

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: ALJ	:	
3. SECTION(S):	:	
5. APPROVED BY:	:	4. PUBLIC MEETING DATE:
DIRECTOR:	:	00/00/00
SUPERVISOR:	:	
6. PERSON IN CHARGE:	:	7. DATE FILED: 11/02/06
8. DOCKET NO: C-20067035	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: OLIPHANT, BARBARA

RESPONDENT/APPLICANT: PHILADELPHIA GAS WORKS

COMP/APP COUNTY: PHILADELPHIA

UTILITY CODE: 125042

ALLEGATION OR SUBJECT

COMPLAINANT STATES HE WANTS TO REGISTER FOR THE LANDLORD COOPERATION PROGRAM BY MAIL. HE DOES NOT WANT TO BE LIABLE FOR TENANTS THAT DO NOT PAY THEIR GAS BILL.

DOCUMENT
FOLDER

DOCKETED

NOV - 3 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

125042

Please print or type.

C-20067035

RECEIVED
2006 NOV -2 AM 8:42
SECRETARY'S OFFICE

1. CUSTOMER NAME (COMPLAINANT)

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

Name BARBARA OLIPHANT

Street/P.O. Box 6906 ARDLEIGH ST Apt # 1st fl

City Phila State PA Zip 19119

County Phila

Area Code/HOME Phone 215-438-6346

Area Code/WORK Phone ---

Utility Account Number 411 935 9145
(from your bill)

ORIGINAL

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: PGW

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER
(taxi, moving company, limousine)

TELEPHONE
(local, long distance)

13

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. LCP Program (Landlord Cooperation Program)
(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.

In letter dated 8/4/06, from PGW, they are requesting that I as a landlord must register their website. Since I do not have access to a computer and or am not presently acquainted with using one, I called the PGW # 215-235-0777 to inquire further assistance on how I can register by mail. The person was apparently rude & stated that I could only register thru the Web Site. It was also stated that if I did not register, I would be liable for tenant's account if not paid by them & a lien would be placed on my property.

5. RELIEF

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

I would hope that PUC could see that "Home-owners" such as myself would not be liable for tenants not paying their bills. I also think that "Registration" should be available by Mailings; since all of us Americans do not have access to computers. I am appalled that PGW even suggest that a "Lien" would be placed upon one's property if not registered by Web Site; especially not offering other means of registering. Several calls to PGW regarding this matter was unsuccessful.

How am I to register; not being fully
acquainted with a Computer? So Whom am I
suppose to seek information from ~~etc~~ in being
provided with proper forms from PBW to do so?

How can PBW suggest one is not
Cooperating; when they are only suggesting
that one must own, or have access,
or even know how to use a computer?

I do a taxpayer; one who pays my bill
as full & on time - should not have to have
any liens placed on my property for another
persons lack of paying bill on time, etc.

Your assistance in this matter will be
greatly appreciated.

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 BARBARA OLIPHANT, 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).

Barbara Oliphant
(Signature)

October 28, 2006
(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

DATE SERVED: November 3, 2006

C-20067035

LAURETO FARINAS ESQUIRE
PHILADELPHIA GAS WORKS
800 W MONTGOMERY AVE
PHILADELPHIA PA 19122-2898

DOCUMENT
FOLDER

Dear Mr. Farinas:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by BARBARA OLIPHANT. To defend yourself against the claims stated in the following pages, you must act within twenty (20) days by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS, THE CASE MAY GO FORWARD IN YOUR ABSENCE AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

CUSTOMER OF A UTILITY

A payment schedule may be prescribed or a termination of utility services may be authorized. You may lose money or property or other rights important to you.

COMPANY/UTILITY

An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

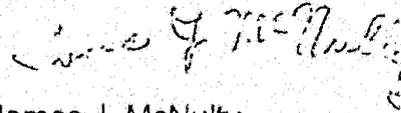
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

November 3, 2006

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help:

Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186
Harrisburg, PA 17108
(800) 692-7375

Very truly yours,



James J. McNulty
Secretary

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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: November 3, 2006

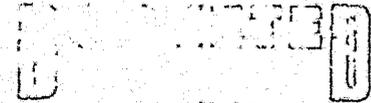
DOCUMENT
FOLDER

BARBARA OLIPHANT
Complainant

v.

