

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: ALJ	:	
3. SECTION(S):	:	4. PUBLIC MEETING DATE:
5. APPROVED BY:	:	00/00/00
DIRECTOR:	:	
SUPERVISOR:	:	
6. PERSON IN CHARGE:	:	7. DATE FILED: 10/30/06
8. DOCKET NO: C-20067031	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: BROWN, ANTHONY

RESPONDENT/APPLICANT: PHILADELPHIA GAS WORKS

COMP/APP COUNTY:

UTILITY CODE: 125042

ALLEGATION OR SUBJECT

COMPLAINANT STATES INCORRECT CHARGES ON BILL. HE WOULD LIKE THE PUC TO HAVE EXCESSIVE CHARGES TAKEN OFF OF BILL.

DOCUMENT  
FOLDER

DOCKETED  
NOV 03 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

RECEIVED  
2005 OCT 30 11:11:28  
SECRETARY'S OFFICE

Please print or type.

C-20067031

1. CUSTOMER NAME (COMPLAINANT)

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

Name Anthony Brown

Street/P.O. Box 1601 Roomfort RD Apt # 2fl.

City Phila State PA Zip 19150

County \_\_\_\_\_

Area Code/HOME Phone 215 753 1858

Area Code/WORK Phone 215 219 - 0129 (CELL)

Utility Account Number 0792100859  
(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: Over Billing PGW

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER  
(taxi, moving company, limousine)

TELEPHONE  
(local, long distance)

31

To Whom it may concern, I have received a six thousand dollar bill from the Philadelphia Gas Works. I have a duplex property and I have always paid my bill. PGW sent me a six thousand bill several months ago. I spoke to a representative at PGW and they put the bill in the hands of the PUC. My tenant received a bill of fourteen thousand. Ms. Barbara Watkins who is the tenant downstairs said she went to the PGW company five times before the matter was cleared. When I spoke with the PUC representative they said it would be investigated. The representative said it was a mistake, but we still have to investigate. The next time I spoke to someone the person told me that the meters were not tampered with so the matter would be cleared up. It just has to go through the process. I refinanced my home to have remodeling done. When the check came to me it was six thousand short of what I financed for. Because of the legal battle with PGW I cannot finish the remodeling. If I owed PGW six thousand why let the bill get that high. If you were to see the apartment you could see it no way I could owe this amount. Especially when the bill has always been paid.

Thank You,  
Sincerely

Anthony Brown

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.

5. **RELIEF**

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

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 Anthony Brown, 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).

Anthony Brown  
(Signature)

10 | 25 | 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 <sup>nd</sup> Floor Harrisburg, Pennsylvania 17120
--	--

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-20067031

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 ANTHONY BROWN. 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.

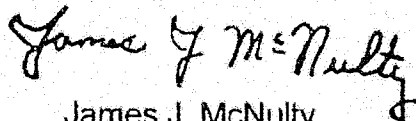
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

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

SS

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: NOVEMBER 3, 2006

ANTHONY BROWN

Complainant

v.

PHILADELPHIA GAS WORKS

Respondent

Complaint Docket  
No: C-20067031

**DOCKETED**  
NOV 03 2006

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FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

---

TO: PHILADELPHIA GAS WORKS

**DOCUMENT  
FOLDER**

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).

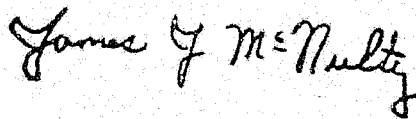
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. 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**  
600 West Montgomery Avenue, Philadelphia, PA 19122

**BROWN**

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

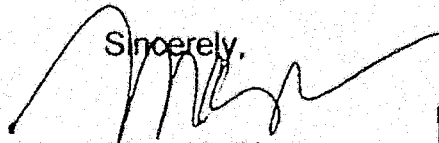
**RE: Anthony Brown vs PGW, Docket No. C-20067031**

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,



Mary M. Chan

**DOCUMENT  
FOLDER**

Enclosure

cc: Anthony Brown  
Anne Marie Cromley

**RECEIVED**

NOV 27 2006 **RJP**

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

114

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

Anthony Brown

v.

Philadelphia Gas Works

Docket No. C - 20067031

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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) Denied. PGW denies that there are incorrect charges on the Complainant's account for service at 1601 Rounfort Road, Philadelphia, Pennsylvania (Service Address).

