

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: 03/22/06
8. DOCKET NO: C-20066030 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: GEORGE GAY REAL ESTATE INC

RESPONDENT/APPLICANT: PHILADELPHIA GAS WORKS

COMP/APP COUNTY: PHILADELPHIA

UTILITY CODE: 125042

ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT THERE ARE INCORRECT CHARGES ON HIS BILL AND HE WOULD LIKE FOR THEM TO BE REMOVED.

DOCKETED

MAR 24 2006

DOCUMENT
FOLDER

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

Please print or type.

C-20066030

SECRETARY'S OFFICE

2006 MAR 22 AM 9:31

1. CUSTOMER NAME (COMPLAINANT)

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

Name George Gay Real Estate, Inc

Street/P O Box 2029 Walnut Street Apt # _____

City Philadelphia State PA Zip 19103

County Phila

Area Code/HOME Phone _____

Area Code/WORK Phone 215-563-6724

Utility Account Number 3122244568
(from your bill)

DOCUMENT FOLDER

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name George B. Gay, Jr.

Street/P O Box 2029 Walnut St. IR

City Philadelphia State PA Zip 19103

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)

DOCKETED

MAR 24 2006

24

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. In June of 2002 \$199.90 was added to our office bill for final charges to 2218 Panama Street (acct. # 000438580885). We managed 2218 Panama for Edwin G. Carpenter from November, 1997 to July of 2000. At no time should the gas have been in our name. The house was rented and the tenant was responsible for the gas. The tenants were James Francis and Stacey Marks. When a bill for final charges was sent we gave it to Mr. Carpenter and he said that he paid the final charges of \$199.90 by credit card.

5. RELIEF

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

The \$199.90 is now up to \$329.94. We would like the charges removed from our office account.

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 Edward T Gay Jr, 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).

(Signature)

Edward T Gay Jr

(Date)

3/20/06

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.



PHILADELPHIA GAS WORKS
803 W MONTGOMERY AVENUE PHILADELPHIA PA 19122-0050

GAS LEAKS, EMERGENCIES, CALL 215-235-1212
INFORMATION, CALL 215-235-1000
APPLIANCE SERVICE, CALL 215-235-2950

SERVICE TO: **GEORGE B GAY JR**
2029 WALNUT ST, 1R

Invoice Number: 61976984255

Account Number: 3122244568
Account Type: GS Residential Heat and Domestic Page 1 of 1
Questions about your bill? Please call us before the Pay By date at 215-235-1000.
Or write to: PGW P.O. Box 3500, Phila., PA 19122-0050

20

TIENE PROBLEMAS CON SU FACTURA DE GAS? LLAME AL 215-235-2175

PLEASE PAY

259.86

PAY BY

07/24/02

To avoid finance charge

METER READING INFORMATION

PGW'S EZ READER VAN WILL READ YOUR METER Jul 26 2002
AMR device # 00006972552

Meter # 1850918 To Jun 27 2002 Actual 6415
From May 28 2002 Actual 6371
Current Bill Usage in Hundred Cubic Feet 44 CCF

STATEMENT OF ACCOUNT

Previous balance on: May 30 2002 76.62
Check Jun 20 2002 -- Thank you!# 76.62 CR
Balance Prior to Current Billing 0.00
Adjustments for SA ID # 9961779211
Transfer Balance 199.90
Total adjustments 199.90
Current Billing Charges -- SA ID: 9961779211 59.96
TOTAL ACCOUNT BALANCE ON: Jun 29 2002 259.86

CURRENT BILLING CHARGES -- 05/28/02 to 06/27/02

Old Account Number: 16006933028

Cost of Service Used
Customer Charge @ \$12.00 12.00
Commodity Charge 44 ccf @ \$0.74784 32.90
Gas Cost Rate 44 ccf @ \$0.20203, 3 days 0.89
Gas Cost Rate 44 ccf @ \$0.27932, 27 days 11.06
Commodity Credit 44 CCF @ -\$0.0185 0.81 CR
Pa Sales Tax 7% of \$56.04 3.92
Total Current Billing Charges 59.96

YOUR ENERGY USAGE

	usage	Billed days	usage	Average Daily temp	cost
This year	44.00 ccf	30	1 ccf	74.7	\$2.00
Last year	46.00 ccf	30	2 ccf	76.2	\$2.60

THANK YOU FOR PAYING YOUR BILL ON TIME.



PHILADELPHIA GAS WORKS

800 W MONTGOMERY AVENUE, PHILADELPHIA, PA 19122-0050

GAS LEAKS, EMERGENCIES: CALL 215-235-1212
INFORMATION: CALL 215-235-1000
APPLIANCE SERVICE: CALL 215-235-2050

SERVICE TO:

GEORGE B GAY JR
2218 PANAMA ST

Invoice Number: 19109598266

Account Number: 0438580885
Account Type:

Page 1 of 1

Questions about your bill? Please call us before the Pay By date at 215-235-1000.
Or write to PGW P O. Box 3500, Phila., PA 19122-0050

20

TIENE PROBLEMAS CON SU FACTURA DE GAS? LLAME AL 215-235-2175

PLEASE PAY

199.90

PAY BY

06/24/02

To avoid finance charge

STATEMENT OF ACCOUNT

Previous balance on:	Feb 27 2002	185.89
Less payments		.00
Balance Prior to Current Billing		185.89
Adjustments for SA ID # 9835476442		
Late Payment Charge		2.21
Total adjustments		2.21

TOTAL ACCOUNT BALANCE ON: May 30 2002 199.90

FINAL BILL NOTICE

The above statement shows an unpaid final billing. Prompt payment will be appreciated. If payment has been rendered, please accept our thanks.

