

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00
 2. BUREAU: ALJ
 3. SECTION(S):
 5. APPROVED BY:
 DIRECTOR:
 SUPERVISOR:
 6. PERSON IN CHARGE:
 8. DOCKET NO: Z-01437022

4. PUBLIC MEETING DATE:
 00/00/00
 7. DATE FILED: 09/25/03
 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: MILLWOOD, CALVIN

RESPONDENT/APPLICANT: PHILADELPHIA GAS WORKS

COMP/APP COUNTY: PHILADELPHIA

UTILITY CODE: 125042

ALLEGATION OR SUBJECT

COMPLAINANT STATES HE WANTS TO BE ABSOLVED FROM THIS DEBT, AND TO HAVE PGW
 ACKNOWLEDGE ITS POLICY OF ALLOWING SERVICE TO CONTINUE THEIR 2 YEARS WITHOUT
 PAYMENT IS A PRACTICE OF NEGLIGENCE, HAVE PGW CHANGE THE PRACTICE OF NOT
 CONTACTING CONSUMERS AFTER THREE MONTHS OF NON-PAYMENT.

DOCKETED
 OCT 02 2003

DOCUMENT
 FOLDER

ST 1437022
9/28/03

FORMAL COMPLAINT FORM
Pennsylvania Public Utility Commission

RECEIVED

Please Print:

2-01437022

SEP 25 2003

1. Your Name, Mailing Address and Telephone Number

Name Carvin Millwood PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

Street/P.O. Box 6514 N. 7th St Apt.# 3

City Phila State PA Zip 19126

County Phila Home Telephone-Area Code (215) 927-4413
Work Telephone-Area Code (215) 685-2224

2. Name of Company your complaint concerns: P.G.W.

3. What is your complaint?

In August of 2003 I recieved a shutoff notice from P.G.W. stating that I owed over \$2000.- for non-payment of services. I call immediately and I was told that this happened because I haven't paid my bill in over 2 years. I asked the customer service rep to investigate; she discovered that the bill was being mailed to the wrong address. The rep had no explanation why no attempt was made to contact me by phone at work or at home. =>

(If you need more space, use additional paper and attach to this form).

(-over-)

(cont.)

The rep also could not explain why the shutoff notice came to the service address.

- 1) The actions of P.G.W. falls in to the category of many types of negligence. From simple, gross, or even actionable negligence. The practice of ~~the~~ causing an excessive liability to be placed on a consumer because of their failure to act, should be illegal.
- 2) This obligation should not be a properly chargeable debt. Because of P.G.W. negligence I was never given an opportunity to avoid this excessive burden. I could have paid my monthly bills timely or I could have reduced my use of services. Because of P.G.W.'s failure to act, ~~it~~ prevented me from having the right to avoid this nuisance.
- 3) I believe the practice of P.G.W.'s constant billing of consumer's without any response especially over a 2 year period is a practice against the public interest. It's a practice of acting in bad faith. Finally I believe P.G.W. is really the party that's neglected their obligations, not me the consumer, for their failure to make any attempt to contact me about this mounting debt that I had no knowledge of.

4. What do you want the Public Utility Commission to do about your complaint?

- 1) I want to be absolved of these debts
- 2) Have P.G.W. change the practice of not contacting consumers, after 3 months of non-payment a secondary means of contact must be attempted.
- 3) Have P.G.W acknowledge its policy of allowing service to continue for over 2yrs without payment is a practice of negligence and bad faith, by acting as if its the consumer neglecting their responsibility. In this case, P.G.W. neglected its billing + contact information.
(If you need more space, use additional paper and attach to this form.)

5. You must sign and date your complaint below.

The information I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.

Cybil
Original Signature of complaining person

9/24/03
Date

6. If you are represented by a lawyer you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____
 Street _____
 City _____ State _____ Zip _____
 Telephone Number-Area Code () _____

NOTIFICATION OF INTENT TO APPEAL
(Request For Formal Complaint Forms)

Information to Customer:

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

If you want to appeal this decision, you must return this Notification of Intent to Appeal form within 20 days of 8/21/2003. The Commission will send you formal complaint forms.

You must comply with the terms of 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 pursue the termination of your service.

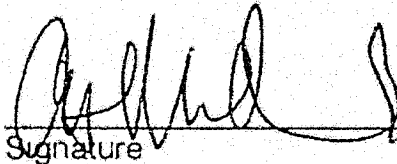
Thank You
Pennsylvania Public Utility Commission

I want to appeal the decision of the Bureau of Consumer Services. Please send formal complaint forms to me at the following address:

Customer name and address
(Please correct any mistakes.)

