

ORIGINAL

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Carol Kirkpatrick,
v.
T.W. Phillips Gas and
Oil Company

Docket No.: C-20065955

DOCUMENT
FOLDER

Initial Telephonic
Hearing

Pages: 1 - 92

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State Office Building
11th Floor Hearing Room
300 Liberty Avenue
Pittsburgh, PA 15222

Tuesday, May 23, 2006
Commencing at 10:00 a.m.

BEFORE:

ROBERT P. MEEHAN, Administrative Law Judge

APPEARANCES:

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Montgomery, Crissman & Montgomery, Kubit &
Petrancosta
518 North Main Street
Butler, PA 16001
For the Complainant
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For the Respondent
(via telephone)

REPORTER: Juliette J. Hoffman

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87

INDEX TO WITNESSES

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
Bryan Colbert	10	26	28	30
Carol Kirkpatrick	36	51	59	
Jennifer Jones	61	88		

INDEX TO EXHIBITS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

<u>NUMBER</u>	<u>FOR IDENTIFICATION</u>	<u>IN EVIDENCE</u>
<u>For the Complainant:</u>		
A ✓ (Handwritten Spreadsheets)	41	42
B ✓ (Consumer Usage Report)	43	43
C ✓ (Bills)	45	45
D ✓ (2005 Tax Returns)	89	90
E ✓ (Welfare Documents)	89	90

<u>NUMBER</u>	<u>FOR IDENTIFICATION</u>	<u>IN EVIDENCE</u>
<u>For the Respondent:</u>		
A ✓ (Handwritten Ledger)	62	88
B ✓ (Meter Usage and Billing Information)	64	88
C ✓ (Consumer Usage Report)	71	88
D ✓ (Monthly Income/Expenses)	13	88
E ✓ (Account Activity)	18	88
F ✓ (EHF Letters)	21	88

P R O C E E D I N G S

1
2 -----
3 JUDGE ROBERT P. MEEHAN:

4 Okay. This is the date set by the
5 Pennsylvania Public Utility Commission for a hearing
6 by telephone on the complaint of Carol Kirkpatrick
7 against T.W. Phillips Gas and Oil Company at Docket
8 number C-20065955. I'm now going to attempt to
9 contact the Complainant at the number provided on the
10 formal complaint form as the home telephone number.
11 And this was also the number given to me by the
12 Commission on its letters of March 30th and April
13 20th, 2006 as the number to call to contact her for
14 today's hearing. And that is area (724)282-8281.

15 JUDGE MEEHAN:

16 Good morning. This is Judge Meehan with
17 the Pennsylvania Public Utility Commission calling for
18 the hearing on your complaint against T.W. Phillips
19 Gas and Oil Company. My number is area
20 (412)565-3550. Please call me back by 10:15 a.m. on
21 Tuesday, May 23. If I haven't heard from you by then,
22 the hearing will proceed without you. In the
23 meantime, I am going to attempt to contact your
24 attorney, Mr. Kubit. Thank you. Maybe she's there.

25 JUDGE MEEHAN:

1 This is Judge Meehan calling for Mr.
2 Kubit. I think we lost the connection here earlier.

3 ATTORNEY KUBIT:

4 Your Honor?

5 JUDGE MEEHAN:

6 Good morning.

7 ATTORNEY KUBIT:

8 Good morning, sir. How are you?

9 JUDGE MEEHAN:

10 I am fine. How are you?

11 ATTORNEY KUBIT:

12 Very well. Thank you. I'm sorry we had
13 a disconnect there.

14 JUDGE MEEHAN:

15 No problem. Let me ask you, is Ms.
16 Kirkpatrick there with you?

17 ATTORNEY KUBIT:

18 Yes, Your Honor, she is.

19 JUDGE MEEHAN:

20 Okay. I didn't know that, and I tried
21 calling the number on the hearing notice. So when she
22 gets home, there's going to be a message from me, but
23 she can ignore it.

24 MS. KIRKPATRICK:

25 Okay.

1 ATTORNEY KUBIT:

2 I'm sorry for the confusion, Judge.

3 JUDGE MEEHAN:

4 No problem. I'm going to put you on hold
5 while I call Mr. Dawson.

6 ATTORNEY KUBIT:

7 All right, sir. Thank you.

8 JUDGE MEEHAN:

9 Good morning. This is Judge Meehan with
10 the Public Utility Commission calling for Mr. Dawson.

11 ATTORNEY DAWSON:

12 Good morning. Jay Dawson.

13 JUDGE MEEHAN:

14 Good morning. Judge Meehan calling.

15 ATTORNEY DAWSON:

16 Good morning, Judge.

17 JUDGE MEEHAN:

18 How are you?

19 ATTORNEY DAWSON:

20 I'm fine. Thank you.

21 JUDGE MEEHAN:

22 Okay. I have Mr. Kubit and Ms.

23 Kirkpatrick on the other line, so hopefully we'll all
24 be connected here.

25 ATTORNEY DAWSON:

1 Okay. I'm going to put you on the
2 speakerphone, too.

3 JUDGE MEEHAN:

4 Okay. Why don't you do that first?

5 ATTORNEY DAWSON:

6 Can you hear me, Judge?

7 JUDGE MEEHAN:

8 Yes, I can. Let me see if I can join us
9 up with Mr. Kubit. Okay. This is Judge Meehan. Let
10 me just check I didn't lose anybody. Mr. Kubit?

11 ATTORNEY KUBIT:

12 Yes, sir. I'm present with Ms.
13 Kirkpatrick.

14 JUDGE MEEHAN:

15 All right. And Mr. Dawson?

16 ATTORNEY DAWSON:

17 Yes, sir.

18 JUDGE MEEHAN:

19 All right.

20 ATTORNEY DAWSON:

21 I'm here with two witnesses, Jennifer
22 Jones and Bryan Colbert.

23 JUDGE MEEHAN:

24 All right. For everyone's benefit, I
25 have you all on a speakerphone here and there is a

1 court reporter present who will make a transcript of
2 today's hearing if we have to do that. Before we
3 start that, let me ask ---. My practice in cases
4 involving billing disputes is to ask the parties when
5 I have everybody connected if they want to take some
6 time off the record to discuss the matter and see if
7 they can reach their own resolution of the dispute.
8 Mr. Kubit, do you want to take some time to have
9 discussion off the record with Mr. Dawson?

10 ATTORNEY KUBIT:

11 Your Honor, I thank you very much for
12 that opportunity. Mr. Dawson and I have spoken
13 yesterday, and we unfortunately weren't able to come
14 to a resolution. So I don't know --- unless Mr.
15 Dawson feels that there's some more room for movement
16 on behalf of the utility company, I don't know that
17 that would be very productive.

18 ATTORNEY DAWSON:

19 Yes, Your Honor. Mr. Kubit and I had a
20 conversation yesterday on two different occasions in
21 an effort to try to work out a compromise, and I'm
22 afraid we're quite a ways apart.

23 JUDGE MEEHAN:

24 All right. Then we'll proceed with ---.

25 ATTORNEY DAWSON:

1 Your Honor.

2 JUDGE MEEHAN:

3 Yes?

4 ATTORNEY DAWSON:

5 I've got a request that is a bit unusual,
6 but one of the two witnesses that I'm prepared to
7 present this morning, Bryan Colbert, is scheduled to
8 attend a conference at Pittsburgh, and he's got to
9 leave the office between a quarter to 11:00 and 11:00
10 this morning. And I was wondering if it would be
11 possible for me to present him as a witness first. I
12 realize we're going out of order here, but I'd like to
13 get his testimony in. His testimony concerns the
14 Energy Help Fund and Ms. Kirkpatrick's participation
15 as a --- activity as a participant in the Energy Help
16 Fund from April 2002 to May 2003. I think I can get
17 through his testimony in a matter of 20 minutes or a
18 half an hour. I'd like to have an opportunity to do
19 that before and let him go before he leaves for his
20 meeting in Pittsburgh.

21 JUDGE MEEHAN:

22 Mr. Kubit?

23 ATTORNEY KUBIT:

24 Your Honor, I would have no objection to
25 that. I could assure the Court that I don't expect to

1 be any longer than 15 minutes at maximum with
2 Kirkpatrick, but I'll leave that up to the Court to
3 make a decision on that, of course.

4 JUDGE MEEHAN:

5 All right. All right, Mr. Dawson, then
6 we'll take your witness first.

7 ATTORNEY DAWSON:

8 Thank you, Your Honor.

9 JUDGE MEEHAN:

10 All right.

11 -----
12 BRYAN COLBERT, HAVING FIRST BEEN DULY SWORN, TESTIFIED
13 AS FOLLOWS:
14 -----

15 DIRECT EXAMINATION

16 BY ATTORNEY DAWSON:

17 Q. Would you state your name for the record, please?

18 A. Sure. My name is Bryan Colbert.

19 Q. And are you employed by T.W. Phillips?

20 A. Yes.

21 Q. And what is your position with T.W. Phillips?

22 A. Energy Help Fund administrator.

23 Q. And would you briefly describe your
24 responsibilities in that capacity?

25 A. In that capacity, I work with ---.

1 JUDGE MEEHAN:

2 You're going to have to move a little
3 closer to the microphone, and you're going to have to
4 slow down. Speak a little bit slower.

5 A. Okay. My position is Energy Help Fund
6 administrator.

7 BY ATTORNEY DAWSON:

8 Q. And would you briefly describe your
9 responsibilities?

10 A. Yes. I administer the Energy Help Fund program.
11 I work with the customers. I also handle the
12 weatherization program here at T.W. Phillips.

13 Q. Okay. Would you just briefly describe T.W.
14 Phillips' Energy Help Fund and what its benefits are
15 to eligible customers?

16 A. The Energy Help Fund is a payment plan that offers
17 the customer an arrearage forgiveness component, a
18 discounted customer service charge and a discounted
19 delivery rate.

20 Q. And would you describe who is eligible to
21 participate in the Energy Help Fund?

22 A. Customers between 0 and 150 percent of the federal
23 poverty guidelines.

24 Q. Okay. And what are the requirements or
25 expectations of the customers if they enter the Energy

1 Help Fund program?

2 A. The expectations would be that the customers make
3 timely monthly payments through the program and inform
4 myself as to changes of monthly income.

5 Q. Okay. Was the Complainant in this proceeding,
6 Carol Kirkpatrick, ever a participant in T.W.
7 Phillips' Energy Help Fund?

8 A. Yes.

9 Q. And when did that occur?

10 A. April 2002 until May 2003.

11 Q. And why did her participation in the Energy Help
12 Fund program end in May of 2003?

13 A. She failed to make her discounted Energy Help Fund
14 monthly payment as required in the program.

15 Q. Now, how does a customer go about applying for the
16 Energy Help Fund?

17 A. They can apply by calling me, and we can do an
18 application, or many of our various social service
19 agencies do screenings for these customers, and
20 they'll telephone me on their gas.

21 Q. And what sort of customer --- or what is the
22 profile of the customer who is eligible to participate
23 in the Energy Help Fund?

24 A. We seek to involve customers with low incomes and
25 account arrearages because our program is designed to

1 help the eligible low-income customers not only reduce
2 their current bill of usage, but also to earn a
3 monthly credit against their past due balance every
4 month that they pay their discounted Energy Help Fund
5 bill on time and in full.

6 Q. All right. Can you tell me how many T.W. Phillips
7 customers are presently participants in the Energy
8 Help Fund program?

9 A. Right now we have approximately 971 low-income
10 customers participating in our program.

11 Q. All right. Did you check Ms. Kirkpatrick's income
12 to see if she was eligible before she was enrolled as
13 an Energy Help Fund participant in April of 2002?

14 A. Yes.

15 (Defendant's Exhibit D marked for
16 identification.)

17 BY ATTORNEY DAWSON:

18 Q. I would like to refer you to a package of
19 documents that have been marked for purposes of
20 identification as T.W. Phillips Exhibit D, and ask you
21 to identify them, please.

22 JUDGE MEEHAN:

23 Excuse me. Is that B as in boy?

24 ATTORNEY DAWSON:

25 Yes. I'm sorry. D as in dog, Your

1 Honor. Again, since we're going out of order --- the
2 first witness is sponsoring Exhibits A, B and C. Mr.
3 Colbert is sponsoring Exhibits D as in dog, E and F.

4 JUDGE MEEHAN:

5 Thank you.

6 BY ATTORNEY DAWSON:

7 Q. Mr. Colbert, would you identify in general what
8 these documents are in Exhibit D?

9 A. Sure. These are eight sets of two pages, each
10 separate set monthly income and expense data supplied
11 by the Complainant for March 2002 until January 2006.

12 Q. Is the information contained in these records true
13 and correct to the best of your knowledge and belief?

14 A. Yes.

15 Q. Okay. Now, referring to the first two pages of
16 Exhibit D, are these first two pages a record of a
17 monthly income and expense information T.W. Phillips
18 obtained from the Complainant in March 2002 before she
19 entered the Energy Help Fund program the following
20 month?

21 A. Yes.

22 Q. Would you explain what these first two pages show?

23 A. Okay. The first two pages contain income and
24 expense information that T.W. Phillips obtained from
25 the Complainant on March 6th, 2002. The date the

1 information was taken is shown at the bottom of the
2 second page of each of these records. Referring to
3 the first page, the Complainant reported a monthly
4 income of \$205 a month from public assistance, \$135
5 from food stamps. However, monthly expenses are
6 \$1,452.

7 Q. Obviously, she'd qualify for Energy Help Fund
8 participation at that income level; is that correct?

9 A. Yes.

10 Q. All right. Now, did T.W. Phillips periodically
11 check with the Complainant to update her monthly
12 income and expense information to confirm her
13 continued eligibility for Energy Help Fund?

14 A. Yes, sir. We regularly update the income and
15 expense information to determine eligibility for
16 Energy Help Fund, and also other assistance programs
17 that use income to determine eligibility.

18 Q. Okay. I'd like to go through the remaining ---
19 very briefly, the remaining parts of Exhibit D. The
20 next page refers to income and expense. It looks like
21 it was obtained on September 15, 2003. Would you
22 describe the information set forth on these pages,
23 please?

24 A. Surely. We show income from public assistance of
25 \$205 monthly. We show rental income at \$495 a month,

1 and income from mom at \$855 monthly, and that totals
2 \$1,555 a month in income.

3 Q. Okay. Now, looking at the next sheet, is that
4 information that was obtained in March of 2004?

5 A. Yes. March 2004, we show income coming from a
6 source of rental income at \$500 per month, public
7 assistance at \$205 a month, bringing a total of \$705 a
8 month in income.

9 Q. Was food stamps still a part of the equation?

10 A. Food stamps are still there.

11 Q. Okay. Moving onto the next two-page group, is
12 this information that was obtained from the
13 Complainant in July of 2004?

14 A. July 2004, yes, sir. We show at this point in
15 time rental income as a source of income for the
16 Complainant at \$500 a month.

17 Q. Are there any food stamps shown?

18 A. Yes, food stamps are still there.

19 Q. And what, again, is the specific date that this
20 information was obtained?

21 A. We're at July 16, 2004.

22 Q. Okay. And where is that shown on the second page?
23 You mentioned it shows on the second page.

24 A. The second page. It'll be the next to the last
25 line on the second page, which says date taken.

1 Q. Now, what about the income/expense information
2 that was obtained in October of 2004?

3 A. Okay. October 2004, we still show rental income
4 \$500 a month, same food stamp amount as well.

5 Q. All right. And that was obtained on what date?

6 A. This would have been October 12, 2004.

7 Q. All right. Moving on to the information secured
8 in December of 2004, could you identify that?

9 A. Yes, sir. December 21, 2004, we show rental
10 income \$500 a month. We still show the same in food
11 stamps.

12 Q. Okay. Moving on to June of 2005, would you please
13 describe this information?

14 A. June 17, 2005, we show public assistance income at
15 \$205, rental income at \$495, income of \$855 from mom,
16 totaling \$1,555 as income.

17 Q. Is food stamps still shown here as well?

18 A. Yes, sir.

19 Q. All right. Moving on to the information obtained
20 in January of 2006, would you describe this, please?

21 A. Okay. January 13, 2006, we show no source of
22 income, and monthly expenses of \$242 a month in
23 income. That was obtained January 13, 2006.

24 Q. And what about the food stamps?

25 A. Food stamps are still there. They've increased to

1 \$152 a month.

2 Q. Okay. And is that the extent of the
3 income/expense information --- monthly income/expense
4 information that T.W. Phillips secured from the
5 Complainant during the period mentioned, March of 2002
6 to January 2006?

7 A. Yes.

8 Q. Now, do you have a record of the Complainant's
9 participation in the Energy Help Fund program?

10 A. Yes. We have records that show the discount in
11 EHF monthly bills and payments received from the
12 Complainant while she was a participant, along with
13 the monthly credits that were applied against her
14 account every time her EHF payment was received in
15 full and on time.

16 (Defendant's Exhibit E marked for
17 identification.)

18 BY ATTORNEY DAWSON:

19 Q. Okay. I'd like to refer you, please, to documents
20 that have been marked for identification purposes as
21 T.W. Phillips Exhibit E. That's E as in easy. And
22 would you identify these documents, please?

