



**PHILADELPHIA GAS WORKS**

800 West Montgomery Avenue • Philadelphia, PA 19122

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Danielle Leva, Paralegal  
Legal Department  
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September 12, 2016

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

**Re: Frederick Hess v. PGW, Docket No. C – 2016 – 2565499**

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code §5.421, the Philadelphia Gas Works ("PGW") hereby files its Objections to the Complainant's Interrogatories and Requests for Production of Documents, Set I, 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,

A handwritten signature in blue ink that reads "Danielle Leva".

Danielle Leva

Enclosure

cc: Robert Ballenger, Esq  
Josie B. H. Pickens, Esq.  
Wendy Vacca (PGW Mail)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Fredrick Hess,</b>	:	
Complainant	:	
v.	:	<b>Docket No. C – 2016 – 2565499</b>
	:	
<b>Philadelphia Gas Works,</b>	:	
Respondent	:	

**Philadelphia Gas Works’ Objections to the Complainant’s  
Interrogatories and Requests for Production of Documents, Set I**

Pursuant to 52 Pa. Code §§1.12 and 5.342(d)(1), the Philadelphia Gas Works (“PGW”) hereby objects timely to the Complainant’s Interrogatories and Requests for Production of Documents, Set I, in the above captioned matter, (“Discovery Set I”) addressed to PGW, that the Complainants, through their counsel have propounded upon PGW in the above captioned matter on September 1, 2016. A copy of the Complainant’s Discovery Set I is attached hereto as Appendix “A,” and is incorporated by reference as if fully set forth. PGW objects to the discovery listed below on the following grounds:

**PGW’s Objections**

**Set I, No. 1**

PGW objects to the Complainant’s discovery request Set I, No. 1, which states,

**1. Please provide a list of each Account Number for PGW service rendered to 3831 Poplar Street from October 26, 2009 through May 31, 2016.**

PGW objects on the grounds that Set I, No. 1 requests that PGW disclose account information (“each Account Number...”) for which the Complainant has not been authorized to review. Pursuant to 52 Pa. Code §56.261(8), PGW is obligated to employ all reasonable measures to protect customer information from unauthorized disclosure and prevent access to customer account records by persons who are not properly authorized to have access. The Complainant seeks account information on accounts for which he is not the Customer of Record and has not been authorized to review.

Set I, No. 2

PGW objects to the Complainant's discovery request Set I, No. 2, which states,

- 2. For Account Number listed in response to Question I-1, provide:**
  - a. The customer name(s) listed on or associated with the account;**
  - b. All contact information supplied to PGW for the customer(s) listed on or associated with the account;**
  - c. Copies of all documents provided to PGW by the customer(s) listed on or associated with the account; and**
  - d. A printout of all Records of contacts associated with the account.**

PGW objects on the grounds that Set I, No. 2 requests that PGW disclose account information for which the Complainant has not been authorized to review. Pursuant to 52 Pa. Code §56.261(8), PGW is obligated to employ all reasonable measures to protect customer information from unauthorized disclosure and prevent access to customer account records by persons who are not properly authorized to have access. The Complainant seeks account information on accounts for which he is not the Customer of Record and has not been authorized to review.

Set I, Nos. 3, 4 and 5

PGW objects to the Complainant's discovery requests Set I, Nos. 3, 4 and 5 which state,

**3. Regarding PGW Account Number 160576408, provide all billing and payment records from October 2013 through May 2016.**

**4. Regarding PGW Account Number 160576408, provide copies of all bills rendered from October 2013 through May 2016.**

**5. Regarding PGW Account Number 160576408, please identify each mailing address to which PGW bills were delivered during the period from October 2013 through the present.**

PGW objects on the grounds that these request that PGW disclose account information for which the Complainant has not been authorized to review. Pursuant to 52 Pa. Code §56.261(8), PGW is obligated to employ all reasonable measures to protect customer information from unauthorized disclosure and prevent access to

customer account records by persons who are not properly authorized to have access. The Complainant seeks account information on accounts for which he is not the Customer of Record and has not been authorized to review.