CALVIN MILLWOOD
6514 N 7TH STREET
3RD FLOOR
PHILADELPHIA PA 19126 - 3817

215-927-4413
Code) Telephone Number



Signature

This completed form to:

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

| | | | |
|--------------|------------------------|------------------|-----------|
| Case Number: | 1437022 | Date of mailing: | 8/21/2003 |
| Company: | PHILADELPHIA GAS WORKS | | |

RECEIVED
03 AUG 29 AM 8:14
SECRETARY'S BUREAU
PHILADELPHIA, PA



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

9/28/03

IN REPLY PLEASE
REFER TO OUR FILE

SEPTEMBER 8, 2003

ST 1437022

CALVIN MILLWOOD
6514 N 7TH STREET 3RD FLOOR
PHILADELPHIA PA 19126-3817

Dear Sir/Madam:

We have received your request to appeal the decision of the Bureau of Consumer Services.

We have enclosed one complaint form for you to complete. Please read carefully the instructions to help you complete the form.

**** Please make sure you sign the form. We must receive your original signature in order for us to process your complaint. Your form will be returned to you if an original signature is not received.**

Return the form to us on or before SEPTEMBER 28, 2003 to the address listed below:

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

While you wait for us to reach a decision on your complaint, you must pay all undisputed bills (ones that are not a part of your complaint). As long as you pay all undisputed bills and return these formal complaint forms to us on time, the company is not permitted to terminate your service.

Commission Procedures for Formal Complaints

- We send a copy of this letter to the company so they know you are appealing the Bureau of Consumer Services' decision;
- We also send the company a copy of your completed formal complaint forms. Once they receive it, they have 20 days to send us an answer to your complaint. The company will send you a copy of their answer.
- Once we receive all the paperwork, we usually will schedule your hearing before an Administrative Law Judge.

- We will notify both you and the company by mail when the hearing date is set.
- If you cannot travel to your hearing, you can request that the hearing be held by phone. This is called a telephonic hearing. If we can, we will schedule a telephonic hearing for you.
- We will most likely schedule your hearing sometime within three months after you file your complaint forms. If you know of certain dates when you will not be available for a hearing, let us know when you file your forms. We will try to work around your schedule.
- If you cannot attend the hearing on the scheduled date, you must request a different time or date. You should request the change at least 5 days before your hearing by writing to:

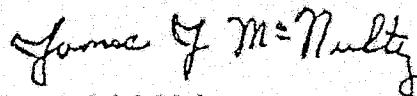
Office of Administrative Law Judge
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

YOU SHOULD INCLUDE YOUR DAYTIME TELEPHONE NUMBER IN YOUR LETTER. DEPENDING ON YOUR REASON FOR NOT BEING ABLE TO ATTEND THE SCHEDULED HEARING, YOUR REQUEST TO CHANGE THE HEARING MAY OR MAY NOT BE APPROVED. WE WILL LET YOU KNOW OUR DECISION ON YOUR REQUEST FOR CHANGING THE HEARING DATE BEFORE THE DATE OF THE HEARING.

YOU MUST ATTEND SCHEDULED HEARINGS IN PERSON OR BY PHONE. IF YOU DO NOT ATTEND, YOUR COMPLAINT MAY BE DISMISSED (THROWN OUT).

If you have any questions about the complaint process, please call the Bureau of Consumer Services, toll free, at 1-800-782-1110.

Very truly yours,



James J. McNulty
Secretary

dbb

CC: PHILADELPHIA GAS WORKS

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: OCTOBER 3, 2003

CALVIN MILLWOOD
Complainant

VS.

PHILADELPHIA GAS WORKS
Respondent

Complaint Docket
No: Z-01437022

DOCUMENT
FOLDER
DOCKETED
OCT 02 2003

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,

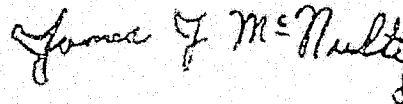
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, an answer (original and three copies), in writing, under oath, which, as 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

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P O BOX 3265, HARRISBURG PA 17105-3265

DATE SERVED: OCTOBER 3, 2003

Z-01437022

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

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by CALVIN MILLWOOD. 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.

DOCUMENT
FOLDER

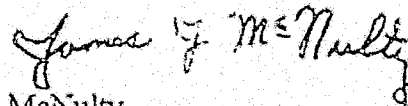
OCTOBER 3, 2003

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

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,

A handwritten signature in cursive script that reads "James J. McNulty". The signature is written in dark ink and is positioned above the printed name and title.

