



PHILADELPHIA GAS WORKS

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September 29, 2015

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

Re: Lavoris Mintz v. PGW, Docket No. F - 2014 - 2460301

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code §5.535, the Philadelphia Gas Works ("PGW") hereby files the original of its Reply to the Complainant's exceptions to the July 23, 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: Lavoris Mintz (Regular Mail)
Linda Pereira (PGW Mail)
Wendy Vacca (PGW Mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Lavoris Mintz :
 :
 :
 v. : **Docket No. F – 2014 – 2460301**
 :
 :
 Philadelphia Gas Works :

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

Pursuant to 52 Pa. Code §5.535 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 July 23, 2015 (“Initial Decision”).

I. INTRODUCTION

On or about December 31, 2014, Lavoris Mintz (“Complainant”) filed a formal Complaint (“Complaint”) against Philadelphia Gas Works wherein she alleged that her gas service has been terminated because she missed installment payments on her payment arrangement. She further claimed that payments which she made were not credited to her balance. As relief, she asked that her gas service reinstated and requested a new payment arrangement.

On May 5, 2015, the hearing was held, as scheduled, via telephone, before Administrative Law Judge Mary D. Long. The Complainant was present via telephone and testified on her own behalf. Graciela Christlieb, Esquire, represented PGW and presented as a witness Linda Pereira, Senior PGW Customer Review Unit Officer. PGW offered PGW Exhibits 1 and 2, which were admitted into the record without objection. PGW also offered Exhibits 3 and 4, but neither of these exhibits was admitted into the record.

Both PGW and the Complainant sought leave to submit late-filed exhibits in support of the testimony offered at the hearing. Leave was granted and by Order dated June 2, 2015, PGW Exhibits 5, 6 and 7 were admitted without objection. Additionally, Complainant’s Exhibits 1, 2, and 3 were admitted without objection.

The Complainant filed exceptions to the Initial Decision on or about September 15, 2015. Pursuant to 52 Pa. Code §5.535, 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 PGW is entitled to a judgment as a matter of law.

Exceptions

The Complainant's Exceptions state that she does not understand her balance, raises matters not raised in her Complaint, and asks how to get her gas turned on.

PGW's Reply

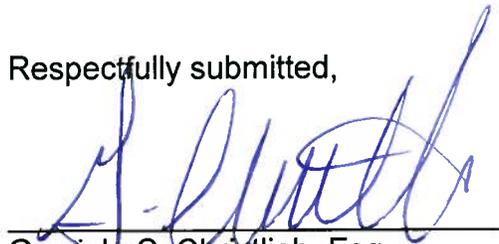
The Exceptions fail to demonstrate that the Initial Decision is unsupported by substantial evidence. The record shows that the Complainant failed to meet the burden of proof necessary to support her allegations in the Complaint. The record was even held open to permit the Complainant to file a late-filed exhibit to help support her claims. The record evidence does not show that the Complainant sustained her burden of proof regarding her request for 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.

September 29, 2015

Respectfully submitted,



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).

Service List:

For Complainant:

Mr. Lavioris Mintz
4918 N. 11th Street
Philadelphia, PA 19141

September 29, 2015



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