DOCUMENT  
FOLDER

(B) Admitted in part; denied in part. PGW admits that it has billed the Complainant in the amount of approximately \$6,000 for previously unbilled services. PGW lacks sufficient information to determine the truth of the averment concerning the Complainant's conversation concerning his account and that of his tenant's. Therefore, PGW denies the averment. PGW lacks sufficient information to determine the truth of the averment concerning the Complainant's conversation with Commission representatives about his account. Therefore, PGW denies the averment.

PGW lacks sufficient information to determine the truth of the averment concerning the Complainant's conversation with Commission

DOCKETED  
NOV 29 2006

representatives concerning his account and the results of the investigation of tampering. Therefore, PGW denies the averment.

PGW lacks sufficient information to determine the truth of the averment concerning the Complainant's refinancing of his home and his inability to complete renovations. Therefore, PGW denies the averment.

By way of further answer, PGW record show that the Complainant established service at the Service Address on February 29, 2000. The account is classified as residential with gas heat and other domestic appliances. The property is equipped with an automatic meter reading device (AMR).

On or about January 5, 2006, the tenant on the first floor apartment of the Service Address reported a gas leak. At that point, the PGW serviceworker who visited the property changed the meter and discovered that the electronic transmitting devices (ERT) on the AMR on the meters had been switched. The first floor tenant and the Complainant received a make up bill on January 25, 2006 due to switched readings. PGW conducted a high bill investigation on both floors.

On March 29, 2006, a field visit from PGW found that the ERT's were switched on the meters and corrected. The gas usage recorded from the ERT was on the first floor account, but was billed to the second floor account. The usage recorded on the ERT for the second floor was billed for first floor. The PGW investigation confirmed that each meter and apartment has separate cooking ranges, water heaters, and boilers. PGW found that heater for the first floor unit has a capacity of 52,000 BTU's and the heater for the second floor unit has a capacity of 100,000 BTU's. PGW believes that the larger capacity of the first floor heater contributes to the Complainant's increase in usage.

The Complainant's account was billed in three segments from the period of January 23, 2002 to March 29, 2006. The total gas usage was in the amount of \$8309.60. From this amount, PGW deducted all payments received during that time. This reduced the total account balance to \$5696.92. PGW did provide a revenue adjustment that off-set the differences in rates during that period in the amount of \$338.23, further reducing the make up bill to \$5358.69. The total account balance for service up to October 23, 2006 is \$5387.40, as shown on the statement of account which is attached here to as Exhibit "A."

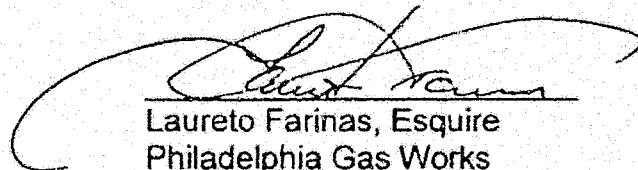
A document of the Bureau of Consumer Service dated November 15, 2006, which is attached hereto as Exhibit "B," does not provide a decision because the Complainant filed a formal complaint before the BCS could issue its decision.

5. Denied. The averments in Paragraph 5 of the Complaint are requests 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

EXHIBIT A

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

# HISTORY REQUEST REPORT FOR ACCOUNT # 792100859 AND SA # 8434893908 AS OF 11/27/2006

Account # 792100859	SA # 8434893908	Bill Cycle: 16	Rate Class: GS	Phone #: 7531858(215)
Name: BROWN, ANTHONY D				
Address: 1601 E ROUMFORT RD, 2F/PHILA, PA				
Pay Agreement Indicator N	Easyway Indicator	CRP Status:		
Blocker Start Date: 20060609	Blocker End Date: 20071009	Meter #: 1726672		