James J. McNulty
Secretary

JH



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

July 22, 2004

In Re: Z-01437022

(SEE ATTACHED LIST)

Calvin Millwood v. Philadelphia Gas Works

Billing / Service Dispute

Telephone Hearing Notice

This is to inform you that a hearing by telephone on the above-captioned case will be held as follows:

Type: Initial Telephone Hearing
Date: Monday, September 13, 2004
Time: 10:00 a.m.
Presiding: Administrative Law Judge Cynthia W. Fordham
1302 Philadelphia State Office Building
1400 West Spring Garden Street
Philadelphia, PA 19130
Telephone: (215) 560-2105
Fax: (215) 560-3133

If you have not provided a current telephone number where you can be reached for participation in the hearing OR YOUR AREA CODE HAS CHANGED, then you must contact the presiding officer at least 7 days before the actual hearing and provide the necessary information.

At the above date and time, the Presiding Officer will contact the parties as follows:

Calvin Millwood 215-927-4413
Laureto A. Farinas, Esquire 215-684-6982

DOCUMENT
FOLDER

RECEIVED
AUG 03 2004

If you have any hearing exhibits to which you will refer during the hearing, 3 copies must be sent to the Administrative Law Judge and 1 copy each must be sent to every other party. All copies must be received at least 3 days before the hearing.

Attention: You may lose the case if you do not take part in this hearing and present facts on the issues raised.

Except for those individuals representing themselves, the Commission's rules require that all parties have an attorney; therefore, you should have an attorney of your choice file an entry of appearance before the scheduled hearing.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission:

- Scheduling Office: (717) 787-1399.
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.

pc: Judge Fordham
Cherie Pyle
Beth Plantz
Docket Section
Calendar File

PLEASE DOCKET

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: September 7, 2004

SUBJECT: Certification of Satisfaction Filed
Z-01437022 Calvin Millwood v. Philadelphia Gas Works

TO: Wanda Zeiders,
Docket Management

FROM: Elizabeth L. Plantz, Scheduling Officer
Office of Administrative Law Judge

On October 24, 2003, a Certificate of Satisfaction was filed in the above-captioned proceeding by Laureto Farinas, Esquire. If no objection is filed to this certificate within 10 days of service, this proceeding will be closed.

All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

Attachment

pc: ALJ Cynthia W. Fordham
Beth Plantz
Case File
Calendar

DOCUMENT
FOLDER

DOCKETED
SEP 13 2004

Philadelphia Gas Works800 W. Montgomery Avenue, Philadelphia, PA 19122
Telephone: (215) 238-0500Laureto Farinas
Senior Attorney
Direct Dial: 215-684-6982
E-mail: laureto.farinas@pgworks.com

October 24, 2003

James McNulty, Secretary
Pennsylvania Public Utility Commission
Room B-20, North Office Building
Harrisburg, PA 17105-3265Re: Calvin Millwood v. PGW, Docket No. Z - 01437022

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.24(b), the Philadelphia Gas Works (PGW) certifies that the above referenced Complaint has been satisfied and the Complainant acknowledges that the Complaint has been satisfied. PGW and the Complainant have discussed the Complainant's concerns with his account and reached a settlement. With this discussion and settlement, the Complainant has indicated that he is satisfied with the resolution of this complaint.

By copy of this letter, I am notifying the Complainant of his right to object to any part of this settlement, in writing to the Public Utility Commission within ten (10) days of the date of this letter.

If additional information is needed about this matter, please contact me at my direct-dial number above. Thank you for your assistance.

Sincerely,

cc: Calvin Millwood
Anne CromleyDOCUMENT
FOLDER**DOCKETED**
SEP 13 2004



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PLEASE DOCKET

Office Of Administrative Law Judge
P.O. Box 3265, Harrisburg, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

September 7, 2004

In Re: Z-01437022

(See letter dated 7/22/04)

Calvin Milwood v. Philadelphia Gas Works

CANCELLATION NOTICE

This is to inform you of the following cancellation:

Type: Initial Telephonic Hearing
Date: Monday, September 13, 2004
Time: 10:00 AM
Location: Philadelphia, Pennsylvania
Presiding: Administrative Law Judge Cynthia W. Fordham

Please mark your records accordingly.

pc: Judge Fordham
Elizabeth L. Plantz, Scheduling Officer
Beth Plantz
Docket Section
Calendar File

DOCKETED
SEP 13 2004

DOCUMENT
FOLDER