Set I, No. 6

PGW objects to the Complainant's discovery requests Set I, No. 4, 5 and 6 which state,

**6. Please provide all Records supplied by PGW to the Commission regarding the Commission's investigation of the informal complaint filed by Complainant in June 2016 regarding which the Commission issued BCS decision #34477298 on July 8, 2016.**

PGW objects on the grounds that Set I, No. 6, requests that PGW disclose account information for which the Complainant has not been authorized to review. Pursuant to 52 Pa. Code §56.261(8), PGW is obligated to employ all reasonable measures to protect customer information from unauthorized disclosure and prevent access to customer account records by persons who are not properly authorized to have access. The Complainant seeks account information on accounts for which he is not the Customer of Record and has not been authorized to review.

Set I, No. 7

PGW objects to the Complainant's discovery request Set I, No. 7, which states,

**7. Please provide all Records regarding the survey of 3831 Poplar Street conducted by PGW on or around June 30, 2016, referenced in paragraph 10 of BCS decision #3447298 ("Company records show on 6/30/2016 the company completed a survey on the home which found this is a boarding home with 1 room downstairs and 4 upstairs w doors locked and 5 tenants and 1 meter.")**

PGW objects on the grounds that Set I, No. 7, requests that PGW disclose account information for which the Complainant has not been authorized to review. Pursuant to 52 Pa. Code §56.261(8), PGW is obligated to employ all reasonable measures to protect customer information from unauthorized disclosure and prevent access to customer account records by persons who are not properly authorized to

have access. The Complainant seeks account information on accounts for which he is not the Customer of Record and has not been authorized to review.

Set I, No. 8

PGW objects to the Complainant's discovery request Set I, No. 8, which states,

**8. Please provide the name(s) of the PGW employee(s) who performed the survey of 3831 Poplar Street on or around June 30, 2016, referenced in Question I-7.**

PGW objects on the grounds that Set I, No. 8, requests that PGW disclose account information for which the Complainant has not been authorized to review. Pursuant to 52 Pa. Code §56.261(8), PGW is obligated to employ all reasonable measures to protect customer information from unauthorized disclosure and prevent access to customer account records by persons who are not properly authorized to have access. The Complainant seeks account information on accounts for which he is not the Customer of Record and has not been authorized to review.

Set I, No. 9

PGW objects to the Complainant's discovery request Set I, No. 9, which states,

**9. Please provide all Records of service calls made to 3831 Poplar Street between October 1, 2013 and present.**

PGW objects on the grounds that Set I, No. 9, requests that PGW disclose account records and telephone call information for the Service Address for which the Complainant has not been authorized to review. Pursuant to 52 Pa. Code §56.261(8), PGW is obligated to employ all reasonable measures to protect customer information from unauthorized disclosure and prevent access to customer account records by persons who are not properly authorized to have access. The Complainant seeks account information on accounts for which he is not the Customer of Record and has not been authorized to review.

Set I, No. 10

PGW objects to the Complainant's discovery request Set I, No. 10, which states,

**10. Provide a list of each Account Number for PGW service rendered to 154 W. Sylvania Street from August 1, 2013 through present.**

PGW objects on the grounds that Set I, No. 10, requests that PGW disclose the PGW account numbers for 154 W. Sylvania Street for which the Complainant has not been authorized to review. Pursuant to 52 Pa. Code §56.261(8), PGW is obligated to employ all reasonable measures to protect customer information from unauthorized disclosure and prevent access to customer account records by persons who are not properly authorized to have access. The Complainant seeks account information on accounts for which he is not the Customer of Record and has not been authorized to review.

Set I, No. 11

PGW objects to the Complainant's discovery request Set I, No. 11, which states,

**11. For each Account Number listed in response to Question I-10, provide:**

- a. The customer name(s) listed on or associated with the account;**
- b. All contact information supplied to PGW for the customer(s) listed on or associated with the account;**
- c. Copies of all documents provided to PGW by the customer(s) listed on or associated with the account; and**
- d. A printout of all Records of contacts associated with the account.**

PGW objects on the grounds that Set I, No. 11, requests that PGW disclose account information on various accounts associated with 154 W. Sylvania Street for which the Complainant has not been authorized to review. Pursuant to 52 Pa. Code §56.261(8), PGW is obligated to employ all reasonable measures to protect customer information from unauthorized disclosure and prevent access to customer account records by persons who are not properly authorized to have access. The Complainant seeks account information on accounts for which he is not the Customer of Record and has not been authorized to review.