23 A. Surely. We have a record of the account activity
24 during the period that she was enrolled in Energy
25 Help Fund.

1 Q. And were these records prepared at your direction?

2 A. Yes, sir.

3 Q. And are they true and correct to the best of your
4 knowledge?

5 A. Yes.

6 Q. Now, would you please refer to Exhibit E, which is
7 a four-page document, and take us through a
8 description of the Complainant's experience as an EHF
9 participant in terms of her payments and credits and
10 that sort of thing?

11 A. Okay. The Complainant qualified as an Energy Help
12 Fund participant back in March 2002. On the first
13 page of Exhibit E, she made her first EHF discounted
14 monthly payment of \$25 on time, April 2nd, 2002. On
15 the next day, her account was credited \$12.76 to
16 reduce her account arrearage. Another EHF payment,
17 \$25, was received on May 8th, 2002, with the same
18 credit being applied the next day. The same EHF
19 payments and credits will show up for June, July and
20 August 2002. In September 2002, her Energy Help Fund
21 bill increased to \$29, but her payment on September 9,
22 2002 was only for \$25. I called her to tell her that
23 she was \$4 short, and she understood that, and then
24 she agreed to make up the additional payment, but it
25 was not received. So her \$12.76 credit was not

1 applied for her account in September 2002.

2 The October 2002 Energy Help Fund bill
3 was \$28, which she paid on time. And on October 9,
4 2002, the next day, the credit was applied. The next
5 four months, the Energy Help Fund bill increased as
6 gas costs increased, but the Complainant made the
7 payments of \$29, \$32, \$37 and \$51 in November,
8 December, January and February on time every month,
9 and the corresponding credits were applied to her
10 account every month a day or so after each payment was
11 received.

12 Q. Now, does the situation change in March of 2003?

13 A. Yes. As gas prices continued to increase, the
14 Complainant's monthly Energy Help Fund payment
15 increased to \$67 in March 2003. But her payment on
16 March 11, 2003 was only for \$30, so I contacted her to
17 tell her that she was \$37 short. That shortage was
18 paid April 8th, 2003, but because of the delay, no
19 credit was applied. Technically, because she had
20 missed that payment, the Complainant was removed from
21 the Energy Help Fund program at the end of March, but
22 I restored her in April when the \$37 catch-up payment
23 was received on April 8th, 2003.

24 In May of 2003, her Energy Help Fund bill
25 increased to \$106. A \$50 payment was received from

1 the Complainant on May 12th, 2003, but no further
2 payments were received and the Complainant was removed
3 from the program in May 2003 for failure to make the
4 timely Energy Help Fund monthly payment. The final
5 automatic credit of \$12.76 had been applied to her
6 account February of 2003, immediately after the last
7 times she made her Energy Help Fund monthly payment on
8 time and in full.

9 Q. Did you make any effort to encourage the
10 Complainant to make the additional \$56 payment that
11 was necessary to satisfy her May 2003 payment
12 obligation, and thus remain an active participant in
13 the Energy Help Fund program?

14 A. Yes.

15 (Defendant's Exhibit F marked for
16 identification.)

17 BY ATTORNEY DAWSON:

18 Q. I'd like you to refer, please, to the document.
19 It's a three-page document that's been identified as
20 T.W. Phillips Exhibit F, as in fox. And would you
21 please identify these documents?

22 A. Yes. These are documents pertaining to the May
23 2003 bill due date.

24 Q. Okay. Are the documents true and correct to the
25 best of your knowledge?

1 A. Yes.

2 Q. Would you please go through and explain the
3 documents that comprise T.W. Phillips Exhibit F?

4 A. Okay. The first page is a copy of my May 21st
5 letter to the Complainant, which encouraged her to
6 make the \$56 catch-up payment to satisfy her EHF
7 payment obligation for May 2003. When we did not
8 receive that payment, a second letter dated May 27,
9 2003 went out to inform the Complainant she'd been
10 removed from the program for failure to make the
11 timely payment in full.

12 Q. And that's what's constituted by the second page
13 of Exhibit F?

14 A. Yes.

15 Q. Did the Complainant ever contact you during this
16 period?

17 A. Not until June 6th of 2003. She telephoned and
18 informed me that she tried to get help from social
19 service agencies to pay this \$56. My intention was to
20 restore her to the program in July had she made the
21 \$56 payment. However, that payment never came.

22 Q. Did the Complainant ever provide any explanation
23 or reasons for her payment delays and shortfalls in
24 March, April or May of 2003?

25 A. No.

1 Q. Now, would you explain, finally, the third page of
2 Exhibit F?

3 A. Sure. The third page is a copy of our bill to the
4 Complainant for the month ending April 21, 2003, which
5 shows the \$106 discounted EHF payment that is due on
6 May 20, 2003. As I indicated earlier, only a \$50
7 payment was received. That was received on May 21 ---
8 May 12th of 2003, and the balance was never paid. So
9 the Complainant was removed from Energy Help Fund.

10 Q. Okay. In the absence of timely Energy Help Fund
11 payments, was the Complainant eligible to continue
12 receiving the monthly credits from the Energy Help
13 Fund program against her arrearage?

14 A. Absolutely not, because the terms of the Energy
15 Help Fund are clear. The monthly credits against the
16 customer's account arrearage are applied only after a
17 timely payment of the full discounted Energy Help Fund
18 monthly bill is received. As pointed out earlier,
19 every time the EHF payment was received in full and on
20 time, the credit was applied the next day. For the
21 Complainant, she received such a credit after her
22 timely EHF payment in February of 2003, and she was
23 removed from the program for non-payment in May 2003,
24 hence, no longer eligible to receive the Energy Help
25 Fund credit.

1 Q. And was the May 27th letter --- May 27th, 2003
2 letter that you referred to earlier the formal
3 notification to her that she had been removed from the
4 program ---

5 A. Yes.

6 Q. --- for non-payment? Is that correct?

7 A. Yes.

8 Q. Based upon the monthly income information you
9 testified about earlier with respect to Exhibit D, if
10 the Complainant had continued to pay her discounted
11 Energy Help Fund bills on time every month, would she
12 have necessarily continued to qualify as an Energy
13 Help Fund participant from an income standpoint?

14 A. No, because when the monthly income increased to
15 \$1,555 in September 2003 and again in June of 2005,
16 she no longer would have been eligible to remain in
17 the program, at least until such time that her income
18 would have been reduced and gone back down.

19 Q. So at the very least, there would have been
20 interruptions in her EHF or Energy Help Fund
21 eligibility while she was earning that higher level of
22 income?

23 A. Right. Yes.

24 Q. If the Complainant were to be considered --- to
25 become a new --- or resume her participation in the

1 Energy Help Fund program today, do you have any idea
2 what her monthly payment would likely be if she were
3 to resume her participation in the Energy Help Fund?

4 A. Well, it'd be difficult to say without precise
5 information regarding the monthly income. But if she
6 would be at an income level to qualify for public
7 assistance and if she would continue to receive energy
8 assistance at the level she's currently received, I
9 would anticipate and expect an Energy Help Fund
10 payment to be less than \$150 on a monthly basis.

11 Q. And is that monthly payment adjusted based upon
12 gas costs, usage and that sort of thing?

13 A. Yes.

14 Q. Are those adjustments reflected in your previous
15 testimony where you went through a history of the
16 Complainant's participation in the Energy Help
17 Program?

18 A. Yes.

19 ATTORNEY DAWSON:

20 That's all the questions I have for this
21 witness, Your Honor.

22 JUDGE MEEHAN:

23 All right. Mr. Kubit, any Cross
24 Examination?

25 ATTORNEY KUBIT:

1 Yes, sir. I have a few questions for Mr.
2 Colbert.

3 CROSS EXAMINATION

4 BY ATTORNEY KUBIT:

5 Q. Sir, the information that you have entered or ---
6 actually not entered, but information that's set forth
7 in Exhibit D that Mr. Dawson had you referring to, how
8 was that information obtained?

9 A. In Exhibit D, that would be by telephone of the
10 Complainant calling in.

11 Q. Okay. And did you speak with the Complainant
12 directly?

13 A. No. These were phone calls into the customer
14 service after her removal from the program. But they
15 were from the Complainant.

16 Q. So the exhibit data is entered then by a staff
17 member there at T.W. Phillips?

18 A. Exactly.

19 Q. Okay. So you have no personal knowledge of the
20 accuracy of any of these figures; is that correct?

21 A. I have knowledge of accuracy of the March 2002.

22 Q. Is that the only one?

23 A. That's the one that was acted upon to get her into
24 my program.

25 Q. Okay. But you can't speak for the others?

1 A. No, because I did not personally take those calls.

2 Q. Okay. Fair enough. Sir, are you aware that in
3 the spring of 2003, there was a problem with gas
4 service supplied to my client's premises --- supplied
5 to my client and some neighboring properties that
6 required T.W. Phillips to do some excavation and line
7 repairs?

8 A. No.

9 Q. So you have no knowledge of there being any issue
10 regarding my client having her service interrupted,
11 which resulted in a problem with the stove that she
12 had to get somebody to come out and fix at her home,
13 nor are you aware that there was excavation done on
14 her premises that required remedial work to restore
15 the premises that my client asked T.W. Phillips to
16 reimburse her for but that wasn't done? You're not
17 aware of any of that?

18 A. No.

19 Q. But your testimony that in May of 2003 when the
20 payment didn't come --- my client's payment didn't
21 come to T.W. Phillips, that's when she was taken off
22 the EHF program; is that correct?

23 A. That's correct.

24 Q. Okay. Do you have your file there with you, sir?

25 A. Yes.

1 Q. Would it be of practice of T.W. Phillips that if
2 my client would have contacted somebody there to
3 request reimbursement for expenses that she had to
4 incur that were associated with repairs made by T.W.
5 Phillips that were not done satisfactorily, would
6 there be a reference in your file for that?

7 A. No.

8 Q. Okay.

9 ATTORNEY KUBIT:

10 Thank you, sir. I don't have any more
11 questions for you.

12 A. Okay.

13 JUDGE MEEHAN:

14 Mr. Dawson, any Redirect?

15 ATTORNEY DAWSON:

16 Yes, just one follow-up, Your Honor.

17 REDIRECT EXAMINATION

18 BY ATTORNEY DAWSON:

19 Q. Mr. Colbert, you testified earlier concerning the
20 T.W. Phillips practice of gathering income and expense
21 information from customers and recording that
22 information. Is there a standard practice or
23 procedure that T.W. Phillips personnel are trained to
24 follow in terms of gathering and recording the
25 information from customers pertaining to their income

1 and expense?

2 A. Well, when a customer calls in, we'll update the
3 customer's income and expense information after that
4 phone call.

5 Q. And is there a practice or procedure that the
6 customer service personnel are trained to follow in
7 terms of gathering that information?

8 A. Yes.

9 Q. When a customer service representative such as
10 yourself seeks to obtain information about a customer
11 concerning the customer's account, concerning the
12 customer's income and expense, are they trained to
13 refer to and rely upon the information that is
14 gathered and record it in respect to the customer's
15 account?

16 A. Yes.

17 Q. And is the income and expense information to which
18 you testified, which comprised of the contents of
19 Exhibit D, the result of the income and expense
20 information gathered from the customer in accordance
21 with that procedure?

22 A. Yes.

23 ATTORNEY DAWSON:

24 Thank you. I have no further questions,
25 Your Honor.

1 JUDGE MEEHAN:

2 Anything further for Mr. Colbert, ---

3 ATTORNEY KUBIT: .

4 Just briefly, Your Honor.

5 JUDGE MEEHAN:

6 --- Mr. Kubit?

7 RE CROSS EXAMINATION

8 BY ATTORNEY KUBIT:

9 Q. The last question Mr. Dawson asked, sir, that is,
10 whether you were aware of whether the information set
11 forth in the documents compiled in Exhibit D was
12 obtained from telephone conversations with Ms.
13 Kirkpatrick, again, you can't say where that
14 information came from; can you?

15 A. Yes. It came from her phone calls in to customer
16 service.

17 Q. But you have no personal knowledge of the accuracy
18 of the data; is that correct?

19 A. It's whatever she reported to the customer service
20 rep at the time of the phone call.

21 ATTORNEY KUBIT:

22 Fair enough, sir. Thank you.

23 JUDGE MEEHAN:

24 All right.

25 ATTORNEY KUBIT:

1 No more questions, Your Honor.

2 JUDGE MEEHAN:

3 All right. Is there anything further for
4 Mr. Colbert?

5 ATTORNEY DAWSON:

6 No, Your Honor. I do appreciate your
7 willingness to take our witness out of order, and I
8 apologize to Mr. Kubit for any confusion it may have
9 caused in the presentation of his case. I appreciate
10 the consideration.

11 ATTORNEY KUBIT:

12 There is no problem at all, sir. It was
13 not an issue.

14 JUDGE MEEHAN:

15 All right. Mr. Colbert, then, may be
16 excused.

17 ATTORNEY DAWSON:

18 Okay. Thank you.

19 JUDGE MEEHAN:

20 Mr. Kubit?

21 ATTORNEY KUBIT:

22 Thank you, Your Honor. Your Honor,
23 briefly if I may just summarize what I believe the
24 testimony is going to show here, Your Honor, is that
25 my client was on the EHF program, and she had and has

1 currently limited income, extremely limited income.
2 And that when an incident occurred in the spring of
3 2003 whereby gas service was interrupted, it led to my
4 client's stove breaking, her heating stove --- or not
5 heating stove, excuse me --- her kitchen stove
6 breaking. That required her to hire a repairman to
7 come out and fix it after gas service was restored and
8 a yard was torn up, and despite repeated requests,
9 T.W. Phillips wouldn't address the problems. And it
10 was a safety issue, and my client went ahead and hired
11 somebody to fix it, and that put her behind in terms
12 of being able to cover her bills.

13 She made the attempts to have this
14 redressed by T.W. Phillips, was made some assurances
15 that that was going to happen, and it didn't. So she
16 made the error, candidly, Judge, of starting to take
17 --- to allow her bill to go into arrears, considering
18 those costs that she had laid out, and believed,
19 reasonably, were the obligation of T.W. Phillips. It
20 started to snowball at that point, and she just simply
21 didn't have the ability to pay the bills to get the
22 stuff fixed and keep up with her EHF agreed-upon
23 payments. I say she made a mistake. I don't know
24 what she could have done to alleviate that problem
25 since she only had so much money to go around, but

1 that's what ended up happening here.

2 And Your Honor, that began, as we said, where it
3 started to snowball after that late fee started
4 running up. She lost EHF benefits. She lost grants.
5 And that all accumulatively --- it just continued to
6 grow exponentially, and that's how we got where we
7 are. My client's prepared. She has the numbers that
8 she believes are the correct numbers that should be
9 applied to this situation. And she's prepared to
10 borrow the money to be able to bring current today if
11 that is what the Court ultimately determines. So
12 without further ado, if I may present testimony
13 directly from Ms. Kirkpatrick. I just wanted to kind
14 of give the Court and Mr. Dawson a thumbnail of what,
15 you know, our position is here.

16 JUDGE MEEHAN:

17 All right.

18 -----
19 CAROL KIRKPATRICK, HAVING FIRST BEEN DULY SWORN,
20 TESTIFIED AS FOLLOWS:
21 -----

22 A. Can you hear me?

23 JUDGE MEEHAN:

24 I can. Mr. Kubit?

25 ATTORNEY KUBIT:

1 Yes, sir.

2 ATTORNEY DAWSON:

3 Your Honor, may I just make an opening
4 comment before Mr. Kubit begins?

5 JUDGE MEEHAN:

6 Go ahead.

7 ATTORNEY DAWSON:

8 In response to some of his statements
9 early on, I just wanted to point out that we did file
10 a motion to dismiss this complaint, as you know, along
11 with our Answer. And in the response to that motion
12 to dismiss, the Court issued an interim Order on April
13 12th, 2006, which granted the motion to dismiss with
14 respect to two aspects of her complaint, and that was
15 the two bills identified as the Intivich bill and the
16 Danik bill. And they pertained to the dispute over
17 the excavation and the dispute over the stove to which
18 Mr. Kubit has referred. And I just wanted to remind
19 the Court and Mr. Kubit that the motion to dismiss was
20 granted with respect to those two aspects of Ms.
21 Kirkpatrick's complaint. So I do not believe that the
22 subject matter of those two bills should be admissible
23 in the context of this proceeding.

24 ATTORNEY KUBIT:

25 Your Honor, if I may respond to that?

1 JUDGE MEEHAN:

2 Mr. Kubit?

3 ATTORNEY KUBIT:

4 Thank you, Judge. Your Honor, we're not
5 at this juncture seeking to double dip or get anything
6 additional or be given any additional credit as a
7 result of the Intivich bill or the Danik bill dealing
8 with the excavation and the stove repair. The only
9 reason we'd be referencing that is to offer an
10 explanation why this whole thing came to where it did.

