

CAPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00 :
- 2. BUREAU: ALJ :
- 3. SECTION(S) : :
- 4. PUBLIC MEETING DATE: 00/00/00 :
- 5. APPROVED BY: DIRECTOR: SUPERVISOR: :
- 6. PERSON IN CHARGE: :
- 7. DATE FILED: 03/22/06 :
- 8. DOCKET NO: C-20066015 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: BURNS, KIMBERLY A.

RESPONDENT/APPLICANT: PHILADELPHIA GAS WORKS

COMP/APP COUNTY: PHILADELPHIA UTILITY CODE: 125042

ALLEGATION OR SUBJECT

COMPLAINANT STATES THERE WERE LATE PAYMENT CHARGES ADDED TO HER ACCOUNT THAT SHE HAD PREVIOUSLY CLOSED. SHE WANTS THE PJC TO HAVE THE COMPANY CREDIT HER ACCOUNT FOR ALL LATE PAYMENT CHARGES APPLIED AFTER THE ACCOUNT WAS CLOSED IN 2001.

DOCUMENT  
FOLDER

**DOCKETED**

MAR 23 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION RECEIVED

Formal Complaint Form

2006 MAR 22 AM 9:35

125042  
Please print or type.

C-20066015

PA P.U.C.  
SECRETARY'S BUREAU

1. CUSTOMER NAME (COMPLAINANT)

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

Name Kimberly A Burns

Street/P.O. Box 1904 South 15<sup>th</sup> St. Apt#

City Philadelphia State PA Zip 19145

County Philadelphia

Area Code/HOME Phone 215-551-4022

Area Code/WORK Phone ~~215-26~~ 267-402-1737

Utility Account Number 3113 216 124  
(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: Philadelphia Gas Works

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

(taxi, moving company, limousine)

TELEPHONE  
(local, long distance)



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)

Late payment charges added to a closed account.

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. The account was closed September 14, 2001. PGW applied late charges of approximately 18.29 per month until the account was paid in full on March 21, 2005. Currently, the policy of PGW is to discontinue late charges after 3 or 6 months when an account is closed. Once I was able to make payments, the full amount of the first five payments went to late payments, and a majority of the sixth, (Please see attached).

5. RELIEF

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

I ~~th~~ want the PUC to have PGW credit my account for all late payment charges ~~gr~~ applied after the account was closed in 2001.

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 Kimberly A. Burns, 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).

Kimberly A. Burns  
(Signature)

3/1/06  
(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.**

PAYMENTS FROM 01/01/1996 TO 05/04/2005

Account # 3113216124

Customer Name: BURNS, KIMBERLY

Customer Address: 1904 S 15TH ST/PHILA,PA

Bill Cycle: 19

**PAYMENTS**

Service Agreement ID	Pay Amount	Pay Date	Pay Status	Late Pay Charge	Utility Type	Grant Type	Pay Source Code
9961399123	\$404.85	03/18/2005	✓ F	\$0.00	G		REM
9961399123	\$500.00	03/07/2005	✓ F	\$0.00	G		REM
9961399123	\$200.00	03/05/2005	✓ F	\$47.55	G		REM
9961399123	\$55.00	11/12/2004	✓ F	\$0.00	G		REM
9961399123	\$140.00	09/20/2004	✓ F	\$123.87	G		PPC
9961399123	\$55.00	06/09/2004	✓ F	\$55.00	G		PPC
9961399123	\$55.00	02/11/2004	✓ F	\$55.00	G		REM
9961399123	\$55.00	01/26/2004	✓ F	\$55.00	G		REM
9961399123	\$55.00	12/29/2003	✓ F	\$55.00	G		REM
9961399123	\$110.00	11/24/2003	✓ F	\$110.00	G		REM
9961399123	\$1,214.74	10/02/2001	C	\$17.47	G		REM
9961399123	\$240.00	04/24/2001	F	\$0.00	G		REM
9961399123	\$*00.00	04/10/2001	F	\$15.06	G		REM
9961399123	\$533.50	03/12/2001	F	\$39.47	G		REM
9961399123	\$176.00	09/25/2000	F	\$12.16	G		PPC
9961399123	\$280.00	07/28/2000	F	\$18.46	G		PPC
9961399123	\$400.00	04/19/2000	C	\$0.00	G		PPC
9961399123	\$450.00	04/10/2000	F	\$15.64	G		PPC
9961399123	\$200.00	10/13/1999	F	\$19.20	G		PPC
9961399123	\$400.00	07/06/1999	F	\$25.98	G		PPC
9961399123	\$250.00	03/26/1999	F	\$0.00	G		REM
9961399123	\$82.00	10/30/1998	F	\$0.00	G		REM
9961399123	\$50.00	09/14/1998	F	\$0.00	G		REM
9961399123	\$50.00	08/07/1998	F	\$0.00	G		REM

check 160 KSC  
 check usbank vizes 2/09

13

4841.35  
 4441.35  
 Charges of 3811.01  
 + 163.44  
 3974.45  
 664.86

Late Pay Charge + Bills = 4475.87  
 28 10/03  
 28  
 +4  
 +3  
 501.92

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: March 23, 2006

KIMBERLY A. BURNS  
Complainant

v.

PHILADELPHIA GAS WORKS  
Respondent

Complaint Docket  
No: C-20066015

DOCUMENT  
FOLDER

DOCKET

MAR 23 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



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

IN REPLY PLEASE  
REFER TO OUR FILE

DATE SERVED: March 23, 2006

C-20066015

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 KIMBERLY A. BURNS. 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.

March 23, 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

ane

ORIGINAL

Philadelphia Gas Works



800 West Montgomery Avenue, Philadelphia, PA 19122  
Laureto A. Farinas, Senior Attorney  
Legal Department  
Direct Dial: 215-684-6982  
FAX: 215-684-6798  
E-mail: laureto.farinas@pgworks.com

April 5, 2006

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

**RE: Kimberly A. Burns v. PGW, Docket No. C – 20066015**

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. PGW and the Complainant have discussed the issues raised in the complaint and reached a settlement. With this discussion and settlement, the Complainant has indicated that she is satisfied with the resolution of this complaint.

By copy of this letter, I am notifying the Complainant of her 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,

Laureto Farinas

DOCUMENT  
FOLDER

cc: Kimberly A. Burns (Regular Mail)  
Cherie Pyle, Hearing Scheduler (via FAX)  
Wendy Vacca (PGW Mail)  
Linda Pereira (PGW Mail)  
Anne Marie Cromley (PGW Mail)

RECEIVED

APR 5 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

DOCKETED  
APR 10 2006

84

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

**DATE:** April 12, 2006  
**SUBJECT:** C-20066015  
Kimberly A. Burns v. Philadelphia Gas Works  
**TO:** Wanda Zeiders  
Docket Management  
**FROM:** Cherie Pyle, ALJ Support Staff  
Office of Administrative Law Judge

**DOCUMENT  
FOLDER**

On April 12, 2006, a Certificate of Satisfaction was filed in the above-captioned proceeding. 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: Herbert Nurick, Mediation Coordinator  
Beth Plantz  
Case File

**DOCKETED**  
APR 18 2006

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

DATE: April 12, 2006  
SUBJECT: C-20066015  
Kimberly A. Burns v. Philadelphia Gas Works  
TO: Wanda Zeiders  
Docket Management  
FROM: Cherie Pyle, ALJ Support Staff  
Office of Administrative Law Judge

DOCUMENT  
FOLDER

CORRECTED

On April 5, 2006, a Certificate of Satisfaction was filed in the above-captioned proceeding. 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: Herbert Nurick, Mediation Coordinator  
Beth Plantz  
Case File

DOCKETED  
APR 18 2006