Set I, No. 12

PGW objects to the Complainant's discovery request Set I, No. 12, which states,

**12. Please provide all Records regarding applications for service by Duane Hicks or Duane J. Hicks, from the period January 1, 2010 through present.**

PGW objects on the grounds that Set I, No. 12, requests that PGW disclose account information on accounts associated with a person who is not a party to the above captioned mater and for which the Complainant has not been authorized to review. Pursuant to 52 Pa. Code §56.261(8), PGW is obligated to employ all reasonable measures to protect customer information from unauthorized disclosure and prevent access to customer account records by persons who are not properly authorized to have access. The Complainant seeks account information on accounts for which he is not the Customer of Record and has not been authorized to review.

Set I, No. 13

PGW objects to the Complainant's discovery request Set I, No. 13, which states,

**13. Please state each address at which Duane Hicks, or Duane J. Hicks, has been listed as a customer or member of a customer's household during the period January 1, 2010 through the present.**

PGW objects on the grounds that Set I, No. 13, requests that PGW disclose account information on accounts associated with a person who is not a party to the above captioned mater and for which the Complainant has not been authorized to review. Pursuant to 52 Pa. Code §56.261(8), PGW is obligated to employ all reasonable measures to protect customer information from unauthorized disclosure and prevent access to customer account records by persons who are not properly authorized to have access. The Complainant seeks account information on accounts for which he is not the Customer of Record and has not been authorized to review.

Set I, No. 14

PGW objects to the Complainant's discovery request Set I, No. 14, which states,

**14. Please provide a copy of each notice sent or delivered by PGW to 3831 Poplar Street between September 1, 2013 to present.**

PGW objects on the grounds that Set I, No. 14, requests that PGW disclose account information, including correspondence, sent to a Customer or Record on an account for which the Complainant has not been authorized to review. Pursuant to 52 Pa. Code §56.261(8), PGW is obligated to employ all reasonable measures to protect customer information from unauthorized disclosure and prevent access to customer account records by persons who are not properly authorized to have access. The Complainant seeks account information on accounts for which he is not the Customer of Record and has not been authorized to review.

Set I, No. 15

PGW objects to the Complainant's discovery request Set I, No. 15, which states,

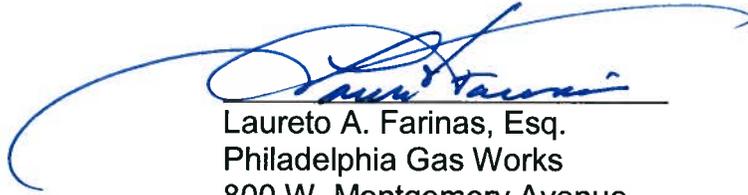
**15. Please provide a printout of all Contacts for premises 3831 Poplar Street from January 1, 2013 through the present.**

PGW objects on the grounds that Set I, No. 14, requests that PGW disclose account information on accounts for which the Complainant has not been authorized to review. Pursuant to 52 Pa. Code §56.261(8), PGW is obligated to employ all reasonable measures to protect customer information from unauthorized disclosure and prevent access to customer account records by persons who are not properly authorized to have access. The Complainant seeks account information on accounts for which he is not the Customer of Record and has not been authorized to review.

**WHEREFORE**, for the reasons stated above, PGW respectfully requests that the Commission issue an order sustaining PGW's objections to the Complainants' Discovery Set I, Nos. 1 through 15.

Respectfully submitted,

September 12, 2016



Laureto A. Farinas, Esq.  
Philadelphia Gas Works  
800 W. Montgomery Avenue  
Philadelphia, PA 19122

# APPENDIX A



September 1, 2016

By First Class Mail (d email)

Laureto A. Farinas, Esquire  
Graciela Christlieb, Esquire  
Philadelphia Gas Works  
Legal Department  
800 West Montgomery Avenue  
Philadelphia, PA 19122

Re: Interrogatories Set I (Formal Complaint of Fredrick Hess)

Dear Mr. Farinas and Ms. Christlieb:

Please find the enclosed Interrogatories Set I of Fredrick Hess. The Formal Complaint was filed by mail and a docket number has not yet been assigned. A copy of the letter to the Secretary, submitting the enclosed Certificate of Service, is also included.

Responses to these Interrogatories are due on September 21, 2016.

Please contact me with any questions or concerns.