11 Indeed, Your Honor, we would agree that
12 the jurisdiction of the Commission is not directly
13 dealing with those two bills. In fact, the magistrate
14 --- in a separate proceeding, the district magistrate
15 in the local jurisdiction here had awarded Ms.
16 Kirkpatrick --- made an award to her for the amount of
17 the excavation repairs. The stove repair wasn't
18 addressed, but my client is not seeking redress for
19 that. The only reason we'd even be mentioning it is
20 because that's what started this whole --- that was
21 the impetus for how this snowball started to roll. In
22 fact, whenever we come to the end of the hearing ---
23 or excuse me, end of my client's testimony when she
24 talks about what she actually believes she owes back
25 to T.W. Phillips, it's going to --- she's going to be

1 adding back in the money she receives from T.W.
2 Phillips as a result of the judgment, and is walking
3 away from the fee for the bill that has to do with the
4 stove. So I just want to clarify, Your Honor, it's
5 only offered by way of explanation to why this whole
6 thing started.

7 JUDGE MEEHAN:

8 For that limited purpose, since we're not
9 going to re-litigate, and we couldn't litigate in this
10 proceeding anyway, those two issues, that testimony
11 will be allowed.

12 ATTORNEY KUBIT:

13 Thank you, Judge.

14 JUDGE MEEHAN:

15 All right, Mr. Kubit.

16 ATTORNEY KUBIT:

17 Thank you, Your Honor.

18 DIRECT EXAMINATION

19 BY ATTORNEY KUBIT:

20 Q. Ma'am, will you state your name, please?

21 A. Carol Kirkpatrick.

22 Q. And are you the Complainant in this matter?

23 A. Yes, sir.

24 Q. Ma'am, as of the fall of 2002 and for some time
25 prior to that, had you been a customer of T.W.

1 Phillips Gas and Oil Company?

2 A. Yes.

3 Q. And did you receive gas service from them?

4 A. Yes.

5 Q. Okay. And you heard testimony that you were part
6 of an EHF program. Was that accurate?

7 A. Yes.

8 Q. Okay. As to your being in the program. Now,
9 ma'am, had you been, as Mr. Colbert testified, making
10 your payments in accordance with the plan?

11 A. I believe so, yes.

12 Q. Okay. And at some point in time in the spring of
13 2003, was there any event which affected your ability
14 to continue to make those payments?

15 A. Actually in January of 2003, on or about the 21st
16 of January, there was an interruption in the gas due
17 to water in the line. T.W. Phillips came out, up the
18 front yard, ran a temporary line so that we'd have
19 gas. When I relit the stove, there was water in the
20 line and it blew up the igniter. I had to have that
21 replaced. And then we had gas for a day or two, and
22 then it went out again. And they had to come back,
23 and it turned out that the water leak was actually
24 across the street. So they ran another temporary line
25 until they got it all fixed.

1 Q. Okay. And at some point in time, T.W. Phillips
2 fixed the line; is that correct?

3 A. Yes.

4 Q. Okay. And you said the igniter went bad. Did you
5 have to hire somebody to fix that?

6 A. Yes. I had to call a gentleman that's very
7 experienced in that. He made an emergency run up to
8 Lowe's and got the missing parts and went above and
9 beyond, yes.

10 Q. Okay. But he fixed it?

11 A. Yes.

12 Q. Did he charge you to fix it?

13 A. Yes.

14 Q. How much money did he charge you?

15 A. \$60.94.

16 Q. All right. Were there any other bills that you
17 incurred that were in any way associated with that
18 event there with the T.W. Phillips gas line outside
19 your home?

20 Q. Yes. There was a huge hole that was six by seven
21 foot that they dug in the front yard, and instead of
22 putting back the dirt that they took out, they filled
23 it with large slag that was sharp and dangerous.

24 Q. Did you make a request to T.W. Phillips as to
25 whether they were going to put the yard back the way

1 it was supposed to be?

2 A. Yes.

3 Q. Did that ever happen?

4 A. No.

5 Q. Did you hire somebody to do that?

6 A. After three --- yes.

7 Q. Okay. And had you been led to believe that T.W.
8 Phillips was going to pay for that?

9 A. Yes.

10 Q. Okay. Did that ultimately happen?

11 A. No.

12 Q. Okay. So at that point in time, with respect to
13 the -- after making attempts to get payment back from
14 T.W. Phillips and that not happening, did you pay the
15 bill yourself for the excavator?

16 A. Yes.

17 Q. All right. And you paid the fellow to fix the
18 stove?

19 A. Yes.

20 Q. All right. And at that point in time, did that
21 affect your ability to pay your monthly gas bill sent
22 to you by T.W. Phillips?

23 A. Yes. It took my budget for it.

24 Q. Okay. So what do you mean by that? You couldn't
25 make the payment?

1 A. Correct.

2 Q. All right. So what started happening at that
3 point in time?

4 A. At that point then, I lost my EHF because they
5 didn't credit me the \$12.76 a month, and I lost the
6 anniversary grants. There were confusing late fees
7 accumulating, and it just turned into a huge mess.

8 Q. All right. What do you mean --- what did you say
9 about anniversary grants? What is that all about?

10 A. Well, at the end of the year, there's a grant for
11 successfully going through the year, of \$95, and then
12 there's a \$95 matching fund. And the anniversary date
13 was on or about May of the year.

14 Q. All right. Now, you prepared a handwritten
15 summary of charges, late charges, billing amounts, et
16 cetera, et cetera, with the lettering EHF started
17 4/3/02 on the upper left-hand corner of that document.
18 Is that what you did?

19 A. Yes.

20 Q. Okay. And is that based upon your calculations of
21 what the numbers are here, considering the payments
22 you've made and the billing statements you've received
23 from T.W. Phillips?

24 A. Yes.

25 Q. Okay. And has that been supplied to the Court and

1 to Mr. Dawson?

2 A. Yes.

3 Q. Okay.

4 ATTORNEY KUBIT:

5 Your Honor, at this time we would ask
6 that the document that I referenced that was supplied,
7 it's a two page document, be referenced as Complainant
8 Exhibit A.

9 JUDGE MEEHAN:

10 All right. Just let me see if ---
11 clarifying it here. The one that I have, in the upper
12 left-hand corner, it shows a beginning date, and then
13 underneath that, it's 10-9-2002.

14 ATTORNEY KUBIT:

15 That is correct, Judge.

16 JUDGE MEEHAN:

17 All right.

18 ATTORNEY KUBIT:

19 That's the document.

20 JUDGE MEEHAN:

21 That two-page document, then, will be
22 identified as Complainant's Exhibit A.

23 (Complainant's Exhibit A marked for
24 identification.)

25 ATTORNEY KUBIT:

1 Thank you, Your Honor.

2 BY ATTORNEY KUBIT:

3 Q. Ms. Kirkpatrick, is this a document that you
4 prepared yourself?

5 A. Yes.

6 Q. Okay.

7 ATTORNEY KUBIT:

8 Your Honor, at this time we'd move for
9 the admission of this document into evidence as
10 Complainant Exhibit A.

11 JUDGE MEEHAN:

12 Any objections? Hearing none, the
13 document is admitted.

14 ATTORNEY KUBIT:

15 Thank you, Judge.

16 BY ATTORNEY KUBIT:

17 Q. Now, Ms. Kirkpatrick, you had referenced in your
18 testimony a few minutes ago that there was some
19 dispute over the amount of late fees that were
20 included in your billing. Did you make a request of
21 T.W. Phillips that they provide you with a customer
22 usage report?

23 A. Yes.

24 Q. And did T.W. Phillips provide that to you?

25 A. Yes.

1 Q. And what period of time was that usage report to
2 cover? Or what does it cover?

3 A. It covers August 20th of '02 up through August
4 19th of '04. And I had requested it on 9/24 of '04.

5 Q. All right. And is that a document that was also
6 supplied to the Court and to Mr. Dawson?

7 A. Yes.

8 Q. Okay.

9 ATTORNEY KUBIT:

10 Your Honor, at this time we would ask
11 that the customer usage report that was supplied by my
12 client be marked and admitted as Complainant Exhibit

13 B.

14 JUDGE MEEHAN:

15 Any objections?

16 ATTORNEY DAWSON:

17 No, Your Honor.

18 JUDGE MEEHAN:

19 The document is admitted.

20 (Complainant Exhibit B marked for
21 identification.)

22 ATTORNEY KUBIT:

23 Thank you, Judge. Thank you, Mr. Dawson.

24 BY ATTORNEY KUBIT:

25 Q. Now, Ms. Kirkpatrick, when you look at the

1 Complainant Exhibit B, this customer usage report, do
2 the late pay charges that are set forth in the column
3 a little --- I guess one or two columns over to the
4 right from the center of that breakdown, do those
5 numbers correspond with the late charges set forth in
6 the bills that were sent to you by T.W. Phillips?

7 A. No.

8 Q. Okay. And I want to draw your attention to the
9 period beginning with June the 19th of 2003. And when
10 you compare that customer usage report that is marked
11 as Exhibit B with the actual bill that you got from
12 T.W. Phillips, is there any disparity?

13 A. Yes.

14 Q. Would you please go through those bills and show
15 us what the differences are between the late charges
16 set forth in the customer usage report supplied to you
17 by T.W. Phillips and the actual billing invoices that
18 you got from T.W. Phillips?

19 JUDGE MEEHAN:

20 Okay. Now, before we start that, I have
21 --- I'm just going to go on the top lines. Reading
22 dates --- I have bills here. Reading date of June 19,
23 2003, September 15, 2003, October 20, 2003, November
24 19, 2003, 12/19/2003, 1/21/2004, 2/19/2004, 3/18/2004,
25 4/21/2004. Are those the bills that you're going to

1 refer to?

2 ATTORNEY KUBIT:

3 Yes, Your Honor. And at this time, if
4 the Court would entertain it, we'd like to ask for
5 them to be marked as Complainant Exhibit C and
6 admitted, as well.

7 JUDGE MEEHAN:

8 They'll be so identified. And any
9 objections?

10 (Complainant Exhibit C marked for
11 identification.)

12 ATTORNEY DAWSON:

13 No, Your Honor.

14 JUDGE MEEHAN:

15 All right. These documents are admitted.

16 ATTORNEY KUBIT:

17 Thank you, Judge.

18 BY ATTORNEY KUBIT:

19 Q. Ms. Kirkpatrick, will you please go through line
20 by line comparing the numbers on Complainant Exhibit B
21 with those in the billing statements identified as
22 Complainant Exhibit C collectively?

23 A. Okay. The ---.

24 ATTORNEY DAWSON:

25 Your Honor, excuse me. I'm sorry to

1 interrupt, but if it would be helpful to move it
2 along, we're willing to stipulate that the amounts
3 that are set forth on the customer usage report to
4 which Ms. Kirkpatrick refers will be different from
5 the amounts that are set forth in the bill because
6 they are different numbers. And we're prepared to
7 explain what they mean. But we'll stipulate to the
8 fact that the numbers that appear on the bill as late
9 charges are not going to be the same as the numbers
10 that appear on the customer usage report, and we will
11 have an explanation for that difference.

12 ATTORNEY KUBIT:

13 Your Honor, in view of that, there won't
14 be any need for me to go further with this testimony
15 with Ms. Kirkpatrick in that regard. Mr. Dawson,
16 thank you for truncating this significantly by
17 stipulating to that.

18 BY ATTORNEY KUBIT:

19 Q. Ms. Kirkpatrick, as I'm sure you understood from
20 what Mr. Dawson just stipulated to, he's agreeing that
21 there are --- there's disparity between the usage
22 report --- the late fees set forth in the usage report
23 and the actual billing statements you received. Have
24 you had the opportunity to ---? Well, let me back up
25 a little bit. I believe your testimony was that when

1 you incurred these additional expenses, that it came
2 as a result of --- additional expense in the form of a
3 stove repair and having to pay somebody to fix your
4 yard to make it safe again. That put you behind in
5 terms of your bills; is that correct?

6 A. Uh-huh (yes). Yes.

7 Q. Okay. And that knocked you off the EHF program;
8 correct?

9 A. Yes.

10 Q. It also left you ineligible at that point for the
11 grants that you had been receiving; correct?

12 A. Correct.

13 Q. Okay. Was that a financial hardship for you?

14 A. Yes.

15 Q. Okay. You made a request of T.W. Phillips ---?
16 I'm leading you a little bit here. You made a request
17 to T.W. Phillips to reimburse you for these bills and
18 you weren't paid; is that correct?

19 A. Correct.

20 Q. Okay. Now, did you calculate how much money ---
21 and it may be set forth in Complainant's Exhibit A,
22 how much money you lost in the way of the EHF payment
23 and the grants that you would have been otherwise
24 eligible for?

25 A. Yes. The total to date would have been \$852.12.

1 Q. And that would have gone toward your bill, as you
2 believe it to be; correct?

3 A. Yes.

4 Q. Okay. Now, were there any ---? As of this
5 juncture, what do you believe that you owe T.W.
6 Phillips ---? Let me back up. I'm getting ahead of
7 myself.

8 That \$852.12 is what you believe you lost in the
9 way of grants and other things since being knocked off
10 the program?

11 A. Correct.

12 Q. And do you believe that you should have been
13 knocked off the program?

14 A. No.

15 Q. Okay. And what do you believe --- who is
16 responsible for you being knocked off the program and
17 having your bill get to where it is? Well, let me
18 back up. That's a bad question. Strike that.

19 Up until the time that you had to incur these
20 additional costs through no fault of your own, had you
21 been making your payments timely?

22 A. Yes.

23 Q. And did you have every intention of continuing to
24 make your payments timely?

25 A. Yes.

1 Q. Has your income stayed substantially the same as
2 what it was at that time?

3 A. Yes.

4 Q. Okay. And did it vary a little bit?

5 A. A little bit, yes.

6 Q. Are you self-employed?

7 A. Yes.

8 Q. Okay. What do you do?

9 A. Landscaping.

10 Q. And do you have any physical problems that affect
11 your ability to do that?

12 A. Yes. I was injured severely three times in a
13 nine-month period at work. The day I got back
14 light-duty, I was in a head-on car collision. I was
15 off work shortly after that. And then I was
16 re-injured at work, and it has resulted in back
17 problems and severe fibromyalgia in my neck and lower
18 back.

19 Q. Okay. And you've had it for years?

20 A. Yes.

21 Q. But in spite of that, you're still trying to make
22 it?

23 A. Yeah.

24 Q. Okay. The best you can. All right. So what do
25 you, according to your calculations as set forth in

1 Complainant Exhibit A, believe your current obligation
2 is to T.W. Phillips for gas service?

3 A. Including the grants that I ---.

4 Q. No.

5 A. No? Okay. Including, if you look at the last
6 column under actual amount due with credit on the
7 second page of Exhibit A, it would be \$886.13 minus
8 the \$852.12, which would have been the grants and the
9 matching fund, which would have made it a total of
10 \$34.01 that I owed. Returning the yard work, which is
11 \$513.60, and the stove, which was \$60.94, would have
12 made a total of \$608.55. And then the most current
13 bill, which is \$288.47, which is the very last line on
14 that page, would bring the total to \$897.02.

15 Q. Now, ma'am, just so we're clear here, in arriving
16 at that number, you've backed out \$50 to remove the
17 late charges that you believe were unfairly assessed
18 against you; is that correct?

19 A. Yes.

20 Q. Okay. And the \$897.02, if the Court were to
21 determine that's the amount you have due and owing to
22 T.W. Phillips right now, would you be able to pay that
23 immediately?

24 A. Yes.

25 Q. How would you go about that?

1 A. I'd have to borrow some of it, but yes.

2 Q. You could do it? All right.

3 ATTORNEY KUBIT:

4 Thank you. I don't have any more
5 questions for you.

6 JUDGE MEEHAN:

7 All right. Was there a motion for the
8 admission of Complainant's Exhibit C?

9 ATTORNEY KUBIT:

10 I believe, Your Honor. Yes, if we can
11 admit all three of these, please.

12 JUDGE MEEHAN:

13 Any objections?

14 ATTORNEY DAWSON:

15 No objections, Your Honor.

16 JUDGE MEEHAN:

17 Hearing none, Complainant Exhibit C is
18 admitted. And Mr. Dawson, any questions?

19 ATTORNEY DAWSON:

20 Yes, Your Honor.

21 CROSS EXAMINATION

22 BY ATTORNEY DAWSON:

23 Q. I am very confused by --- I'm trying to find where
24 amongst all these pages and columns of numbers these
25 totals come from. I am at a total loss as to where

1 --- as I understand from what you just testified,
2 you're claiming that essentially, you have been
3 over-billed in the amount of \$897.02; is that what
4 your testimony was?

5 ATTORNEY KUBIT:

6 I don't believe that's a fair
7 characterization. I believe that she --- the
8 testimony, Your Honor, was that she believes she owes
9 \$897.02 and is prepared to pay that. That's what she
10 --- she's not been over-billed that. That's how much
11 she owes and is prepared to pay for the service that's
12 been provided to her.

13 ATTORNEY DAWSON:

14 Can you provide --- point me in the
15 direction of where on these documents that she comes
16 up with that number? I'm just --- I can't find them.
17 I don't know where that number comes from.