September 16, 2002

Edwin G. Carpenter
3430 West Coulter St., Apt. 4455
Phila., PA 19129

Dear Mr. Carpenter,

We are enclosing a copy of our office gas bill. A few months ago a previous balance started to appear on the bill. We have been paying it on time every month and wondered why. After several phone calls we were told that past due charges from 2218 Panama Street were added on. We would appreciate it if you would look into this and straighten the matter up with PGW or send a check to our office to clear up the balance.

If you have any questions or concerns, please contact our office.

Very truly yours,

G. Gay, Jr.

George Gay Real Estate

ETG:mj
Enc:1

LEASE FOR RESIDENTIAL REAL ESTATE

The Landlord and the Tenant agree to lease the Property for the Term and at the Rent stated, as follows:

PARTIES: This lease is made on October 14, 1999 between the Tenant (s) James Francis and Stacey L. Marks, referred to as the "Tenant, and the Landlord George Gay, Agent for Registered Owner, referred to as the "Landlord", whose address is 2029 Walnut Street, Phila., Pa. 19103, And the Agent for the Landlord. The words Landlord and Tenant include all landlords and tenants named above.

PROPERTY: The tenant agrees to rent from the Landlord and the Landlord agrees to lease to the Tenant, the property in the City of Philadelphia, PA. known as 2218 Panama Street, referred to as the "Property".

RENT: The Tenant agrees to pay \$1200.00 as rent per month, to be paid the **FIRST** day of each month. The first payment of rent and any security payment is due upon or before the signing of this Lease by the Tenant. The Tenant must pay a late charge of **10%** for each payment that is more than **Seven Days** late. Rent is payable to George Gay, Agent at 2029 Walnut Street, Phila., PA. 19103..

SECURITY DEPOSIT: Tenant agrees to pay a Security Deposit of \$1200.00 held without interest for the first two years as per state code. This Security Deposit may not be used as rent at any time. **We have 30 days by state code to return security and will need a forwarding address.**

LAST MONTH'S DEPOSIT: Tenant agrees to pay \$1200.00 as the last month's rent of this lease or any renewal or extension of this lease. The last month's rent is not a Security Deposit. This is due before the tenant moves into apartment.

TERM: The term of this lease is ten months starting the first day of November 1999 and ending the last day of August 2000.

USE OF PROPERTY: The Tenant may use the Property only as a private residence.

NUMBER OF PERSONS: The maximum number of person (s) allowed under this lease is Two.

UTILITIES: The LANDLORD will pay for the following utilities:

(X) Cold Water () Hot Water () Electricity
() Heat () Gas () Snow Removal

The TENANT will pay for the following utilities:

() Cold Water (X) Hot Water (X) Electricity
(X) Heat (X) Gas (X) Snow Removal

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: March 24, 2006

GEORGE GAY REAL ESTATE INC
Complainant

v.

PHILADELPHIA GAS WORKS
Respondent

Complaint Docket
No: C-20066030

DOCUMENTS
FOLDER
DOCKETED

MAR 24 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 24, 2006

C-20066030

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 GEORGE GAY REAL ESTATE INC. 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.

DOCUMENT
FOLDER

March 24, 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

5

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APR 16 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION
PHILADELPHIA OFFICE

George Gay Real Estate Inc

v.

Philadelphia Gas Works

:
:
:
:
:
:

Docket No.: C-20066030

Answer of the Philadelphia Gas Works

DOCUMENT
FOLDER

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 the averment that there are incorrect charges on the Complainant's gas bill. The Complainant's gas bills are correct as rendered.

DOCKETED
APR 17 2006

(b) Admitted in part; denied in part. It is admitted that in June 2002 the final balance in the amount of \$199.90, from 2218 Panama Street, Philadelphia, PA (Previous Address) was transferred to the Complainant's active gas account.

PGW denies the averment that the gas account for the Previous Address should not be in the Complainant's name. By way of further answer, on November 16, 2000, PGW received a telephone call from the Complainant's office requesting that gas service remain on at the Previous Address under the Complainant's name.

PGW denies the averment that there were tenants at the Previous Address and strict proof thereof is hereby demanded at time of hearing.

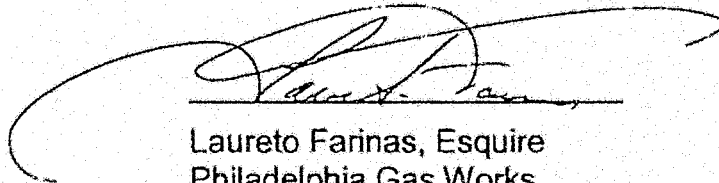
PGW denies the averment concerning the final bill from the Previous Address being paid by a credit card and strict proof thereof is hereby demanded at time of hearing.

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. PGW requests that, the Commission enter an Interim Order directing the Complainant to make payment of the current bill during the pendency of the hearing in this matter. PGW further requests that the Interim Order directing payment authorize PGW to terminate service if the Complainant fails to comply with that Interim Order.

Respectfully submitted,

April 11, 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: April 11, 2006



Laureto Farinas, Esquire

APR 11 2006
PA PUBLIC UTILITY COMMISSION

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:

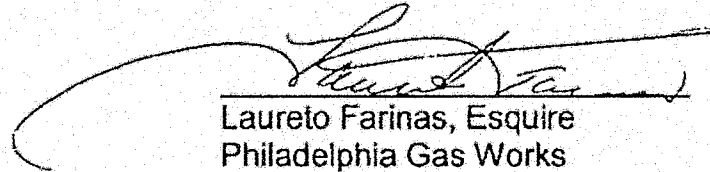
*George Gay Real Estate
2029 Walnut Street
Philadelphia, PA 19103*

Dated: April 11, 2006

RECORDED

APR 11 2006

PA PUBLIC UTILITY COMMISSION
PHILADELPHIA, PA



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