Sincerely,

Robert W. Ballenger, Esquire  
Josie B.H. Pickens, Esquire

Attorneys for Fredrick Hess

Enclosure

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

FREDRICK HESS	:
Complainant	:
v.	: Docket No. C-2016-_____
	:
PHILADELPHIA GAS WORKS	:
Respondent	:

Fredrick Hess's Interrogatories and Requests for Production of Documents  
SET I

Pursuant to 52 Pa. Code §§5.341, 5.349, Complainant Fredrick Hess, through counsel Community Legal Services, Inc., hereby propounds the following Interrogatories and Requests for Production of Documents to Philadelphia Gas Works (hereinafter "PGW") to be answered by those officers, employees or agents as may be cognizant of the requested facts and/or documents and who are authorized to answer on behalf of the Company. The due date for response to the Interrogatories is twenty (20) days from the date of service.

The following instructions apply to these interrogatories:

1. These interrogatories shall be deemed to be continuing. PGW is obliged to change, supplement and correct all answers to interrogatories to conform to available information, including such information as first becomes available to PGW after the answers hereto are served.
2. The answer should first restate the question asked and also identify the name and position of the individual who provided the answer.
3. Each interrogatory and request for production shall be answered fully and completely. All information is to be divulged that is within the knowledge, possession,

control, or custody of PGW or may be reasonably ascertained thereby. The term “PGW” or “Company” as used herein includes PGW, its attorneys, agents, employees, or other representatives.

4. As used in these discovery requests, the following terms shall have the meanings provided below, unless the context clearly requires otherwise:

- a. “Commission” means the Pennsylvania Public Utility Commission, including, without limitation, the Commission’s Bureau of Consumer Services and the natural persons providing services as investigators thereto.
- b. “Complainant” means Fredrick Hess.
- c. “Document” or “workpaper” means and includes, but is not limited to, the original and all copies (regardless of origin and whether or not including additional writing thereon or attached thereto) of memoranda, reports, books, manuals, instructions, directives, records, forms, notes, letters, notices, confirmations, telegrams, pamphlets, notations of any sort concerning conversations, telephone calls, meetings or other communications, bulletins, transcripts, diaries, analyses, summaries, correspondence and enclosures, circulars, opinions, studies, investigations, questionnaires, surveys, drawings, graphs, charts and photographs and all drafts, preliminary versions, alterations, modifications, revisions, changes, amendments and written comments concerning the foregoing, in whatever form stored or

contained in or on whatever medium including computerized memory or magnetic media.

- d. "Property" means 3831 Poplar Street, Philadelphia.
- e. "Record" means any and all documents or workpapers in the possession, custody or control of the Company.

Fredrick Hess v. Philadelphia Gas Works

Docket No. C-2016-\_\_\_\_\_

Fredrick Hess's Interrogatories and Request for Production of Documents  
Set I

- I-1. Provide a list of each Account Number for PGW service rendered to 3831 Poplar Street from October 26, 2009 through May 31, 2016.
- I-2. For each Account Number listed in response to Question I-1, provide:
- a. The customer name(s) listed on or associated with the account;
  - b. All contact information supplied to PGW for the customer(s) listed on or associated with the account;
  - c. Copies of all documents provided to PGW by the customer(s) listed on or associated with the account; and
  - d. A printout of all Records of contacts associated with the account.
- I-3. Regarding PGW Account Number 160576408, provide all billing and payment records from October 2013 through May 2016.
- I-4. Regarding PGW Account Number 160576408, please provide copies of all bills rendered from October 2013 through May 2016.
- I-5. Regarding PGW Account Number 160576408, please identify each mailing address to which PGW bills were delivered during the period October 2013 through present.
- I-6. Please provide all Records supplied by PGW to the Commission regarding the Commission's investigation of the informal complaint filed by Complainant in June 2016 regarding which the Commission issued BCS decision # 3447298 on July 8, 2016.

I-7. Please provide all Records regarding the survey of 3831 Poplar Street conducted by PGW on or around June 30, 2016, referenced in paragraph 10 of BCS decision # 3447298 (“Company records show on 6/30/2016 the company completed a survey on the home which found this is a boarding home with 1 room downstairs and 4 upstairs w doors locked and 5 tenants and 1 meter.”)

I-8. Please provide the name(s) of the PGW employee(s) who performed the survey of 3831 Poplar Street on or around June 30, 2016, referenced in Question I-7.

I-9. Please provide all Records of service calls made to 3831 Poplar Street between October 1, 2013 and present.

I-10. Provide a list of each Account Number for PGW service rendered to 154 W. Sylvania Street from August 1, 2013 through present.