18 ATTORNEY KUBIT:

19 Do you want to ---?

20 A. Do you want me to explain it to you?

21 BY ATTORNEY DAWSON:

22 Q. Well, I think I need an explanation.

23 A. Okay.

24 Q. I just can't ---.

25 A. Okay. If you can ---.

1 Q. The problem that I have is I can't find those
2 numbers.

3 A. Okay. If you take the first page of Exhibit A,
4 and it starts 10/9 of 2002, it starts with the
5 beginning balance of \$517.40. \$517.40 was taken from
6 Exhibit B, second line up from the customer usage
7 report that your company supplied to me, which started
8 with the \$517.40. Okay? And then the next current
9 month bill is \$46.37, so you add that in. And then
10 there was a payment of \$29, so you subtract \$29, and a
11 payment of \$12.76, so you subtract \$12.76. The next
12 column over is the 1.25 percent late fee per month on
13 the printout, which is Exhibit B, that T.W. Phillips
14 supplied. For that month, there is no late fee. In
15 the next column is late fee on actual bill, the bill
16 that I received. I don't have that bill, so that's
17 why there's a question mark there. I can't say one
18 way or the other. So the actual amount due with the
19 credit, which would be the adjustment and payment
20 column, is \$522.01. And the amount that was actually
21 on the bill is \$523.01, so it's within a buck.

22 Next column is you take the \$522.01 and
23 add \$155.74, and then subtract the \$12.72 and subtract
24 the other payment of \$332. There's no late fee on the
25 printout, and again, I can't speak for the bill

1 because I don't have it. So the total should be
2 \$332.92, not \$636.99 that was on the actual bill.

3 Then in December you add the next current
4 month's charges. It just reads left to right like
5 English. You add the \$234.33. You subtract the
6 \$12.76. You subtract the \$37. There's no late fee.
7 Again, I don't own the actual bill. The total is
8 \$517.56. The T.W. Phillips bill was \$526.56. I can't
9 account for their extra \$9 there.

10 Then in January when you add \$286.44 to
11 the \$517.56, you subtract the \$12.76 payment and you
12 subtract the \$837 payment. Again, there's nothing on
13 the printout, but on the actual bill, I don't have it,
14 so I can't attest to that. At that point, there
15 should have been a credit of \$45.76.

16 Then you go down to February and you add
17 in \$392.89, and at that point, I was assured that if I
18 turned in the bill for the stove, it would be credited
19 to my account. So I subtracted the \$60.94, which
20 would give me a credit of \$102.70. And then you
21 subtract the \$12.76 and the \$30 payment, and I would
22 have had a bill of \$243.43, not the \$306.37 that's on
23 the bill --- on the actual bill, which I don't know
24 where they come up with the difference in the money.

25 Then you add on March's bill, which is

1 \$315.97 and you subtract a \$314 payment, and you get a
2 bill of \$245.40, not the \$592.34 that's on the actual
3 bill. And you just follow that on through. And when
4 you get down to May, which is where the yardwork was,
5 you'll see the \$513.60, which was the yardwork. If
6 that had been credited, then I would have had a credit
7 of \$52.46, not a bill of \$494.08.

8 Then the next line for June, you would
9 add the \$52.72. You would subtract the \$95 grant and
10 the \$95 matching fund. I didn't include the late fees
11 because I didn't believe they were appropriate. And I
12 should have had a credit of \$189.74, not \$552.98. And
13 if you follow that on down through, you'll see there
14 should have been a credit and there were payments.
15 They're all accounted for.

16 And then down in August 18th of '04,
17 which is, like, two inches from the bottom there, T.W.
18 Phillips shut off my gas even though, if you look, I
19 would have only had a bill of \$185.15, not \$1,313, at
20 which point I had to pay them \$650, which was my
21 entire budget, to get it turned back on. And at that
22 point, if you follow it over, you'll see I should have
23 had a credit of \$464.

24 The next month's bill is \$88.83. There
25 should have been a credit due. And at that point, I'd

1 have a credit of \$376.02, not a bill for \$1,252.60.

2 The next column down, and this is one
3 that somebody's going to have to explain to me, after
4 they shut the gas off, they turned it back on from
5 September 21st through 10/12, which was 21 days. I
6 got a bill for \$62. At that point, I would have still
7 had a credit. And then I got a bill for seven days
8 for the same \$62.99. So it's like the \$62.99 covered
9 three times the amount just prior to that. At that
10 point, I would still have had a credit.

11 And it just reads right to left. And at
12 that point ---. Pardon? I mean left to right. And
13 at that point, if you actually add the current month's
14 charges, and I did this three times to make sure my
15 numbers were correct, if you add that column and you
16 don't include the \$50 reconnect fee, which I believe
17 is inappropriate, the total billed was \$5,848.61.
18 That's 5-8-4-8.61. And the amount of adjustments and
19 payments is \$5,810.80, only \$40 difference.

20 Q. Where are those numbers? I can't find them on the
21 pages ---.

22 A. Add them to the bottom. I didn't put those on
23 there, but I did this last night.

24 Q. That's one of the problems. You're going through
25 this and the copies that were submitted with the

1 complaint, they're cut off and I just can't find the
2 numbers you're referring to. Maybe we can cut this
3 short. I think I gather generally the compound
4 various areas where you have some disagreement, but
5 can you show me where on these pages you've come up
6 with this \$897.02, which I understood you to believe
7 the amount that your current bill should be reduced
8 by?

9 A. Okay. If you continue and you follow as I
10 explained reading left to right, it has all the
11 payments and all the credits. If you go down the
12 second column from the left ---.

13 Q. That's the problem. You're referring to things on
14 the left. The pages I have that were attached to the
15 complaint, I've got a column of numbers that are
16 attached to a page full of handwritten explanation, so
17 I'm not sure which columns you're even referring to.

18 JUDGE MEEHAN:

19 Mr. Dawson, she was reading from what we
20 identified and admitted earlier as Complainant's
21 Exhibit A.

22 ATTORNEY DAWSON:

23 I understood that to be the documents
24 that have been attached to her complaint.

25 JUDGE MEEHAN:

1 No.

2 A. This was the document I dropped off at the office.

3 JUDGE MEEHAN:

4 Excuse me. This was a packet of
5 documents which were received here at my office on May
6 19th, 2006. And it was a two-page --- well, actually,
7 they were taped together, marked page one, page two,
8 beginning October 9, 2002, and going through April
9 18th, 2006. And with that was the customer usage
10 report, the computer printout, from August 20, 2002,
11 to August 19, 2004, which we identified and admitted
12 as Complainant's Exhibit B. And a series of monthly
13 bills, which were identified and admitted as
14 Complainant's Exhibit C. So when she's reading the
15 numbers, she's reading from that two-page large
16 handwritten sheet, and not what was attached to the
17 complaint.

18 BY ATTORNEY DAWSON:

19 Q. Okay. I was confused because there are apparently
20 more columns that appear on the documents that were
21 attached to the complaint than appeared on the
22 two-page spreadsheet that you're referring to.

23 A. When you said you were having a hard time
24 understanding it originally, I went back and put the
25 lines in since they were blue and they didn't show up

1 on your copy, and that's what I dropped off at the
2 office, probably at least two days before the Judge
3 got his so it was clearer for you to read.

4 Q. Okay. I don't think it's necessary to go further
5 in detail line by line.

6 ATTORNEY DAWSON:

7 I think, Your Honor, it would be more
8 efficient for us to simply present our testimony where
9 we can explain and why there is a disagreement.

10 JUDGE MEEHAN:

11 All right. Before we do that, then let
12 me ask, Mr. Kubit, any Redirect?

13 ATTORNEY KUBIT:

14 I do have a few questions on Redirect,
15 Your Honor. Thank you.

16 JUDGE MEEHAN:

17 All right.

18 REDIRECT EXAMINATION

19 BY ATTORNEY KUBIT:

20 Q. Ms. Kirkpatrick, did you have an opportunity to
21 review the documents that the gas company has asked to
22 be marked as Exhibit D? And you heard the testimony
23 of Mr. Colbert about having gotten the wage and other
24 income information. Do those records accurately
25 reflect what your income was for that period of time?

1 A. No. The first one or two might, but after that,
2 no.

3 Q. Okay. How is it that T.W. Phillips was kept aware
4 of what your financial situation is for purposes of
5 EHF?

6 A. When I first applied, they ask you, you know, what
7 you spend on the monthly things. And I believe that's
8 correctly shown on the first one.

9 Q. Just answer my question, please. How is it that
10 that information is --- do you supply that information
11 regularly to T.W. Phillips?

12 A. Sporadically at best.

13 Q. Do they inquire of you a new answer or do you have
14 an obligation to continue to supply the information to
15 them?

16 A. No, there's no requirement to routinely do it.
17 And some of these, I have no clue where they got it
18 because they didn't get it from me.

19 Q. On the times when the information was given ---
20 was provided to T.W. Phillips, was it on the telephone
21 or was it something you stopped in the office ---?

22 A. Phone.

23 Q. It was on the phone? And you talked to a clerk?

24 A. Yes.

25 Q. All right.

1 ATTORNEY KUBIT:

2 Thank you. I don't have any more
3 questions for you.

4 JUDGE MEEHAN:

5 Anything further for Ms. Kirkpatrick?

6 ATTORNEY DAWSON:

7 No, Your Honor.

8 JUDGE MEEHAN:

9 All right. Mr. Dawson?

10 ATTORNEY DAWSON:

11 I would like to call Jennifer Jones.

12 JUDGE MEEHAN:

13 All right.

14 -----

15 JENNIFER JONES, HAVING FIRST BEEN DULY SWORN,
16 TESTIFIED AS FOLLOWS:

17 -----

18 DIRECT EXAMINATION

19 BY ATTORNEY DAWSON:

20 Q. Okay. Could you state your name for the record,
21 please?

22 A. Jennifer Jones.

23 Q. And you are employed by T.W. Phillips; is that
24 correct?

25 A. Yes.

1 Q. What is your position?

2 A. I'm the director of consumer affairs.

3 Q. And would you briefly describe your
4 responsibilities in that position?

5 A. I oversee the credit collection and customer
6 service areas as well as the universal service
7 program.

8 Q. As such, are you familiar with T.W. Phillips' gas
9 service to Carol Kirkpatrick ---

10 A. Yes, I am.

11 Q. --- at her residence? Have you examined documents
12 that Ms. Kirkpatrick submitted to the Commission as
13 her formal complaint against T.W. Phillips?

14 A. Yes.

15 Q. This particular document? And have you examined
16 further the additional documents that Ms. Kirkpatrick
17 delivered to T.W. Phillips' office in mid-May of this
18 year?

19 A. Yes.

20 (Defendant's Exhibit A marked for
21 identification.)

22 BY ATTORNEY DAWSON:

23 Q. I'd like for you to refer to a document that T.W.
24 Phillips had identified as T.W. Phillips Exhibit A,
25 and ask you to identify that, please.

1 A. This is information that was provided from Carol
2 Kirkpatrick as part of her complaint.

3 ATTORNEY DAWSON:

4 And I believe, Your Honor, these two
5 pages constitute at least a part of Complainant
6 Exhibit B. They are two pages of handwritten notes
7 that were contained within the complaint.

8 BY ATTORNEY DAWSON:

9 Q. Are these true and correct copies of the formal
10 complaint to which you referred?

11 A. Yes.

12 Q. Now, would you please look at the first of the two
13 handwritten pages of notes? Do you understand
14 paragraph one of these notes to question the
15 appropriateness and accuracy of the penalties or late
16 charges that T.W. Phillips assessed against the
17 Complainant's gas bills from September of 2003 through
18 June of 2004?

19 A. Yes, it does.

20 Q. Has T.W. Phillips billed the Complainant for gas
21 services inaccurately or incorrectly in the respect
22 including because of the late fees and penalties on
23 her bills from September of 2003 to June of 2004?

24 A. No. T.W. Phillips' bills to the Complainant have
25 been correct and accurate, including the late fees

1 that were charged on her gas bills from September of
2 2003 through June of 2004.

3 Q. In your view, is there any justification for the
4 elimination of the late fees that were charged against
5 the Complainant's bills during that period?

6 A. No.

7 Q. Have you also had an opportunity to review copies
8 of T.W. Phillips' bills to the Complainant that were
9 sent to her from September of 2003 to April of 2004?

10 A. Yes. In fact, the Complainant herself delivered
11 copies of her bills for September 2003 to April of
12 2004 to our office on May 16th of 2006.

13 (Defendant's Exhibit B marked for
14 identification.)

15 BY ATTORNEY DAWSON:

16 Q. Okay. I'd like you to refer to the documents that
17 T.W. Phillips has identified for purposes of this
18 proceeding as T.W. Phillips Exhibit B, which consists
19 of eight pages. And would you please identify these
20 documents, please?

21 A. Yes. These are copies of the bills --- the front
22 part of the bill that Carol Kirkpatrick dropped off at
23 our office.

24 Q. And these are copies of the front part of T.W.
25 Phillips bills issued to her during the period in

1 question; is that correct?

2 A. Yes.

3 Q. And are these true and correct, to the best of
4 your knowledge?

5 A. Yes.

6 Q. Now, would you explain exactly what these
7 documents are, what they consist of?

8 A. Well, they're one side of the monthly gas bills
9 from T.W. Phillips that we sent to Carol Kirkpatrick
10 for service to her residence at 122 West Pearl Street
11 in Butler from September 2003 through April of 2004.

12 Q. Okay. I'd ask you, please, to look at the first
13 page of Exhibit B and explain, what period does that
14 bill come from?

15 A. This covers the period from August 20th of 2003
16 through September 15th of 2003.

17 Q. And what is the total bill amount that is shown on
18 this bill?

19 A. \$497.55, as it's shown in the lower right-hand
20 corner of the page.

21 Q. Are there any late charges assessed as part of
22 this bill?

23 A. Yes. In the upper right-hand corner of the page,
24 the bill shows the unpaid balance from the previous
25 bill, and that unpaid balance was \$440.80, and a late

1 charge of \$20.

2 Q. And what is T.W. Phillips' late charge?

3 A. Our tariff states that the residential customers
4 are charged a late fee of 1.25 percent per month on
5 the unpaid balance.

6 Q. Is the \$20 late charge that is shown on the
7 September 2003 bill --- the bill for usage from
8 September 15th, '03 --- from August 20th, '03 to
9 September 15th, '03, 1.25 percent of the unpaid
10 balance?

11 A. No. It includes the 1.25 percent late charge and
12 the unpaid balance, but it also includes all of the
13 accumulated late charges from prior months that
14 remained unpaid.

15 Q. Would you explain how that penalty is calculated?

16 A. Yes. The best way to explain it is to refer to
17 the specific information on the bill. If you notice
18 the final account balance on the September of 2003
19 bill, it's \$497.55. And if you look at the next month
20 --- at the next bill for the month ending October 20th
21 of 2003, the balance from the last bill in the upper
22 right-hand corner is \$482.29. The difference between
23 these two numbers is \$15.26, and that's the
24 accumulated unpaid late charges. The current portion
25 of the late charge is 1.25 percent of the balance from

1 the last bill, or \$6.03, which is \$482.29 times 1.25
2 percent. We do not charge late fees on late fees. So
3 the accumulated unpaid late charges are deducted from
4 the prior balance before the current late fee is
5 calculated. Now, if you add the accumulated unpaid
6 late charge of \$15.26 to the current month late charge
7 of \$6.03, you'll have \$21.29, which is the total late
8 charge assessed on the October of 2003 bill.

9 Q. So you're referring to the numbers which appear on
10 the upper right-hand corner of the second page of
11 Exhibit B; is that correct?

12 A. Yes.

13 Q. All right. Now, is the November 2003 late charge
14 that shows on the next bill calculated in the same
15 way?

16 A. Yes. Every bill uses the same method. And I'll
17 explain the November 2003 calculations the same way.
18 The final account balance on the lower right-hand
19 corner of the October bill is \$604.70. If you
20 subtract from that amount the \$583.60 shown on the top
21 of the November bill as the balance from the last
22 bill, the difference is \$21.10.

23 Q. So that number is the number that appears in the
24 upper right-hand corner of the November, that \$583.60?

25 A. Yes.

1 Q. Okay.

2 A. Now, the difference, that \$21.10 that I was
3 saying, is the accumulated unpaid late charge. The
4 current month late charge is \$7.30, which, again, we
5 calculate by multiplying 1.25 percent times the
6 \$583.60, which is the balance from the last bill that
7 remains unpaid. Adding that \$21.20 to \$7.30 yields
8 \$28.40, which is --- I'm sorry. Adding the \$21.10 to
9 the \$7.30 gives you the \$28.40, which is the total
10 late charge shown on the November 2003 bill.

11 And every bill calculates the late charge
12 the same way. They've all been correctly and
13 accurately calculated in accordance with T.W.
14 Phillips's tariff.

15 Q. So is it accurate to say that the reason why the
16 late charges that show up on these bills is different
17 from the late charges that are set forth in the
18 customer usage reports is that the customer usage
19 reports do not include the accumulated late charges for
20 each month? Is that the reason for the difference?

21 A. Correct. It just shows the late charge for each
22 monthly period. And if you added them all together,
23 you would have the accumulated monthly --- you'd have
24 the accumulated late charges.

25 Q. Okay. And is it true then that each of the --- if

1 you go through that same calculation, you would
2 confirm the accuracy of the late charges that show up
3 on each of the remaining bills that comprise part of
4 Exhibit B; is that correct?

5 A. Yes.

6 Q. Based upon your testimony, is there any
7 justification for the elimination of the late charges
8 that have been assessed against the Complainant?