PHILADELPHIA GAS WORKS
Respondent

Complaint Docket
No: C-20067035



NOV - 3 2006

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PHILADELPHIA GAS WORKS

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the **Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265**, an answer (original and three copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

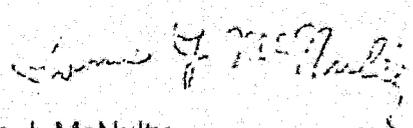
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq.; and, if

you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after a hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.


James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

Philadelphia Gas Works
800 West Montgomery Avenue, Philadelphia, PA 19122



Mary M. Chan, Paralegal
Legal Department
Direct Dial: (215) 684-6830
Fax: (215) 684-6798
E-mail: mary.chan@pgworks.com

November 27, 2006

James McNulty, Secretary
Pennsylvania Public Utility Commission
Room B-20, North Office Building
Harrisburg, PA 17105-3265

ORIGINAL

RE: Barbara Oliphant vs PGW, Docket No. C-20067035

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.61, the Philadelphia Gas Works ("PGW") hereby files the original and three (3) copies of its Answer to the Complaint in the above captioned matter.

If additional information is required, please do not hesitate to contact the undersigned. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "M Chan", is written over the typed name "Mary M. Chan".

Mary M. Chan

**DOCUMENT
FOLDER**

Enclosure

cc: Barbara Oliphant
Anne Marie Cromley

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NOV 27 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Barbara Oliphant

v.

Philadelphia Gas Works

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Docket No. C-20067035

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Answer of the Philadelphia Gas Works

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Pursuant to 52 Pa. Code §5.61, the Philadelphia Gas Works ("PGW") hereby answers the Complaint filed in the above captioned matter. PGW hereby avers the following:

1. Admitted.
2. Admitted.
3. Admitted.
4. (a) Admitted. It is admitted that the Complainant's Complaint concerns the Landlord Cooperation Program (LCP).

DOCUMENT
FOLDER

(b) Admitted in part; denied. It is admitted that the Complainant received a letter dated August 4, 2006 from PGW requesting the Complainant to register through PGW's website.

PGW lacks sufficient knowledge to determine the truth of the averment that the Complainant does not have access to a computer nor is she familiar with using one. Therefore, PGW denies this averment.

It is admitted that the Complainant was informed that the only way the Complainant can register is through the web site. By way of further answer, registering for LCP has to be done only through the website because the website is linked to other Municipal entities that are involved with PGW's LCP.

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PGW denies the averment that the PGW representative was rude.

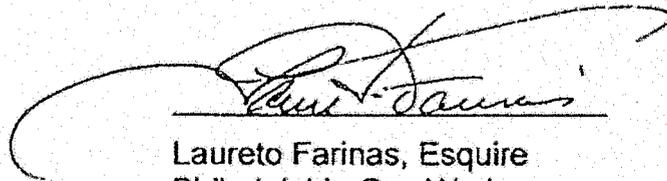
It is admitted that the Complainant was advised of what can be the consequence if the Complainant do not register for LCP.

5. Denied. The averment in Paragraph 5 of the Complaint is a request for relief to which no response is required. PGW therefore denies the averments in this paragraph.
6. Admitted.
7. Admitted.

Wherefore, PGW respectfully requests that this Commission find against the Complainant, and affirm the decision of the BCS in this matter.

Respectfully submitted,

November 27, 2006



Laureto Farinas, Esquire
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122
(215) 684-6982

VERIFICATION

I, Laureto Farinas, hereby declare that I am counsel for the Philadelphia Gas Works. I am authorized to make this verification on its behalf. The facts set forth in the foregoing Answer are true and correct to the best of my knowledge, information and belief. I expect to be able to prove these facts at a hearing held in this matter. This verification is made subject to the penalties of 18. Pa. C.S. §4904, concerning false statements to authorities.

Dated: November 27, 2006


Laureto Farinas, Esquire

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NOV 27 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

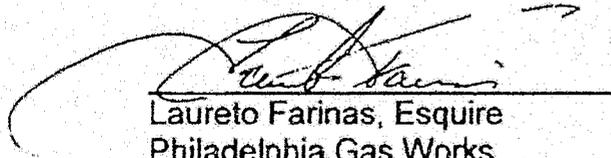
I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY OF THE FOREGOING DOCUMENT UPON THE PARTICIPANTS LISTED BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF 52 PA CODE §1.54 (RELATING TO SERVICE BY A PARTICIPANT).

Service List:

For Complainant:

Barbara Oliphant
6906 Ardleigh Street, 1st Floor
Philadelphia, PA 19119

Dated: November 27, 2006



Laureto Farinas, Esquire
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122
(215) 684-6982

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NOV 27 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE