

DESCRIPTION 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: 11/06/06
8. DOCKET NO: C-20067049	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: PARKER, ALBERT

RESPONDENT/APPLICANT: PHILADELPHIA GAS WORKS

COMP/APP COUNTY: PHILADELPHIA

UTILITY CODE: 125042

ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT HE RECEIVED A SHUT OFF NOTICE & HAS INCORRECT CHARGES ON HIS BILL.

**DOCKETED**

NOV 13 2006

Request for Formal Complaint Form  
(Notification of Intent to Appeal)

*Untimely*  
C-20067049

Notice to Customer:

**DOCUMENT  
FOLDER**

If you sign and return this form, you are telling the Public Utility Commission that you want to appeal this decision. Do not return this form unless you want to appeal this decision.

If you want to appeal, you must return this form within 20 days of 10/4/2006. The Commission will send you formal complaint forms if you return this form.

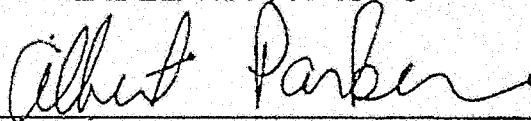
You must comply with this decision until the Public Utility Commission completes the formal complaint process. You must make all of the required payments or the utility company may shut off your service.

Sincerely,  
Pennsylvania Public Utility Commission

**Yes, I want to appeal this decision. Please send formal complaint forms to me at the following address:**

Customer name and address:  
(Please correct any mistakes.)

ALBERT PARKER  
5727 CEDAR AVE  
PHILADELPHIA PA 19143



Signature  
Date of Mailing: 10/4/2006

(Area Code) Telephone Number  
BCS: 2119328  
Company: PHILADELPHIA GAS  
WORKS

Mail this completed form to:

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

RECEIVED - SECRETARY  
OCT 15 2006

**RJP**

*H*

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

2005-10-0 11:3:19  
SECRETARY

Please print or type.

C-20067049

1. CUSTOMER NAME (COMPLAINANT)

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

Name Albert Parker

Street/P.O. Box 5727 Ceder Ave Apt # \_\_\_\_\_

City Philadelphia State PA Zip 19143

County Philadelphia

Area Code/HOME Phone 215-476-3559

Area Code/WORK Phone 267-902-2375

Utility Account Number 0495309885  
(from your bill)

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)

DOCKETER

NOV 13 2006

32

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

PGW is telling me that I owe them \$2,357.16 for Gas that I did not use. I am only home for 8 hrs a day and keep my heat on 55° All summer heat was turned completely off and when the weather broke I turned it RELIEF up to 55° and the highest was 60°.

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

I would like the Public Utility Commission to Investigate because PGW IS over charging me for Gas that I don't use and telling me that if I don't pay \$435.00 a month that they will cut my service. My Heat stays on 55° to 60° All winter and they are charging me for Heat that is not being used

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, Albert Parker 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).

Albert Parker  
(Signature)

11-2-06  
(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 13, 2006

C-20067049

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

Dear Mr. Farinas:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by Albert Parker. 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.

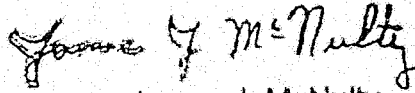
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

November 13, 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

ddi

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

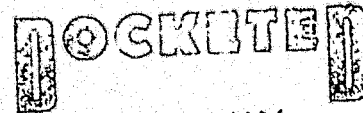
DATE SERVED: November 13, 2006

Albert Parker  
Complainant

v.

PHILADELPHIA GAS WORKS  
Respondent

Complaint Docket  
No: C-20067049



NOV 13 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).

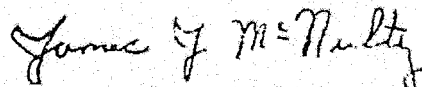
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. 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) 684-6794  
E-mail: [mary.chan@pgworks.com](mailto:mary.chan@pgworks.com)

**ORIGINAL**

November 30, 2006

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

**RECEIVED**

NOV 30 2006

**RE: Albert Parker vs PGW, Docket No. C-20067049**

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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

Enclosure

cc: Albert Parker  
Anne Marie Cromley

**BTL**

**DOCUMENT  
FOLDER**

RECEIVED

NOV 8 0 2006

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Albert Parker

v.

Philadelphia Gas Works

:  
:  
:  
:  
:  
:

Docket No. C - 20067049

Answer of the Philadelphia Gas Works

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 in part; denied in part. PGW denies the averment that there are incorrect charges on the Complainant's bill. The Complainant's bills are correct as rendered for gas service supplied to 5727 Cedar Avenue, Philadelphia, Pennsylvania (Service Address). PGW admits that the Complainant received a notice of termination of gas service.

(B) Admitted in part; denied in part. PGW admits that it has informed the Complainant that he owes an amount in excess of \$2,000. By way of further answer, as of this date the Complainant's outstanding account balance as of November 17, 2006 is \$2,443.15, as shown on the statement of account which is attached hereto as Exhibit "A." PGW lacks sufficient knowledge to determine the truth of the averments concerning the amount of hours that the Complainant is at home during the day and at what setting his thermostat is kept. Therefore, PGW denies these averments.

By way of further answer, PGW records indicate that the Complainant established service at the Service Address on December 17, 2005. The account

DOCUMENT  
FOLDER

**DOCKETED**  
DEC 12 2006

is classified as residential with gas heat and other domestic appliances. The Service Address is equipped with an automatic meter reading device (AMR) and all bills have been based upon actual meter readings.

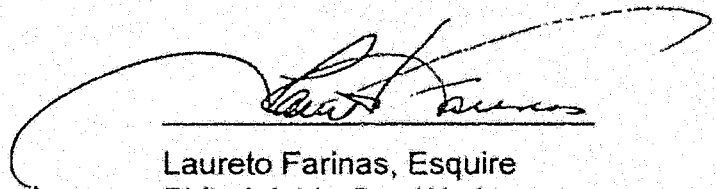
A decision of the Bureau of Consumer Services (BCS) dated October 4, 2006, which is attached hereto as Exhibit "B," the BCS found, *inter alia*, that the Complainant's bills are correct as rendered and based upon actual usage, although, the Complainant could have the meter tested. The BCS decision also provided with Complainant with a payment arrangement consisting of the payment of \$370 (budget plan) plus \$94 toward arrears until paid in full.

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.

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

Respectfully submitted,

November 30, 2006



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

RECEIVED

NOV 30 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

EXHIBIT A

# HISTORY REQUEST REPORT FOR ACCOUNT # 495309885 AND SA # 1375508590 AS OF 11/30/2006

Account # 495309885	SA # 1375508590	Bill Cycle: 13	Rate Class: GS
Name: PARKER, ALBERT B		Address: 5727 CEDAR AVE/PHILA, PA	
Play Agreement Indicator: Y	Easyway Indicator: B	CRP Status:	
Blocker Start Date: 20061117	Blocker End Date: 20081117	Meter #: 1943035	Phone #: 4763559(215)

Tran Date	Tran Type	Current Amt.	Total Amt.	Adjust Amt.	Segment Start Date	Segment End Date	Read Code	End Read	Current Balance	Usage	Meter #
01/20/2006	BILL	\$687.04	\$687.04	\$0.00	12/17/2005	01/20/2006	R	2051	\$687.04	334	1943035
02/21/2006	BILL	\$702.28	\$702.28	\$0.00	01/20/2006	02/21/2006	R	2398	\$1,399.62	347	1943035
02/22/2006	LPC	\$10.30	\$10.30	\$10.30							
02/28/2006	XFER	(\$1,399.62)	(\$1,399.62)	(\$1,399.62)							
03/21/2006	BILL	\$425.34	\$425.34	\$0.00	02/21/2006	03/21/2006	R	2613	\$425.34	215	1943035
04/14/2006	PAY	(\$190.00)	(\$190.00)	\$0.00							
04/20/2006	BILL	\$402.65	\$402.65	\$0.00	03/21/2006	04/20/2006	R	2804	\$637.99	191	1943035
05/19/2006	BILL	\$202.92	\$202.92	\$0.00	04/20/2006	05/19/2006	R	2901	\$840.91	97	1943035
06/08/2006	PAY	(\$190.00)	(\$190.00)	\$0.00							
06/20/2006	BILL	\$117.37	\$117.37	\$0.00	05/19/2006	06/20/2006	R	2958	\$768.28	67	1943035
07/20/2006	BILL	\$37.62	\$37.62	\$0.00	06/20/2006	07/20/2006	R	2972	\$817.42	14	1943035
07/21/2006	LPC	\$11.52	\$11.52	\$11.52							
08/01/2006	XFER	(\$2,217.04)	(\$2,217.04)	(\$2,217.04)							
08/01/2006	XFER	\$1,399.62	\$1,399.62	\$1,399.62							
08/18/2006	BILL	\$32.12	\$32.12	\$0.00	07/20/2006	08/18/2006	R	2983	\$32.12	11	1943035
09/04/2006	PAY	(\$32.12)	(\$32.12)	\$0.00							
09/19/2006	BILL	\$39.43	\$39.43	\$0.00	08/18/2006	09/19/2006	R	2998	\$39.43	15	1943035
10/13/2006	PAY	(\$40.00)	(\$40.00)	\$0.00							
10/13/2006	XFER	\$2,217.04	\$2,217.04	\$2,217.04							
10/18/2006	BILL	\$64.70	\$64.70	\$0.00	09/19/2006	10/18/2006	R	3027	\$2,281.17	29	1943035
11/17/2006	BILL	\$161.98	\$161.98	\$0.00	10/18/2006	11/17/2006	R	3107	\$2,443.15	80	1943035