9 ATTORNEY KUBIT:

10 Your Honor, I'm going to object to the
11 form of the question. This calls for a legal
12 conclusion which is ultimately for the Court to
13 determine.

14 ATTORNEY DAWSON:

15 Allow me to rephrase it.

16 BY ATTORNEY DAWSON:

17 Q. Based upon your knowledge of the manner in which
18 T.W. Phillips calculates the late charges that are
19 included --- have been included on the bills issued to
20 the Complainant, Ms. Kirkpatrick, do you see any
21 justification for the elimination of the late charges?

22 A. No. We've calculated them properly each month in
23 accordance with our tariff.

24 Q. Okay. Are there times when customers are penalty
25 exempt?

1 A. Yes. When a customer is on a budget payment or is
2 enrolled in the Energy Help Fund program or on a
3 payment arrangement, and they're low-income customers,
4 we do not charge them penalties.

5 Q. Did any of these circumstances apply to the
6 Complainant from September of 2003 through May of
7 2004?

8 A. No, not during that period.

9 Q. Has the Complainant ever been penalty exempt under
10 those rules?

11 A. Yes. When she was an Energy Help Fund
12 participant, from April of 2002 through May of 2003,
13 and then again when she --- you know, when she'd been
14 subject to payment arrangements from time to time.

15 Q. Now, would you describe T.W. Phillips' Energy Help
16 Fund and the benefits it has for T.W. Phillips
17 customers --- eligible customers?

18 A. The Energy Help Fund program is designed as a T.W.
19 Phillips customer assistance program. And what it
20 does is when customers make on-time monthly payments
21 ---. Well, first of all, they receive a reduced rate
22 depending on what tier their income falls in in our
23 program. The tiers range from 0 to 50 percent, 51 to
24 100 percent, and 101 to 150 percent of the federal
25 poverty level. So depending on what tier they're in

1 dictates what discounted rate they'll receive. So
2 when they're in the Energy Help Fund program, they
3 receive a discounted rate, which is a lower monthly
4 budget payment program. And then as long as they make
5 that payment on time each month and in full, then they
6 also receive an arrearage forgiveness component. And
7 all customers who are 0 to 150 percent of the federal
8 poverty guidelines are eligible.

9 Q. All right. And you were here previously during
10 the testimony of Bryan Colbert; were you not?

11 A. Yes, I was.

12 Q. And was Mr. Colbert's testimony correct insofar as
13 the T.W. Phillips requirements of customers who
14 participate in the Energy Help Fund program?

15 A. Yes.

16 Q. Now, is there an unpaid balance on the
17 Complainant's gas service account presently?

18 A. Yes. Currently the outstanding unpaid balance is
19 \$2,223.65, and all of it is past due. The April bill
20 of \$287.47 was due on May 17th, but we haven't
21 received any payment.

22 (Defendant's Exhibit C marked for
23 identification.)

24 BY ATTORNEY DAWSON:

25 Q. I'd like to refer you, please, to a document

1 that's been identified for purposes of this proceeding
2 as T.W. Phillips Exhibit C, and ask you to identify
3 that document, please.

4 A. This is a customer usage report of Carol
5 Kirkpatrick's account.

6 Q. And was this prepared at your direction?

7 A. Yes.

8 Q. And is the information contained in it true and
9 correct, to the best of your knowledge?

10 A. Yes, it is.

11 Q. Making reference to Exhibit C, would you briefly
12 evaluate the Complainant's payment history?

13 A. Well, her payment history is very spotty. The
14 large past due balance indicates that she's not paying
15 for her gas service in a timely manner.

16 Q. When did the Complainant last make a payment on
17 her gas service?

18 A. T.W. Phillips last received a payment from the
19 Complainant on November 18th, 2005, in the amount of
20 \$84.56.

21 Q. Have there been other credits against her account
22 in the intervening months?

23 A. Well, we received an \$818 payment on her account
24 from Energy Assistance on November 22nd of 2005, and
25 we received another \$600 payment from Crisis on April

1 11th of 2006.

2 Q. All right. Now, you were here also during Ms.
3 Kirkpatrick's testimony; were you not?

4 A. Yes.

5 Q. And did you hear her testimony where she was
6 discussing what she referred to as the anniversary
7 grants?

8 A. Yes.

9 Q. And do you recall that she testified that she had,
10 as a result of the problems that she described, loss
11 of the benefit of these anniversary grants? Would you
12 explain what these grants were? And I'm referring
13 specifically to ---. Let's take a look at the
14 spreadsheet supplied by the Complainant. And let's
15 see. Where is it? I guess it's identified for the
16 first time in July of 2003, where she makes reference
17 to a --- I guess it's June of 2003 --- makes reference
18 to a \$95 match and a \$95 grant, ---

19 A. Uh-huh (yes).

20 Q. --- which she was entitled to back in July of
21 2003. And then it's referred to again in July of 2004
22 and July of 2005 on the same exhibit. And it's
23 identified by the Complainant as an amount that she
24 could have been entitled to but for the actions of
25 T.W. Phillips. Would you, first of all, going back to

1 July of 2003, explain what these two \$95 grants are,
2 where they come from, how they came about?

3 A. Well, they, I believe, are actually Dollar Energy
4 Fund grants.

5 Q. Would you describe that?

6 A. I think what she's saying --- and I'm a little bit
7 confused because there are no bonus grants that are
8 given in the Energy Help Fund program. There are no
9 extra grants.

10 Q. Are you aware of anything referred to as an
11 anniversary grant that people are automatically
12 entitled to?

13 A. No. There's no anniversary grants. But I was
14 thinking what she may have thought was that it was a
15 Dollar Energy Fund grant or something like that, but
16 that's something that she would have to apply for each
17 year. It's not a grant that's automatically given to
18 any customer.

19 Q. Had she made an application in 2004 or 2005 for a
20 Dollar Energy Fund grant, might she have been eligible
21 to receive it?

22 A. She may have been, but that would have been
23 determined by Dollar Energy Fund, not by T.W.
24 Phillips.

25 Q. Okay. So as far as the grant that showed up as

1 having been received by her --- or credited to her
2 account back in --- that shows up in the line
3 identified as June of 2003, are those Dollar Energy
4 Fund grants that are referred to there?

5 A. I think that that's what she's referring to.

6 Q. Okay. But you're not aware of any ---?

7 A. Because there's no anniversary grant.

8 Q. You're not aware of any other grants that she
9 would have been automatically entitled to receive but
10 for any actions of T.W. Phillips?

11 A. No. In fact, in looking back to the customer
12 usage report that was supplied back in '03, that
13 \$95 ---.

14 Q. You're referring to the exhibit that was provided
15 --- the documents that were delivered to the Judge and
16 to T.W. Phillips on May 15th of 2006?

17 A. Yes. If you look down through here, you see that
18 --- well, if you look on the second column from the
19 right, the payment column, on July 7th, there were two
20 payments posted of \$95 each. Those were actually
21 Dollar Energy Fund grants. And that's something that
22 Carol would have applied for in 2003 that she would
23 not have automatically received again in subsequent
24 years. It's a grant that she has to apply for each
25 year from the Dollar Energy Fund. And with respect to

1 the Energy Help Fund program, there are no anniversary
2 grants.

3 Q. Okay. Now, another question that came up during
4 the course of Ms. Kirkpatrick's testimony pertained to
5 a question she had as to the bills that were rendered
6 in October of 2004. Specifically, she identifies one
7 bill that was for gas service for a 21-day period
8 between September 21st, 2004 and October 12th, 2004,
9 and then a bill that was rendered for a second period,
10 a shorter period extending from October 13th, 2004 to
11 October 20th, 2004. Would you explain those bills and
12 the reasons for the same amounts and explain what
13 happened with respect to those ---

14 A. Uh-huh (yes).

15 Q. --- bills during that month of 2004?

16 A. On September 21st, 2004, T.W. Phillips obtained an
17 actual meter reading of 539, and billed the
18 Complainant for 7 MCF in the amount of \$88.83. On
19 October 12th, T.W. Phillips ---.

20 Q. Could I back up for a second? In getting this
21 information, are you referring to T.W. Phillips
22 Exhibit C?

23 A. Yes, I am.

24 ATTORNEY DAWSON:

25 So Your Honor, Ms. Jones is referring

1 specifically to the information that is contained on
2 T.W. Phillips Exhibit C, the customer usage report for
3 the period in September and October of 2004.

4 BY ATTORNEY DAWSON:

5 Q. I'm sorry. Continue, please.

6 A. Okay. Then on October 12th of 2004, T.W. Phillips
7 obtained an actual meter reading of 544 and billed Ms.
8 Kirkpatrick 5 MCF for \$66.77. On October 20th, T.W.
9 Phillips estimated her gas usage at a read of 549,
10 estimating that 5 MCF had been used, and so again the
11 bill was \$66.77 because our rate hadn't changed. And
12 the reason that they were so closely related and there
13 wasn't the normal, you know, 30-day cycle there, was
14 because her service had been shut off and then
15 restored.

16 Q. Okay. And what happened in the subsequent month?

17 A. In the next month, from October 20th through her
18 normal billing cycle of November 18th, T.W. Phillips
19 obtained an actual meter reading at 563 and billed for
20 14 MCF in the amount of \$175.38.

21 Q. So in other words, is it correct in saying that
22 there was an accurate reading of her actual usage
23 between October 12th, 2004 and November 18th, 2004
24 that was reflected accurately in the billings that she
25 received?

1 A. Sure. That's the routine meter reading schedule,
2 and you know, how estimated bills work themselves out
3 when the next actual is taken and verifies the
4 accuracy of the billing.

5 Q. Okay. Thank you. Now, you also were present, I
6 believe, during Ms. Kirkpatrick's testimony concerning
7 the dispute that existed between T.W. Phillips and her
8 relative to restoration work in front of her residence
9 in Butler; is that correct?

10 A. Yes.

11 Q. Do you agree that there was a dispute between T.W.
12 Phillips and Ms. Kirkpatrick concerning that issue?

13 A. There was, but I believe that was resolved.

14 Q. Do you agree with --- or do you accept and agree
15 with Ms. Kirkpatrick's contention that she was told by
16 T.W. Phillips that she would be reimbursed for the
17 amount that she incurred to repair the --- for the
18 restoration work that she had done in front of her
19 house?

20 A. No.

21 Q. Does T.W. Phillips have a practice ---? In your
22 experience as T.W. Phillips' director of customer
23 service, are you aware of a practice whereby T.W.
24 Phillips would credit the account of a customer with
25 respect to bills and expenses that the customer claims

1 are due them as a result of matters outside of their
2 gas service?

3 A. No. The only thing on T.W. Phillips' gas service
4 bill are gas service charges. Anything else would be
5 handled separately in a different area.

6 Q. So would there be an occasion where, using this
7 dispute as an example, where an amount claimed by a
8 customer that is owed by the company for the
9 restoration work in front of her house would be
10 applied and credited against her gas bill?

11 A. No.

12 Q. And why is that?

13 A. Because again, the gas bill is only related to
14 natural gas service charges. It's not related to any
15 other kind of billing or credits.

16 Q. Okay. And was this dispute ultimately resolved
17 through a separate proceeding before a magistrate
18 whereby T.W. Phillips ultimately did pay Ms.
19 Kirkpatrick for a portion of her claims with respect
20 to that separate action? Is that true?

21 A. Yes.

22 Q. Now, you also heard testimony from Ms.
23 Kirkpatrick, I believe, concerning T.W. Phillips'
24 gathering of income and expense information from her.
25 Would you briefly describe T.W. Phillips' practice and

1 procedure in terms of maintaining current records as
2 to the income, monthly income and expenses of its
3 customers, particularly those who would be eligible to
4 receive assistance from various programs?

5 A. Sure. That's part of our customer service and
6 collector training program that we have for any new
7 employee that's going to work in our customer service
8 department. And in accordance with Chapter 56
9 regulations of the Pennsylvania Code, the company is
10 required to update income and expense information
11 every time they talk to a customer regarding their
12 past due bill. So all of that income and expense
13 information that T.W. Phillips gathered on Ms.
14 Kirkpatrick's account was taken by a customer service
15 representative from information that Carol would have
16 given to that representative while discussing her past
17 due bill.

18 Q. And referring specifically to the documents that
19 have been produced by T.W. Phillips and identified as
20 T.W. Phillips Exhibit D, would you explain the actual
21 procedure that a customer service --- in terms of
22 gathering and recording the income and expense
23 information that they obtain from a customer in
24 question?

25 A. Sure. The first thing that the representative

1 does is ask how many people live in the household. In
2 Carol's case, she had told the representative that
3 there was just herself. And then the representative
4 would ask what her age was. And in May of --- she was
5 18 --- or, I'm sorry, she was 46 years old. The
6 representative would then ask if there were any
7 medical conditions existing in the household. There
8 were none at that time. The representative then goes
9 through the monthly income, asking the customer what
10 monthly income she has available to them and where
11 that income is coming from so that, you know, whatever
12 the customer would tell the representative, the
13 amount, and then the representative would say, is that
14 from wages or, you know, where does that money come
15 from? And the customer then answers them and that's
16 how we got them.

17 We have a screen set up in our system so that all
18 of the questions are right there in front of the
19 representative so that they know --- they just go
20 through the page and ask, you know, how many people
21 live in the house, how many adults, how many children,
22 what are their ages, special medical conditions, what
23 is your monthly income, what is the source of that
24 income, and then what are your monthly expenses? And
25 we ask for their rent or their mortgage payment, what

1 they spend on food, what they spend on electricity,
2 their telephone bill, the water bill, the sewage bill,
3 any medical bills that they're making payments on, any
4 car payments that they have, what they spend in
5 gasoline each month, what they spend for homeowners'
6 insurance or renter's insurance each month, what their
7 car insurance is each month, if they have any personal
8 loans, what the garbage bill is, the cable bill and
9 what their charge cards --- what payments they're
10 making on their charge cards each month so that we can
11 determine whether they have --- what their ability to
12 pay is.

13 Q. And as they gather this information, do they
14 simply enter the data as it's received during the
15 course of that conversation?

16 A. Yes. The representative is just typing it right
17 onto that screen.

18 Q. And are the pages to which you are referring part
19 of Exhibit B, are they simply printouts of those
20 screens that were gathered and completed, filled out
21 by the customer service representative who gathered
22 the information you described?

23 A. Exactly. That's exactly what our screen is. This
24 is just a print screen of exactly what the
25 representative is looking at so that they know what

1 questions to ask. And then the system automatically
2 updates what their total income is minus their total
3 expenses and what amount is left over. And then it
4 also automatically calculates for the representative
5 what level of income they are so that the
6 representative can offer them a payment arrangement in
7 accordance with PUC guidelines.

8 Q. Now, is the frequency with which this information
9 was gathered from Ms. Kirkpatrick during that period
10 from March of 2002 to January of 2003 --- and I
11 believe there were six or eight different specific
12 occasions when the information was gathered. Is that
13 typical of T.W. Phillips' practice in terms of the
14 frequency of gathering that information from customers
15 who are participating in one or another of the
16 assistance programs available to them?

17 A. Well, as far as typical goes, I would say this is
18 more than what we normally gather. It's gathered in
19 accordance with collection procedures. So every time
20 we get into a collection situation where we've had to
21 send out a ten-day termination notice and the customer
22 calls in, then we update income and expense
23 information to determine whether or not there's been a
24 significant change in circumstances, and if we need to
25 offer them a new payment arrangement or if we would

1 continue to collect on the current payment
2 arrangement. So each, you know, amount of updates
3 is ---.

4 Q. Varies with the circumstances for each customer,
5 in other words?

6 A. Correct.

7 Q. Would there ever be an occasion where a customer
8 service representative for T.W. Phillips would
9 complete the income and expense information that
10 you've described without gathering that information
11 specifically from the customer in question?

12 A. No, never. There is never any reason to.

13 Q. So are you confident, based upon your knowledge of
14 the practice and procedures that T.W. Phillips follows
15 and the information that's contained in the documents
16 set forth in Exhibit D, that these all represent
17 various times during that four-year period when T.W.
18 Phillips customer service representatives spoke with
19 and obtained the requested income and expense
20 information and related information from Carol
21 Kirkpatrick?

22 A. Yes, I am. As my responsibility, as I indicated
23 earlier, as director of consumer affairs, you know,
24 I'm responsible to make sure that these folks are
25 properly trained and to monitor their calls from time

1 to time to make sure that they're accurately
2 performing their job.

3 Q. Ms. Jones, do you agree and concur with Mr.
4 Colbert's testimony previously that Ms. Kirkpatrick's
5 claim that she is entitled to be credited \$12.76 a
6 month essentially from April of 2004 --- or 2002 to
7 the present for credit that she would have been
8 entitled to had she been an Energy Help Fund
9 participant during that entire time --- do you agree
10 that that's an appropriate credit against her account?

11 A. No, I do not.

12 Q. And would you explain your position on that?

13 A. She didn't make the necessary payments, you know.
14 It's explained to the customer upon entry into the
15 program very clearly that those credits are given each
16 time a monthly payment is received on time and in full
17 from the customer. You only get that credit on
18 customer payments, not on any kind of agency payments
19 or any other money. So Carol does not make the
20 required payment. Therefore, she was removed from the
21 program. She's not owed those credits in any way,
22 shape or form.