I-11. For each Account Number listed in response to Question I-10, provide:

- a. The customer name(s) listed on or associated with the account;
- b. All contact information supplied to PGW for the customer(s) listed on or associated with the account;
- c. Copies of all documents provided to PGW by the customer(s) listed on or associated with the account; and
- d. A printout of all Records of contacts associated with the account.

I-12. Please provide all Records regarding applications for service by Duane Hicks, or Duane J. Hicks, from the period January 1, 2010 through present.

I-13. Please state each address at which Duane Hicks, or Duane J. Hicks, has been listed as a customer or member of a customer’s household during the period January 1, 2010 through the present.

I-14. Please provide a copy of each notice sent or delivered by PGW to 3831 Poplar Street between September 1, 2013 and present.

I-15. Please provide a printout of all Contacts for premises 3831 Poplar Street from January 1, 2013 through the present.

I-16. Please provide copies of PGW's current form notices required by 66 Pa. C.S. § 1523 and 66 Pa. C.S. § 1526.

I-17. Please provide the Company's written policies, procedures, manuals, training materials and other Records describing PGW's practices for identifying dwelling units that are reasonably likely to be occupied by affected tenants pursuant to 66 Pa. C.S. § 1523(a)(3).

I-18. Please provide the Company's written policies, procedures, manuals, training materials and other Records describing PGW's practices for handling contacts from tenants asserting their rights to continued service pursuant to 66 Pa. C.S. § 1527.

Respectfully submitted,



Robert W. Ballenger, Esquire  
Josie B.H. Pickens, Esquire  
Attorneys for Complainant  
COMMUNITY LEGAL SERVICES, INC.  
1424 Chestnut Street  
215-981-3788

September 1, 2016

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

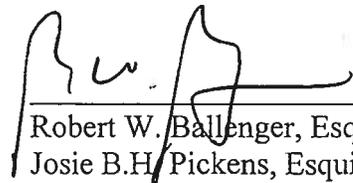
FREDRICK HESS	:	
Complainant	:	
v.	:	Docket No. C-2016-_____
	:	
PHILADELPHIA GAS WORKS	:	
Respondent	:	

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day, served a copy of Fredrick Hess's Interrogatories and Request for Production of Documents - Set I upon the participant, listed below, in accordance with the requirements of 52 Pa.Code §1.54 (relating to service by a participant).

By e-mail and first-class mail:  
Laureto A. Farinas, Esquire  
Graciela Christlieb, Esquire  
Philadelphia Gas Works  
Legal Department  
800 West Montgomery Avenue  
Philadelphia, PA 19122  
[Laureto.Farinas@pgworks.com](mailto:Laureto.Farinas@pgworks.com)

Dated this 1<sup>st</sup> day of September, 2016.

  
\_\_\_\_\_  
Robert W. Ballenger, Esquire  
Josie B.H. Pickens, Esquire  
Community Legal Services, Inc.  
1424 Chestnut Street  
Philadelphia, PA 19102

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY OF THE FOREGOING DOCUMENT, PHILADELPHIA GAS WORKS' OBJECTIONS TO THE COMPLAINANTS' INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS, Set I, UPON THE PARTICIPANTS LISTED BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF 52 PA CODE §§1.54 and 5.342(c) (RELATING TO SERVICE BY A PARTICIPANT).

**Service List**

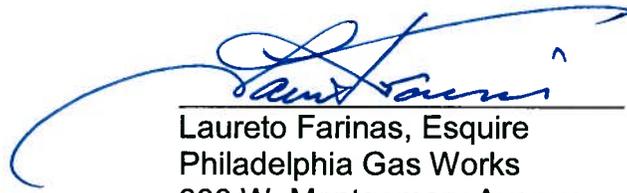
For Complainants:

Robert W. Ballenger, Esq.  
Josie B.H. Pickens, Esq.  
Community Legal Services, Inc.  
1424 Chestnut Street  
Philadelphia, PA 19102 – 2505

& by e-mail: [RBallenger@clsphila.org](mailto:RBallenger@clsphila.org)  
[JPickens@clsphila.org](mailto:JPickens@clsphila.org)

Mr. Fredrick Hess  
3831 Poplar Street  
Philadelphia, PA 19104

September 12, 2016

  
\_\_\_\_\_  
Laureto Farinas, Esquire  
Philadelphia Gas Works  
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Philadelphia, PA 19122  
(215) 684-6982