**EXHIBIT B**

```

- <Case>
  <CaseNbr>2119328</CaseNbr>
  <CompanyName>PGW (PHILA. GAS WORKS (NGDC))</CompanyName>
  <CompanyCode>0766</CompanyCode>
  <CompanyType>GAS TRANSPORTER</CompanyType>
- <Customer>
  <CustomerFirstName>ALBERT</CustomerFirstName>
  <CustomerLastName>PARKER</CustomerLastName>
  <AccountNumber>0495309885</AccountNumber>
- <CustomerServAddress>
  <ServAddress1>5727 CEDAR AVE</ServAddress1>
  <ServCity>PHILADELPHIA</ServCity>
  <ServState>PA</ServState>
  <ServZip5>19143</ServZip5>
  </CustomerServAddress>
</Customer>
<DecisionIssue>Y</DecisionIssue>
<OralWritten>W</OralWritten>
<Violation>NO</Violation>
<TotalBalance>2256.47</TotalBalance>
<DateClosed>2006-10-04</DateClosed>
<Resolution>BILLS ARE CORRECT. BILLS BASED ON ACTUAL METER
  READINGS. THE CUST CAN HAVE THE METER TESTED. SEE CS17 FOR
  TERMS OF PAR.</Resolution>
<BalanceDate>2006-10-04</BalanceDate>
<Terms>NOVEMBER 2006 DUE DATE</Terms>
<SpecialBudgetAmount>464.00</SpecialBudgetAmount>
<RegularBudgetAmount>370.00</RegularBudgetAmount>
<ArrearsPaymentPlus>94.00</ArrearsPaymentPlus>

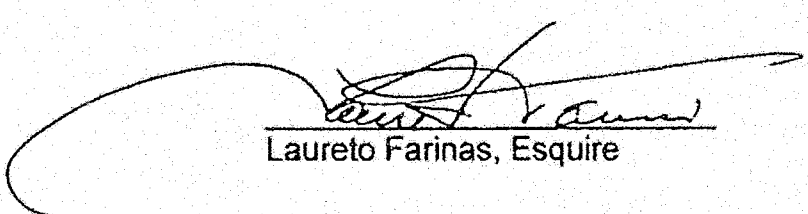
<LetterDescription>EGW PAR W/SIMPLE DISPUTE/PAYMENT
  AGREEMENT/LEVEL 2-4</LetterDescription>
<HeadDate>2006-10-04</HeadDate>
- <OtherInfo>
  <BCSInvestigatorFName>MIKOLE</BCSInvestigatorFName>
  <BCSInvestigatorLName>RIVERA</BCSInvestigatorLName>
  <NbrOfTimeSend>1</NbrOfTimeSend>
  <NbrOfTimeFaxed>0</NbrOfTimeFaxed>
  <PUCFax FaxAreaCode="215">5602102</PUCFax>
  </OtherInfo>
</Case>
</Cases>

```

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 30, 2006

  
Laureto Farinas, Esquire

CERTIFICATE OF SERVICE

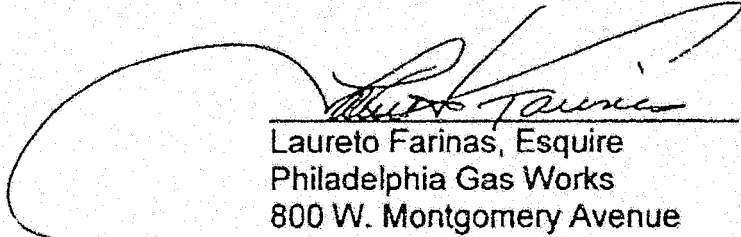
I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY OF THE FOREGOING DOCUMENT UPON THE PARTICIPANTS LISTED BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF 52 PA CODE §1.54 (RELATING TO SERVICE BY A PARTICIPANT).

Service List:

For Complainant:

*Mr. Albert Parker*  
5727 Cedar Avenue  
Philadelphia, PA 19143

November 30, 2006



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