23 Q. Okay. One other item that came up during Ms.
24 Kirkpatrick's testimony I'd like you to address
25 pertaining to reconnection fees. First of all, would

1 you explain what a reconnection fee is and how much
2 T.W. Phillips has charged for those services?

3 A. Okay. The reconnection fee is charged to a
4 customer whose gas service has been shut off for
5 basically violation of our tariff in some way, whether
6 it's been shut off for non-payment or because they
7 didn't supply a contract, or non-access to their
8 meter. In Carol's case, I believe it was shut off for
9 non-payment. The reconnection fee for all residential
10 accounts, no matter what the circumstances behind the
11 shutoff, is \$50.

12 Q. Okay. Can you identify the point in time when Ms.
13 Kirkpatrick's gas service was shut off during the
14 period that we're discussing, since the spring of
15 2002?

16 A. Well, it was shut off on 9/15 of '03, the 15th and
17 the 16th of 2003, and then it was shut off again
18 October 12th through the 13th of 2004.

19 Q. Now, does that show up --- referring specifically
20 to the 2004 shutoff and restoration, is that reflected
21 in the information that's contained on T.W. Phillips
22 Exhibit C?

23 A. Yes. Because you can see in Exhibit C where the
24 billing period from 9/21 to 10/12 was less than the
25 normal billing cycle, and that's because on 10/12, the

1 gas service was shut off for non-payment. And then
2 again, there was another bill issued on 10/20 that
3 would have been in the normal course of that billing
4 cycle. If her gas hadn't been shut off and gone back
5 on in that time period, there wouldn't be that bill on
6 10/12. That was a final bill.

7 Q. Okay. So in your view, was the reconnection fees
8 that were charged during the occasions you mentioned
9 in September of 2003 and October 2004 justified by the
10 circumstances in this case?

11 A. Yes. And again, they're in accordance with our
12 tariff as approved by the Public Utility Commission.

13 ATTORNEY DAWSON:

14 Your Honor, I believe that's all the
15 questions I have for this witness. I would now move,
16 please, for the admission of T.W. Phillips Exhibits A,
17 B, C, D, E and F, recognizing that some of those
18 overlap with exhibits that have been introduced by the
19 Plaintiff in this case. But just to make sure we have
20 everything properly on the record, I would request the
21 admission of T.W. Phillips Exhibits A through F.

22 JUDGE MEEHAN:

23 Any objections?

24 ATTORNEY KUBIT:

25 None, Your Honor.

1 JUDGE MEEHAN:

2 T.W. Phillips Exhibits A through F then
3 are admitted. Mr. Kubit?

4 ATTORNEY KUBIT:

5 Thank you, Your Honor. Just one question
6 for Ms. Jones.

7 CROSS EXAMINATION

8 BY ATTORNEY KUBIT:

9 Q. Ma'am, the \$2,223.55 that T.W. Phillips claims is
10 still due, that includes all late fees, reconnection
11 fees, et cetera; is that correct?

12 A. That does not include the reconnection fees
13 because reconnection fees have to be paid in order to
14 be reconnected, so we've collected the \$50
15 reconnection fees. But it does include all of the
16 late charges, yes.

17 ATTORNEY KUBIT:

18 Thank you, ma'am. I don't have any more
19 questions for you.

20 JUDGE MEEHAN:

21 All right. Is there anything further
22 anyone wants to present before we conclude today's
23 hearing? All right. Hearing none ---.

24 ATTORNEY KUBIT:

25 I'm sorry. Was that directed at both

1 Counsel, Your Honor, or just Mr. Dawson?

2 JUDGE MEEHAN:

3 That was directed at both.

4 ATTORNEY KUBIT:

5 Your Honor, the only thing we would add
6 is, and I don't know how much utility it will serve,
7 but we did supply, albeit yesterday, Mr. Dawson and
8 the Court with a copy of Ms. Kirkpatrick's 2005
9 original and amended tax returns as well as
10 documentation from the welfare office regarding her
11 food stamps, and we'd ask those to be admitted into
12 the record.

13 JUDGE MEEHAN:

14 All right. Let me ---.

15 ATTORNEY KUBIT:

16 And I think that'd be Complainant D.

17 JUDGE MEEHAN:

18 Well, let's keep this separate. For the
19 tax --- calendar year --- tax year 2005, the tax
20 returns we'll identify as Complainant's Exhibit D.
21 And the printout headed CIS budget authorization will
22 be Complainant's Exhibit E. And let me ask, Mr.
23 Dawson, any objections?

24 (Complainant's Exhibits D and E marked
25 for identification.)

1 ATTORNEY DAWSON:

2 No, Your Honor.

3 JUDGE MEEHAN:

4 All right. Both documents then are
5 admitted. Anything further anyone wishes to bring up?

6 ATTORNEY KUBIT:

7 Those are the issues, Judge.

8 ATTORNEY DAWSON:

9 Nothing further, Your Honor.

10 JUDGE MEEHAN:

11 All right. Well, let me ask before I
12 wrap this up then, do either of you wish to purchase
13 from the court reporter a copy of today's transcript?

14 ATTORNEY KUBIT:

15 No, Your Honor.

16 ATTORNEY DAWSON:

17 No, Your Honor, we do not.

18 JUDGE MEEHAN:

19 All right. Well, then let me explain
20 this point. It'll be about three to four weeks, and I
21 will receive from the reporter the typed copy of the
22 transcript. At that point, my practice is to send a
23 very brief, basically one-page order informing the
24 parties that the transcript has been received. And
25 since there are no further proceedings being scheduled

1 or held in this case, I'll formally close the record.
2 That's an important date because under the Public
3 Utility Code, I have 90 days from the date the record
4 is closed in which to have my decision prepared and
5 sent to the parties. It is mailed to you by the
6 Commission from its office in Harrisburg, and it will
7 come with a letter containing detailed instructions
8 how either of you may proceed to request Commission
9 review of my Decision if either are dissatisfied with
10 it. Pay close attention to the instructions in the
11 letter. If they're not followed exactly, the
12 Commission would not be required to review the
13 Decision I'll make in this case. Any questions on
14 that?

15 ATTORNEY KUBIT:

16 No, Judge. Thank you.

17 JUDGE MEEHAN:

18 All right. Then with that, we'll
19 conclude today's hearing. I thank everyone for being
20 available.

21 ATTORNEY KUBIT:

22 Thank you, Your Honor. Thank you, Mr.
23 Dawson.

24 * * * * *

25 HEARING CONCLUDED AT 11:55 A.M.

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C E R T I F I C A T E

I hereby certify, as the
stenographic reporter, that the foregoing
proceedings were taken stenographically by
me, and thereafter reduced to typewriting
by me or under my direction; and that this
transcript is a true and accurate record
to the best of my ability.

Juliette Hoffman
Court Reporter

RECEIVED

JUN 12 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

Beginning Date	Beginning Balance	Current m.c. Change	Adjustments & Payments	Tru.P. supp.	bill	Due w/ Credits	Due 000 Bill
10-9-2008	517.40	46.37	-12.76 10-10 -29.00 11-15	0	?	522.01	522.01
11-19 "		155.74	-12.76 11-18 -33.00 12-10	0	?	332.99	626.99
12-19 "		234.33	-12.76 12-11 -37.00 1-13	0	?	517.56	526.56
2003			-12.76 1-15 -687.00 2-4	0	?	CR: -45.76	
1-21 2003		286.44	-40.94 1-23 -12.76 2-5	0	?	CR: -106.70	
2-20 "		392.89	-30.00 3-11	0	?	243.43	206.37
3-20 "		315.97	-37.00 4-8	0	?	345.40	592.84
4-21 "		147.85	-50.00 5-18	0	?	362.75	445.69
5-20 "		98.39	-513.00 -95.00 MARCH -95.00 DEBIT	6.13	?	CR: -52.46	494.08
6-11 "		52.72		4.46	?	-189.74	552.98
7-21 "		21.93	CREDIT DUE	4.74	?	-167.01	389.37
8-20 "		41.45		0	?	-105.80	456.06
9-15 "		101.12		6.03	?	-66.58	497.55
10-20 "		222.43	-715.00 GRANT	7.30	?	371.54	609.70
11-19 "		385.09	CREDIT DUE	1.40	?	CR: -458.03	834.43
12-19 "		616.30		6.13	?	-72.94	505.92
2004			CREDIT DUE	12.67	?	443.36	1,028.44
1-9 "		409.51	-100.00	19.13	?	952.97	1,650.64
2-8 "		334.71	-300.00 4-5 -100.00 4-8	0	?	887.58	1,904.78
3-8 "		272.38	-100.00 4-23 -200.00 6-2	0	?	1,056.98	1,796.44
4-8 "		86.21	-200.00 6-17	21.73	?	746.17	1,904.40
5-18 "		43.97	-300.00 7-15	20.37	?	470.14	1,768.76
6-8 "		22.43	-200.00 7-23	0	?	312.57	1,291.19
7-18 "		22.58	-150.00 9-6	0	?	185.15	1,313.77
8-18 "		50.00		0	?	CR: 444.55	
9-18 "		88.83	CREDIT DUE	0	?	376.02	1,252.60
10-18 "		42.99		0	?	313.03	719.37
11-20 "		122.99		0	?	350.04	786.14
12-19 "		175.38	-100.00	9.30	?	175.04	970.83
1-19 "		448.72	CR. DUE 4-813.00	0	?	539.28	1,319.54

FULLER

RECEIVED

JUL 12 2005

PA PUBLIC UTILITY COMMISSION
STATION 100 BYRDETH

* Anniversary date (June)

(8/23/03 dropped off bills again - Tracy Katz said should have been cancelled already)

Dropped off a bill for this time (3/24/04 went to Neighborhood Signet Sec.) they don't show this payment (?)

Should have had 190.00 (95.00 GRANT + should be reimbursed) (50.00 see fax)

How do you get 12.76 for a 21 day period + a 7 day period

EXHIBIT
Complaint
A
5-22-06
22005955
Pg#

ACCOUNT #: 3140128003

KIRKPATRICK, CAROL
122 W PEARL ST BUTLER

CUSTOMER USAGE REPORT

T.W. Phillips

INVESTIGATOR:

SERVICE TO	NO DAYS	METER READING	TR	CONSUMPTION	ADC	DEGREE DAYS*	BILL AMOUNT	DUE DATE	LATE PAY CHARGE	PAYMENT OR ADJUSTMENT	PAY/ADJ DATE	BALANCE
8/19/04	29	532	E	1	03	23	22.58	9/15/04	00	150.00	9/21/04	1.313.77
7/21/04	33	531	E	1	03	19	22.43	8/18/04	00	00	9/21/04	1.291.19
6/18/04	29	530	E	3	10	27	43.97	7/14/04	00	300.00	7/07/04	1.768.76
5/20/04	34	527	E	7	24	148	86.21	6/16/04	20.39	400.00	6/03/04	1.904.40
4/21/04	28	495	E	25	74	580	272.38	5/19/04	21.75	00	4/05/04	1.796.44
3/18/04	28	464	E	31	11	723	334.71	4/14/04	19.58	400.00	3/15/04	1.904.48
2/19/04	29	464	E	58	00	1174	609.51	3/17/04	19.13	100.00		1.650.64
1/21/04	33	406	F	50	11	890	385.09	2/18/04	12.69	00		1.528.44
12/19/03	30	356	A	37	23	494	222.43	1/15/04	1.40	00	12/09/03	1.505.92
11/19/03	30	319	E	21	70	342	101.12	12/16/03	7.30	00		834.43
10/20/03	34	298	A	9	26	13	41.49	11/18/03	6.03	00		604.70
9/19/03	26	289	A	3	12	0	61.95	10/17/03	00	00		497.55
8/21/03	30	281	A	5	17	10	21.93	9/19/03	4.74	00		450.06
7/21/03	32	281	E	1	03			8/19/03		00		389.37
6/19/03	30	280	A	4	13	122	52.72	7/17/03	4.46	95.00	7/07/03	552.98
5/20/03	29	276	E	9	31	213	98.39	6/18/03	6.18	00	5/12/03	494.08
4/21/03	32	267	E	23	72	446	167.35	5/20/03	00	50.00	4/08/03	445.69
3/20/03	28	244	E	34	21	839	315.97	4/17/03	00	314.00	3/11/03	592.34
2/20/03	30	210	A	61	03	1264	392.89	3/20/03	00	30.00	2/05/03	306.37
1/21/03	33	149	E	49	48	1220	286.44	2/18/03	00	12.76	2/04/03	763.24
12/19/02	30	100	A	40	33	1000	234.33	1/16/03	00	12.76	1/15/03	526.56
11/19/02	32	60	E	27	84	675	155.74	12/17/02	00	332.00	12/11/02	636.99
10/18/02	28	33	A	8	29	211	46.37	11/14/02	00	29.00	11/08/02	523.01
9/20/02	31	25	E	1	03	5	8.21	10/17/02	00	28.00	10/09/02	517.40
8/20/02	32	24	A	5	16		29.18	9/17/02	00	25.00	9/04/02	534.19

ORDER OF INCREMENT

RECEIVED

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C:20065955 PGH

MAY 19 2005

Pittsburgh Office of A.L.J.
Furnace Utility Commission

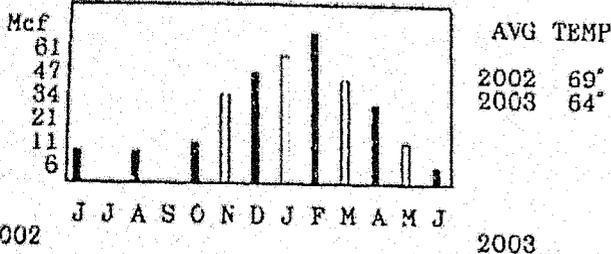
EXHIBIT
Complaint
S-23-06

* DEGREE DAYS ARE A MEASURE OF COLD WEATHER
** INCLUDES ADJUSTMENT

Meter Reading/Usage Information

	READING	READ DATE	READ TYPE
Month:	280	6/19/03	Actual
Month:	276	5/20/03	Estimate
Percent Usage:	4	Mcf in 30 DAYS	

Account Number: 3140128003
 Meter Number: 000004493
 Gas Used At: 122 W PEARL ST BUTLER



[-Estimated] [█=Actual] [-Customer Read]

Annual Usage: 267 Mcf
 Average Monthly Usage: 21 Mcf

General Information

Natural Gas Distribution Company (NGDC)
 For the NGDC portion of your bill notify:
 T. W. Phillips Gas And Oil Co.
 205 North Main St.
 Butler, PA 16001
 1-800-222-5101
 www.twphillips.com

Natural Gas Supplier (NGS)

*Was Choice
 Weatherization
 Program*

WE ARE NO LONGER ACCEPTING CREDIT CARD PAYMENTS
 Commodity prices and charges are set by the Natural Gas Supplier you have chosen.
 The Public Utility Commission regulates distribution prices and services.
 Your new charges include an estimated total State Tax of \$ 3.59

Billing Information

NGDC Charges:		
Balance From Last Bill		\$+494.08
Late Charges		+6.18
Adjustments		0
Transfers		0
Payments Received		0
Distribution Charges:		
Customer Charge		11.00
Delivery Charge		16.04
4 Mcf @ 4.0088		
Gas Cost Adjustment		.71
4 Mcf @ .1779		
Commodity Charge		22.09
4 Mcf @ 5.5234		
Sales Tax @ 6.00%		2.98
Surcharge @ .0244		.10CR

NGDC Charges \$+552.98

NGS Charges:

NGS Charges

TOTAL ACCOUNT BALANCE \$ 552.98

DOCUMENT FOLDER

7d
 - 144.
 - 330.
 - 10.00
 - 10.00
 = 552.98
 Labor: R.R.
 top soil
 Labor: me

C20065955 Pgh

07/01/03 and 07/26/03 and call 1-888-427-7900
 (next bill next month)

Meter Reading/Usage Information

READING	READ DATE	READ TYPE
This Month: 289	9/15/03	Actual
Last Month: 286	8/20/03	Actual
Current Usage: 3 Mcf	In- 26 DAYS	

Residential Service
 Account Number: 3140128003
 Meter Number: 000004493
 Gas Used At: 122 W PEARL ST BUTLER

Mcf	AVG TEMP
1	
2	
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5	
6	

2003

2003

Billing Information	
NGDC Charges:	
Balance From Last Bill	\$+440.89
Late Charges	+20.00
Adjustments	0
Transfers	0
Payments Received	0
Distribution Charges	11.00
Customer Charge	11.91
Delivery Charge	3 Mcf @ 3.9701
Gas Cost Adjustment	3 Mcf @ 1.663
Commodity Charge	3 Mcf @ 5.2861
Sales Tax @ 6.00%	2.35
Surcharge @ 0244	07CR
39.25	

[-] Estimated [] Actual [] Customer Bend

Annual Usage: 3 Mcf
 Average Monthly Usage: 3 Mcf

General Information

Natural Gas Distribution Company (NGDC)
 For the NGDC portion of your bill, notify:
 T. W. Phillips Gas And Oil Co
 205 North Main St
 Butler, PA 16001
 1-800-222-5101
 www.twphillips.com

Natural Gas Supplier (NGS)

NGDC Charges	\$+497.55
NGS Charges	0
FINAL ACCOUNT BALANCE	\$+497.55

* If You Are A Gascheck Customer, This Payment Will Not be Taken Out by Gascheck.
 WE ARE NO LONGER ACCEPTING CREDIT CARD PAYMENTS
 Commodity prices and charges are set by the Natural Gas Supplier you have chosen.
 The Public Utility Commission regulates distribution prices and services.

