AAGP). The School District of Philadelphia, which is not a party, faxed a prehearing memorandum but did not attend.

4. My e-mail distribution list consists of the following. Please communicate any changes to me at [chestnut@puc.state.pa.us](mailto:chestnut@puc.state.pa.us):

<b>counsel</b>	<b>party</b>	<b>e-mail</b>
Dan Clearfield	PGW	<a href="mailto:Dclearfield@wolfblock.com">Dclearfield@wolfblock.com</a>
Walter Cohen	PGW	<a href="mailto:walter.cohen@paonline.com">walter.cohen@paonline.com</a>
Craig Doll	AAGP	<a href="mailto:Cdoll76342@aol.com">Cdoll76342@aol.com</a>
Angela Jones	OSBA	<a href="mailto:Angela_Jones@dced.state.pa.us">Angela_Jones@dced.state.pa.us</a>
Johnnie Simms	OTS	<a href="mailto:simmsj@puc.state.pa.us">simmsj@puc.state.pa.us</a>
Tanya McCloskey	OCA	<a href="mailto:tmccloskey@paoca.org">tmccloskey@paoca.org</a>
Stephen Keene	OCA	<a href="mailto:skcene@paoca.org">skcene@paoca.org</a>
Charis Burak	PICGUG	<a href="mailto:cburak@mwn.com">cburak@mwn.com</a>
Phil Bertocci	CEPA et al	<a href="mailto:pbertocci@clsphila.com">pbertocci@clsphila.com</a>
Jackie Sparkman	School Dist.	<a href="mailto:jmondre@mondreenergy.com">jmondre@mondreenergy.com</a>

5. Various procedural requirements set out in Prehearing Order #1 were reiterated.

- A) Petitions to intervene and motions for admission pro hac vice, if not defective on their face, shall be deemed granted if not objected to within three business days after filing. If objected to, such pleadings will be addressed by order.
- B) Pursuant to 52 Pa. Code §5.61(d), no answer is required for complaints that may be docketed with this proceeding.
- C) Pursuant to 52 Pa. Code §1.55, each party shall be limited to one entry on the service list, although there can be more than one name listed.

James J. McNulty  
November 10, 2000  
Page 2

If you have any further questions about this matter, please feel free to contact me.

Respectfully,

A handwritten signature in cursive script that reads "Daniel Clearfield".

Daniel Clearfield  
For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

DC/jlg

cc: Hon. Marlane Chestnut, ALJ  
Michael Gould  
Ida Shugerman  
Abby Pozefsky, Esq. (PGW)  
Les Fyock (PGW)