Tran Date	Tran Type	Current Amt.	Total Amt.	Adjust. Amt.	Segment Start Date	Segment End Date	Read Code	End Read	Current Balance	Usage	Meter #
03/29/2006	BILL	\$568.17	\$568.17	\$0.00	01/25/2006	03/29/2006	S	7389	\$5,696.92	280	1726672
04/24/2006	XFER	\$5,128.75	\$5,128.75	\$5,128.75							
04/25/2006	BILL	\$77.40	\$77.40	\$0.00	03/29/2006	04/25/2006	R	7421	\$5,859.77	32	1726672
04/26/2006	LPC	\$85.45	\$85.45	\$85.45							
05/15/2006	PAY	(\$78.00)	(\$78.00)	\$0.00							
05/24/2006	BILL	\$29.31	\$29.31	\$0.00	04/25/2006	05/24/2006	R	7430	\$5,897.69	9	1726672
05/25/2006	LPC	\$86.61	\$86.61	\$86.61							
06/09/2006	XFER	(\$5,897.69)	(\$5,897.69)	(\$5,897.69)							
06/09/2006	PAY	(\$40.00)	(\$40.00)	\$0.00							
06/23/2006	BILL	\$24.96	\$24.96	\$0.00	05/24/2006	06/23/2006	R	7437	(\$15.04)	7	1726672
07/25/2006	BILL	\$22.98	\$22.98	\$0.00	06/23/2006	07/25/2006	R	7443	\$7.94	6	1726672
08/23/2006	PAY	(\$7.94)	(\$7.94)	\$0.00							
08/23/2006	BILL	\$21.15	\$21.15	\$0.00	07/25/2006	08/23/2006	R	7448	\$21.15	5	1726672
09/07/2006	LPCWVE	(\$172.06)	(\$172.06)	(\$172.06)							
09/07/2006	REVADJ	(\$338.23)	(\$338.23)	(\$338.23)							
09/08/2006	PAY	(\$21.15)	(\$21.15)	\$0.00							
09/22/2006	BILL	\$24.80	\$24.80	\$0.00	08/23/2006	09/22/2006	R	7455	\$24.80	7	1726672
09/25/2006	XFER	\$510.29	\$510.29	\$510.29							
10/17/2006	PAY	(\$24.80)	(\$24.80)	\$0.00							
10/23/2006	BILL	\$53.96	\$53.96	\$0.00	09/22/2006	10/23/2006	R	7478	\$53.96	23	1726672
11/09/2006	PAY	(\$53.96)	(\$53.96)	\$0.00							
11/22/2006	BILL	\$172.04	\$172.04	\$0.00	10/23/2006	11/22/2006	R	7564	\$172.04	86	1726672

EXHIBIT B

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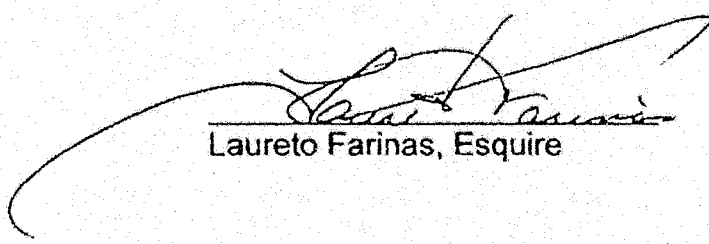
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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<CaseNbr>2090264</CaseNbr>  
<CompanyName>PGW (PHILA. GAS WORKS (NGDC))</CompanyName>  
<CompanyCode>0766</CompanyCode>  
<CompanyType>GAS TRANSPORTER</CompanyType>  
- <Customer>  
 <CustomerFirstName>ANTHONY</CustomerFirstName>  
 <CustomerLastName>BROWN</CustomerLastName>  
 <AccountNumber>0792100859</AccountNumber>  
 - <CustomerServAddress>  
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 <ServAddress2>2ND FL</ServAddress2>  
  
 <ServCity>PHILADELPHIA</ServCity>  
 <ServState>PA</ServState>  
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 <BCSInvestigatorLName>PLATT</BCSInvestigatorLName>  
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 <PUCFax FaxAreaCode="717">7876641</PUCFax>  
</OtherInfo>  
</Case>

VERIFICATION

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

Date: November 27, 2006

  
Laureto Farinas, Esquire

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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:

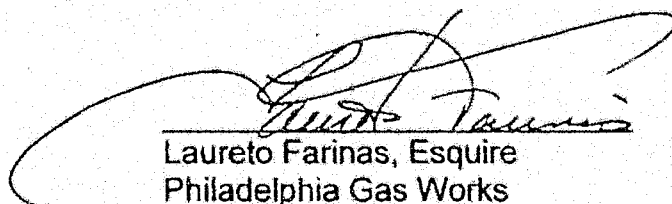
*Mr. Anthony Brown  
1601 Roumfort road  
Philadelphia, PA 19150*

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PA PUBLIC UTILITY COMMISSION  
REGISTRATION DIVISION

November 27, 2006



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