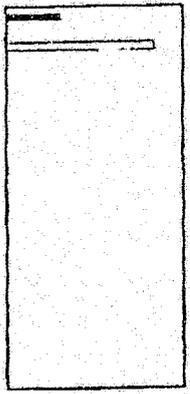
due 10/17/03

ions

Gas Reading/Usage Information

READING	READ DATE	READ TYPE
319	11/19/03	Estimate
298	10/20/03	Actual
21	Mcf in	30 DAYS

Account Number: 3140128003
 Meter Number: 000004493
 Gas Used At: 122 W PEARL ST BUTLER



2003 O N 2003
 AVG TEMP 49°

[] = Estimated [] = Actual [] = Customer Read
 Annual Usage: 30 Mcf
 Average Monthly Usage: 15 Mcf

General Information

Natural Gas Distribution Company (NGDC)
 For the NGDC portion of your bill notify:
 T. W. Phillips Gas And Oil Co.
 205 North Main St.
 Butler, PA 16001
 1-800-222-5101
 www.twph:11ips.com

Natural Gas Supplier (NGS)

Billing Information

NGDC Charges:
 Balance From Last Bill \$+583.60
 Late Charges +28.40
 Adjustments 0
 Transfers 0
 Payments Received 0
 Distribution Charges 11.00
 Customer Charge 83.42
 Delivery Charge 21 Mcf @ 3.9725

Gas Cost Adjustment 21 Mcf @ .2047 4.30
 Commodity Charge 21 Mcf @ 5.3159 111.63

Sales Tax @ 6.00% 12.59
 Surcharge @ .0244- .51CR

NGDC Charges \$+834.43

NGS Charges 0

TOTAL ACCOUNT BALANCE \$ 834.43

due 12/10

WE ARE NO LONGER ACCEPTING CREDIT CARD PAYMENTS
 Commodity prices and charges are set by the Natural Gas Supplier you have chosen.
 The Public Utility Commission regulates distribution prices and services.
 Your new charges include an estimated total State Tax of \$ 15.15

24.6.42

Meter Reading/Usage Information

Account Number: 3140128003
 Meter Number: 000004498
 Gas Used At: 122 W PEARL ST BUTLER

READING	READ DATE	READ TYPE
356	12/19/03	Actual
319	11/19/03	Estimate
37	Mcf in	30 DAYS

McF 37
 32
 27
 22
 11
 6

Annual Usage: 67 Mcf
 Average Monthly Usage: 22 Mcf

General Information

Natural Gas Distribution Company (NGDC)
 For the NGDC portion of your bill notify:
 T. W. Phillips Gas And Oil Co.
 205 North Main St.
 Butler, PA 16001
 1-800-222-5101
 www.twpPhillips.com

Natural Gas Supplier (NGS)

Billing Information

NGDC Charges:
 Balance From Last Bill \$+806.25
 Late Charges +29.58
 Adjustments 0
 Transfers 0
 Payments Received -Thank You \$-715.00
 Distribution Charge 11.00
 Customer Charge 147.04
 Delivery Charge 37 Mcf @ 3.9741

Gas Cost Adjustment 37 Mcf @ .2269 8.40
 Commodity Charge 37 Mcf @ 5.3447 197.75

Sales Tax @ 6.00% 21.80
 Surcharge @ .0244 .90CR

NGDC Charges \$+505.92

NGS Charges:

NGS Charges 0

TOTAL ACCOUNT BALANCE \$ 505.92

due 1/15

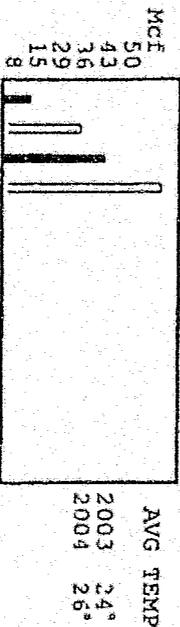
WE ARE NO LONGER ACCEPTING CREDIT CARD PAYMENTS
 Commodity prices and charges are set by the Natural Gas Supplier you have chosen.
 The Public Utility Commission regulates distribution prices and services
 Your new charges include an estimated total State Tax of \$ 26.23

Please read your meter between 01/21/04 and 01/26/04 and call 1-888-427-7335
 and enter your read to avoid an estimated bill next month.

Meter Reading/Usage Information

READING READ DATE READ TYPE
 406 1/21/04 Estimate
 Last Month: 356 12/19/03 Actual
 Current Usage: 50 Mcf in 33 DAYS

Residential Service
 Account Number: 3140128003
 Meter Number...: 000004493
 Gas Used At...: 122 W PEARL ST BUTLER



2003 O N D J 2004

Estimated Actual Customer Read

Annual Usage: 117 MCF
 Average Monthly Usage: 29 MCF

General Information

Natural Gas Distribution Company (NGDC)
 For the NGDC portion of your bill notify:
 T. W. Phillips Gas And Oil Co.
 205 Norch Main St.
 Butler, PA 16001
 1-800-222-5101
 www.twphillips.com

Natural Gas Supplier (NGS):

Billing Information

NGDC Charges:
 Balance From Last Bill \$+497.73
 Late Charges +14.41
 Adjustments 0
 Transfers 0
 Payments Received 0

Distribution Charges:
 Customer Charge 11.00
 Delivery Charge 198.71
 50 MCF @ 3.9741

Gas Cost Adjustment 11.35
 50 MCF @ .2269
 Commodity Charge 267.24
 50 MCF @ 5.3447

Sales Tax @ 6.00% 29.22

Surcharge @ .0244- 1.22CR

NGDC Charges \$11028.44

NGS Charges:

NGS Charges 0

TOTAL ACCOUNT BALANCE \$ 1028.44

Due 2/19/04

Commodity prices and charges are set by the Natural Gas Supplier you have chosen.
 The Public Utility Commission regulates distribution prices and services.
 Your new charges include an estimated total State Tax of \$ 35.16

Meter Reading/Usage Information

READING READ DATE READ TYPE
 This Month: 464 2/19/04 Actual
 Last Month: 406 1/21/04 Estimate
 Current Usage: 58 Mcf in 29 DAYS

Residential Service
 Account Number: 3140128003
 Meter Number: 0000004493
 Gas Used At: 122 W PEARL ST BUTLER



2003 2004

[-] Estimated [] Actual [] Customer Read

Annual Usage: 175 Mcf
 Average Monthly Usage: 35 MCF

General Information

Natural Gas Distribution Company (NGDC)
 For the NGDC portion of your bill notify:
 T. W. Phillips Gas And Oil Co.
 205 North Main St.
 Butler, PA 16001
 1-800-222-5101
 www.twphillips.com

Natural Gas Supplier (NGS)

Billing Information

NGDC Charges:
 Balance From Last Bill \$+1014.93
 Late Charges +26.20
 Adjustments 0
 Transfers 0
 Payments Received 0

Distribution Charges:
 Customer Charge 11.00
 Delivery Charge 230.50
 58 Mcf @ 3.9741

Gas Cost Adjustment 13.16
 58 Mcf @ .2269
 Commodity Charge 321.77
 58 MCF @ 5.5477

Sales Tax @ 6.008 34.50
 Surcharge @ .0244- 1.42CR

NGDC Charges \$+1650.64

NGS Charges:

NGS Charges 0

TOTAL ACCOUNT BALANCE

\$ 1650.64
 - 100.00
 3/15/04

? due 3/18/04

Commodity prices and charges are set by the Natural Gas Supplier you have chosen. The Public Utility Commission regulates distribution prices and services. Your new charges include an estimated total State Tax of \$ 41.52. Please read your meter between 03/18/04 and 03/22/04 and call 1-888-427-7335 and enter your read to avoid an estimated bill next month.

Please return this portion with your payment

Account	Due	Amount	Amount

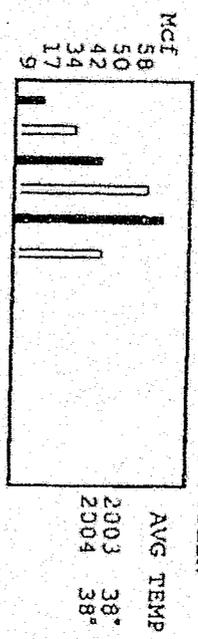
Insert Here



Meter Reading/Usage Information

READING READ DATE READ TYPE
 This Month: 495 3/18/04 Estimate
 Last Month: 464 2/19/04 Actual
 Current Usage: 31 Mcf in 28 DAYS

Residential Service
 Account Number: 3140128003
 Meter Number...: 000004493
 Gas Used At...: 122 W PEARL ST BUTLER



Legend: Estimated Actual Customer Read
 Annual Usage: 206 MCF
 Average Monthly Usage: 34 MCF

General Information

Natural Gas Distribution Company (NGDC)
 For the NGDC portion of your bill notify:
 T. W. Phillips Gas And Oil Co.
 205 North Main St.
 Butler, PA 16001
 1-800-222-5101
 www.twphillips.com
 Natural Gas Supplier (NGS)

Billing Information

NGDC Charges:
 Balance From Last Bill \$+1625.66
 Late Charges +44.11
 Adjustments 0
 Transfers 0
 Payments Received -Thank You \$-100.00 (3/15)

Distribution Charges:
 Customer Charge 11.00
 Delivery Charge 123.20
 31 MCF @ 3.9741

Gas Cost Adjustment 7.03
 31 MCF @ .2269
 Commodity Charge 175.29
 31 MCF @ 5.6546

Sales Tax @ 6.00% 18.95
 Surcharge @ .0244- .76CR

NGDC Charges \$+1904.48

NGS Charges:

NGS Charges 0

TOTAL ACCOUNT BALANCE \$ 1904.48

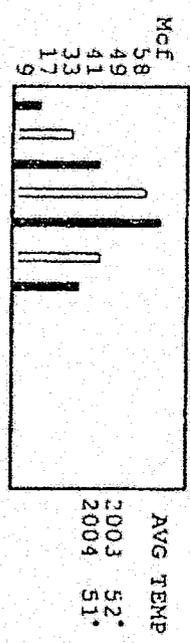
Commodity prices and charges are set by the Natural Gas Supplier you have chosen.
 The Public Utility Commission regulates distribution prices and services.
 Your new charges include an estimated total State Tax of \$ 22.80

Due 4/14/04

Meter Reading/Usage Information

READING READ DATE READ TYPE
 This Month: 520 4/21/04 Actual
 Last Month: 495 3/18/04 Estimate
 Current Usage: 25 Mcf in 34 DAYS

Residential service
 Account Number: 3140128003
 Meter Number: 000004493
 Gas Used Rt.: 122 W PEARL ST BUTLER



Legend: ■=Estimated □=Actual ▨=Customer Read

Annual Usage: 231 Mcf
 Average Monthly Usage: 33 Mcf

General Information

Natural Gas Distribution Company (NGDC)
 For the NGDC portion of your bill notify:
 T. W. Phillips Gas And Oil Co.
 205 North Main St.
 Butler, PA 16001
 1-800-222-5101
 www.twphillips.com

Natural Gas Supplier (NGS)

Billing Information

NGDC Charges:
 Balance From Last Bill \$1866.46
 Late Charges +56.84
 Adjustments 0
 Transfers 0
 Payments Received -Thank You \$-400.00
 (300.415)
 (100.418)

Distribution Charges:
 Customer Charge 11.00
 Delivery Charge 99.35
 25 Mcf @ 3.9741
 Gas Cost Adjustment 5.67
 25 Mcf @ .2269
 Commodity Charge 141.37
 25 Mcf @ 5.6546

Sales Tax @ 6.008 15.42
 Surcharge @ .0172-.43CR

NGDC Charges \$+1796.44

NGS Charges:

NGS Charges 0

TOTAL ACCOUNT BALANCE \$ 1796.44

Commodity prices and charges are set by the Natural Gas Supplier you have chosen
 The Public Utility Commission regulates distribution prices and services.
 Your new charges include an estimated total State tax of \$ 18.55
 Please read your meter between 05/20/04 and 05/24/04 and call 1-888-427-7335
 and enter your read to avoid an estimated bill next month.

Due 5/14

Form 338

CQBUDG CIS BUDGET AUTHORIZATION INQUIRY 05/22/06 12:58:41

Operator: Worker: 06977 Page: 1

Co Record Dist Case Status Case Name Csid Beg: 05/03/06
10 0092105 0 OPEN CAROL A KIRKPATRICK 5205 End: 00/00/00
Chg: 04/04/06

Cat GG Ctl Pgm Suf Stat Susp Act Rea Appl Open Close
FS *food stamp* 00 S OPEN 00/00/00 F 098 03/31/03 04/01/03 00/00/00

Nonfinancial: PASS Automated Notice ? N Reapp Reapp Due SAR
Resources: PASS Notice Opt Type 12/07/05 12/31/06 1
Income: PASS 098

SAR SAR Due

Mo Ben: \$ 152.00 12/07/05 06/07/06

Sel: Med Serv Provider:

..... Alternate Payment Information.....

Pynt Name: V LN SSN Lang Indiv # V
000-00-0000

Code

Alt Addr:

City: St: Zip: -

Next Trans: Parameters: Xmit:



RECEIVED

JUN 12 2006

MAFPHHS UTILITY COMMISSION
SECRETARY'S OFFICE

DOCUMENT
FOLDER

C20065955 Pgh

EXHIBIT
Complainant
E
5-23-06

AMT. DUE
PRINT OUT
B.I.L.

DOCUMENT FOLDER

EXHIBIT
A
5-23-06
PENCAID 000-031-6080

T. W. Phillips'
Exhibit "A"
C20065955
PGH

525.01
636.99
526.56

763.24
306.37
592.34
445.69
494.08
552.98
389.37
456.06
497.55
604.70
834.73
506.92

1,028.44
1,650.64
1,904.48
1,796.44
1,904.40
1,768.76
1,291.19
1,313.77
1,252.60
719.37
786.14
970.82
1,319.54

1,695.73
1,394.32
1,432.50
1,423.88

- This ledger sheet goes from 10-9-2002 through 1-20-2006. I start with this date as that is the date that begins the print out of T. W. Phillips sent to me on my request. As you can see the fifth column shows the difference of the late fee on the actual bill vs the late fee on the print out. There is quite a significant difference between the two from 9-15-03 through 6-18-04. Regardless they are all inaccurate and should be eliminated all together.
- Back in Jan of 2003 there was a break in the gas line that let water in the line. Phillips sent some repair men. They set up a temporary line and proceeded to dig a 6' x 6' hole, make a repair and fill it in with large slag. The repair didn't work and they found the actual leak across the street. They then dug up across the street & cleared it my side.
- In Jan. I had to have the stove ignitor replace for \$60.94, as the water in the line damaged the ignitor.
- In March I wrote to Phillips requesting a date that they would come and dig out the slag and replace it with dirt, as I was before, so I might plant the embankment in May 2003. I wrote several times with no response.
- I was told by Phillips that they would reimburse me for the \$60.94 stove repair. All I needed to do was supply them with a copy of the bill. I did so 3 times with no results.
- In May I had to have all the slag dug out and dirt put in so I could plant. I sent a copy of the bill, also several times, and just deducted it from the May bill. It was then I got a nasty

1,291.17
1,313.77
1,252.60
719.57
786.14
970.82

1,319.54

1,695.93

1,394.32

1,432.50

1,423.88

1,277.10

1,339.00

944.57

776.54

861.57

935.13

955.25

1,557.77

3/03 - 12/03

1/04 - 12/04

1/05 - 12/05

1/06 - 2/06

4. In March I wrote to Phillips requesting a debt that they would come and dig out the slay and replace it with dirt, as I was before, so I might plant the embankment in May 2003. I wrote several times with no response.

5. I was told by Phillips that they would reimburse me for the 60.94, stove repair. All I needed to do was supply them with a copy of the bill. I did so 3 times with no results.

6. In May I had to have all the slay dug out and dirt put in so I could plant. I sent a copy of the bill, also several times, and just deducted it from the May bill. It was then I got a nasty call saying they would pay for the repair without a bill. I sent it in again and then I got a call saying I didn't get prior approval and that's why they wouldn't pay. I had to go to legal aid, she called and John from J.W. Phillips said he would have to have copies of all bills again. I did so same day.

7. I ended up taking them to the local magistrate. It was proven no one ever told me I had to have prior permission. The magistrate awarded me the \$513.60 plus fees for the yard work.

8. This stupid delay cost me a matching credit of 12.76/mo for 40 mos. equaling \$459.36 as well.

9. The total I believe I owe is only \$686.13

10. At the mag. hearing, the atty. for Phillips said he'd be willing to talk about the late fees as he didn't have any info with him. He then said he never agreed to that. It was said in favor of my atty. Mr. Rubit. I believe the late fees should be eliminated and just compare the actual current mo. chg against actual payment with the 2 \$50 late fees also eliminated.

11. Both repair bills attached

FINAL BILL

Meter Reading/Usage Information

READING	READ DATE	READ TYPE
This Month: 289	9/15/03	Actual
Last Month: 286	8/20/03	Actual
Current Usage: 3 Mcf	in 26 DAYS	

Residential Service
 Account Number: 3140128003
 Meter Number: 000004493
 Gas Used At...: 122 W PEARL ST BUTLER

Mcf	AVG TEMP
6	
5	
4	
3	
2	
1	

2003 A
 2003
 1=Actual 1=Customer Read

Annual Usage: 3 Mcf
 Average Monthly Usage: 3 Mcf

General Information

Natural Gas Distribution Company (NGDC)
 For the NGDC portion of your bill notify:
 T. W. Phillips Gas And Oil Co.
 205 North Main St.
 Butler, PA 16001
 1-800-222-5101
 www.twphillips.com

Natural Gas Supplier (NGS):

DOCUMENT FOLDER

Billing Information

NGDC Charges:
 Balance From Last Bill \$+440.88
 Late Charges +20.04
 Adjustments 0
 Transfers 0
 Payments Received 0

Distribution Charges:
 Customer Charge 11.00
 Delivery Charge 11.91
 3 Mcf @ 3.9701
 Gas Cost Adjustment .50
 3 Mcf @ 1663
 Commodity Charge 15.80
 3 Mcf @ 5.2661

Sales Tax @ 6.00% 2.35
 Surcharge @ .0244- .0700

NGDC Charges \$+497.55

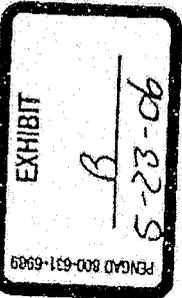
NGS Charges:

NGS Charges 0

FINAL ACCOUNT BALANCE \$+497.55

If You Are A Gascheck Customer, This Payment Will Not be Taken Out by Gascheck.
 WE ARE NO LONGER ACCEPTING CREDIT CARD PAYMENTS
 Commodity prices and charges are set by the Natural Gas Supplier you have chosen.
 The Public Utility Commission regulates distribution prices and services.

due 10/17/03



C20065955
 YEH

Meter Reading/Usage Information

This Month: 298
 Last Month: 289
 Current Usage: 9 Mcf in 34 DAYS

READING READ DATE READ TYPE

298 10/20/03 Actual
 289 9/16/03 Actual

Account Number: 3140128003
 Meter Number: 000004493
 Gas Used At: 122 W PEARL ST BUTLER

Mcf	AVG TEMP
9	2003 52

2003 0 2003

[] = Estimated [] = Actual [] = Customer Read

Annual Usage: 9 Mcf
 Average Monthly Usage: 3 Mcf

General Information

Natural Gas Distribution Company (NGDC)
 For the NGDC portion of your bill notify:
 T. W. Phillips Gas And Oil Co.
 205 North Main St.
 Butler, PA 16001
 1-800-222-5101
 www.twphillips.com

Natural Gas Supplier (NGS)

due 11/18

WE ARE NO LONGER ACCEPTING CREDIT CARD PAYMENTS
 Commodity prices and charges are set by the Natural Gas Supplier you have chosen.
 The Public Utility Commission regulates distribution prices and services.
 Your new charges include an estimated total State Tax of \$ 6.88

Please read your meter between 11/18/03 and 11/22/03 and call 1-888-427-7335
 and enter your read to avoid an estimated bill next month.

Billing Information

NGDC Charges:
 Balance From Last Bill \$+482.29
 Late Charges +21.29
 Adjustments 0
 Transfers 0
 Payments Received 0
 Distribution Charge 0
 Customer Charge 0
 Delivery Charge 0

9 Mcf @ 5.9701
 Gas Cost Adjustment 1.50
 9 Mcf @ .1663
 Commodity Charge 47.39
 9 Mcf @ 5.2561

Sales Tax @ 6.00% 5.72
 Surcharge @ .0244- .22CR

NGDC Charges \$+504.70

NGS Charges:

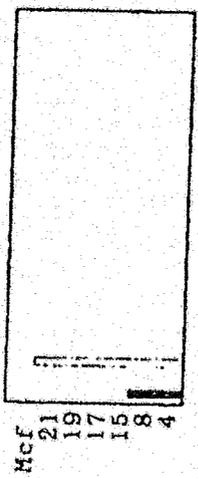
NGS Charges 0

TOTAL ACCOUNT BALANCE \$ 504.70

Monthly Usage Information

This Month: 319 11/19/03 Estimate
Last Month: 298 10/20/03 Actual
Current Usage: 21 Mcf in 30 DAYS

Account Number: 3140128003
Meter Number...: 000004493
Gas Used At...: 22 W PEARL ST BUTLER



2003 O N 2003

■ = Estimated □ = Actual ▨ = Customer Read

Annual Usage: 30 Mcf
Average Monthly Usage: 15 Mcf

General Information

Natural Gas Distribution Company (NGDC)
For the NGDC portion of your bill notify:
T. W. Phillips Gas And Oil Co.
205 North Main St.
Butler, PA 16001
1-800-222-5101
www.twpPhillips.com

Natural Gas Supplier (NGS)

due 12/10

Billing Information

NGDC Charges:
Balance From Last Bill \$+383.60
Late Charges +28.40
Adjustments 0
Transfers 0
Payments Received 0

Distribution Charge:
Customer Charge 11.00
Delivery Charge 83.42
21 Mcf @ 3.9726

Gas Cost Adjustment 4.30
21 Mcf @ .2047
Commodity Charge 111.63
21 Mcf @ 5.3159

Sales Tax @ 6.00% 12.59
Surcharge @ .0244- .51CR

\$+834.43

NGDC Charges

NGS Charges

NGS Charges 0

TOTAL ACCOUNT BALANCE \$ 834.43

WE ARE NO LONGER ACCEPTING CREDIT CARD PAYMENTS
Commodity prices and charges are set by the Natural Gas Supplier you have chosen
The Public Utility Commission regulates distribution prices and services.
Your new charges include an estimated total State Tax of \$ 15.15

READING READ DATE READ TYPE
 356 12/19/03 Actual
 319 11/19/03 Estimate
 37 Mcf in 30 DAYS

Account Number: 3140128003
 Meter Number...: 000004493
 Gas Used At...: 122 W PEARL ST BUTLER

Mcf	AVG TEMP
37	
32	
27	2003 33
22	
11	
6	

2003 O N D 2003

=Estimated | =Actual | =Customer Read
 Annual Usage: 67 Mcf
 Average Monthly Usage: 22 Mcf

General Information

Natural Gas Distribution Company (NGDC)
 For the NGDC portion of your bill notify:
 T. W. Phillips Gas And Oil Co.
 205 North Main St.
 Butler, PA 16001
 1-800-222-5101
 www.twphillips.com

Natural Gas Supplier (NGS)

Billing Information

NGDC Charges:
 Balance From Last Bill \$+806.25
 Late Charges +29.58
 Adjustments 0
 Transfers 0
 Payments Received -Thank You \$-715.00
 Distribution Charge 11.00
 Customer Charge 147.04
 Delivery Charge 37 Mcf @ 3.9741

Gas Cost Adjustment 37 Mcf @ .2269 8.40
 Commodity Charge 37 Mcf @ 5.3447 197.75

Sales Tax @ 6.00% 21.80
 Surcharge @ 0244- .9006

NGDC Charges \$+505.92

NGS Charges

NGS Charges 0

TOTAL ACCOUNT BALANCE \$ 505.92

due 1/15

WE ARE NO LONGER ACCEPTING CREDIT CARD PAYMENTS
 Commodity prices and charges are set by the Natural Gas Supplier you have chosen.
 The Public Utility Commission regulates distribution prices and services.
 Your new charges include an estimated total State Tax of \$ 26.23.
 Please read your meter between 01/21/04 and 01/28/04 and call 1-888-427-7055
 and enter your read to avoid an estimated bill next month.

Meter Reading/Usage Information

READING READ DATE READ TYPE
 This Month: 406 1/21/04 Estimate
 Last Month: 358 12/19/03 Actual
 Current Usage: 50 MCF in 33 Days

Residential Service
 Account Number: 3140128003
 Meter Number: 000004453
 Gas Used At: 122 W PEAPL ST BUTLER



O N D J
 2003 2004
 [] = Estimated [] = Actual [] = Customer Read

Annual Usage: 117 MCF
 Average Monthly Usage: 29 MCF

General Information

Natural Gas Distribution Company (NGDC)
 For the NGDC portion of your bill notify:
 T. W. Phillips Gas And Oil Co.
 205 North Main St.
 Butler, PA 16001
 1-800-222-5101
 www.twphillips.com

Natural Gas Supplier (NGS)

Billing Information

NGDC Charges:
 Balance From Last Bill \$-497.73
 Late Charges +14.11
 Adjustments 0
 Transfers 0
 Payments Received 0

Distribution Charges:
 Customer Charge 11.35
 Delivery Charge 129.11
 50 MCF @ 3.2741

Gas Cost Adjustment 11.35
 50 MCF @ 1.225
 Commodity Charge 247.04
 50 MCF @ 5.341

Sales Tax @ 6.00
 Surcharge @ 1.0044

NGDC Charges \$1029.14

NGS Charges:

NGS Charges

TOTAL ACCOUNT BALANCE \$ 1029.14

Due 2/12/04

Commodity prices and charges are set by the Natural Gas Supplier you have chosen. The Public Utility Commission regulates distribution prices and services. Your new charges include an estimated total State Tax of \$ 35.16.

Service Questions

ation You Can Get at Our Office

3/8

Billing Information

NGDC Charges:

Balance From Last Bill: \$-1625.66

Late Charges: +44.11

Adjustments: 0

Transfers: 0

Payments Received -Thank You: \$-100.00 (3/15)

Distribution Charges:

Customer Charge: 11.00

Delivery Charge: 122.20

31 MCF @ 3.9241: 122.20

334.71

Gas Cost Adjustment: 7.03

31 MCF @ 2289: 70.76

Commodity Charge: 175.28

31 MCF @ 5.6546: 175.28

Sales Tax @ 6.00%: 19.95

Surcharge @ .0214: 1.22

NGDC Charges \$-1904.48

NGS Charges

TOTAL ACCOUNT BALANCE \$ 1904.48

Meter Reading/Usage Information

READING READ DATE FEED TYPE

This Month: 495 3/18/04 Estimate

Last Month: 464 2/19/04 Actual

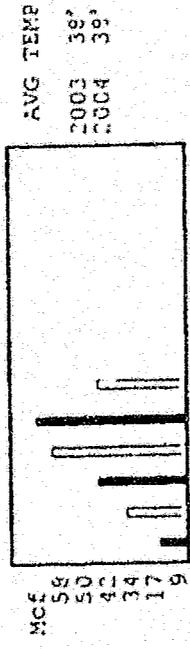
Current Usage: 31 MCF in 29 DAYS

Residential Service

Account Number: 3140128023

Meter Number: 000004493

Gas Used At...: 122 W PEARL ST BUTLER



Legend: [Solid Bar] = Actual [Hatched Bar] = Customer Read

Annual Usage: 206 MCF

Average Monthly Usage: 34 MCF

General Information

Natural Gas Distribution Company (NGDC)

For the NGDC portion of your bill notify:

T. W. Phillips Gas And Oil Co.

205 North Main St.

Butler, PA 16001

1-800-222-5101

www.twphillips.com

Natural Gas Supplier (NGS)

Due 4/14/04

Commodity prices and charges are set by the Natural Gas Supplier you have chosen. The Public Utility Commission regulates distribution prices and services. Your new charges include an estimated total State Tax of \$ 22.80 .

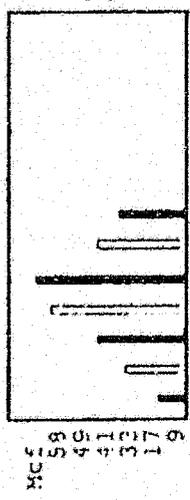
Service Questions

Information You Can Get at Our Office

Meter Reading/Usage Information

READING READ DATE READ TYPE
 This Month: 529 4/21/04 Actual
 Last Month: 495 3/18/04 Estimate
 Current Usage: 25 MCF in 34 DAYS

Residential Service
 Account Number: 3140129003
 Meter Number: 000004493
 Gas Used At: 122 W PEARL ST BUTLER



2003 C N D J F M A 2004

☐=Estimated ☐=Actual ☐=Customer Read

Annual Usage: 331 MCF
 Average Monthly Usage: 33 MCF

General Information

Natural Gas Distribution Company (NGDC)
 For the NGDC portion of your bill notify:
 T. W. Phillips Gas And Oil Co.
 205 North Main St.
 Butler, PA 15001
 1-800-222-5101
 www.twpPhillips.com

Natural Gas Supplier (NGS)

Billing Information

NGDC Charges:
 Balance From Last Bill: \$+1856.46
 Late Charges: +156.89
 Adjustments: 0
 Transfers: 0
 Payments Received - Thank you: \$-400.00
 300.415
 100.418

Distribution Charges:
 Customer Charge: 11.00
 Delivery Charge: 99.25
 25 MCF @ 3.9741: 5.27
 Gas Cost Adjustment: .2289
 25 MCF @ : 41.37
 Commodity Charge: 5.5546
 25 MCF @

Sales tax @ 6.00%: 15.42
 Surcharge @ .0112: .4302

NGDC Charges: \$+1796.44

NGS Charges:

NGS Charges: 0

TOTAL ACCOUNT BALANCE: \$ 1796.44

Commodity prices and charges are set by the Natural Gas Supplier you have chosen. The Public Utility Commission regulates distribution prices and services.

Invoice 5/17

T. W. PHILLIPS GAS AND OIL CO.
CUSTOMER USAGE REPORT
 Carol Kirkpatrick (Account No. 3140128003)

**DOCUMENT
FOLDER**

Service To	Meter Reading	Gas Usage (Mcf)	Bill Amount	Due Date	Late Payment Charge	Payment	Payment Date	Balance
04/20/06	924E	19	288.47	05/17/06				\$2,223.65
03/20/06	905A	26	\$390.47	04/17/06		\$600.00 ¹	04/11/06	\$1,935.18
02/20/06	879E	39	\$589.92	03/20/06				\$2,144.71
01/20/06	840A	38	\$599.54	02/15/06				\$1,554.79
12/20/05	802E	45	\$709.82	01/18/06				\$955.25
11/18/05	757A	14	\$209.83	12/15/05	\$3.03	\$818.00 ²	11/22/05	\$245.43
10/20/05	743E	6	\$84.56	11/16/05		\$84.56	11/18/05	\$850.57
09/21/05	737A	7	\$96.69	10/19/05		\$11.00	10/25/05	\$850.57
08/18/05	730E	0	\$11.66	09/15/05		\$11.66	09/06/05	\$764.88
07/21/05	730E	0	\$11.66	08/17/05		\$11.66	08/10/05	\$764.88
06/20/05	730E	4	\$61.66	07/18/05		\$168.00	08/08/05	\$776.54
05/19/05	726A	8	\$110.52	06/15/05		\$406.18	07/18/05	\$932.88
04/20/05	718E	20	\$254.38	05/18/05		\$257.00	05/19/05	\$1,166.88
03/18/05	698A	25	\$315.18	04/13/05		\$263.00	04/14/05	\$1,169.50
02/18/05	673E	44	\$545.86	03/16/05		\$277.00	03/18/05	\$1,117.32
01/20/05	629A	30	\$375.89	02/16/05		\$813.00 ²	02/15/05	\$848.46
12/20/04	599E	36	\$448.72	01/17/05		\$33.97	02/01/05	\$1,661.46
11/18/04	563A	14	\$175.38	12/16/04		\$100.00	12/21/04	\$870.82
10/20/04	549E	5	\$66.77	11/17/04	\$9.30			\$786.14
10/12/04	544A	5	\$66.77	11/11/04		\$600.00	10/13/04	\$652.60
09/21/04	539A	7	\$88.83	10/18/04		\$150.00	09/21/04	\$1,163.77
08/19/04	532E	1	\$22.58	09/15/04		\$300.00	07/07/04	\$1,268.76
07/21/04	531E	1	\$22.43	08/18/04		\$200.00	06/23/04	\$1,568.76
06/18/04	530A	3	\$43.97	07/14/04		\$200.00	06/03/04	\$1,704.40
05/20/04	527E	7	\$86.21	06/16/04	\$20.39	\$100.00	04/26/04	\$1,524.06
04/21/04	520A	25	\$272.38	05/19/04	\$21.75	\$300.00 ¹	04/05/04	\$1,604.48
03/18/04	495E	31	\$334.71	04/14/04	\$19.58	\$100.00	03/15/04	\$1,550.64

Meter Reading Key.

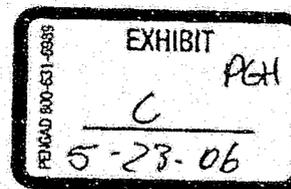
A = actual meter reading
 E = estimated meter reading

¹ Crisis
² Energy Assistance

RECEIVED

JUN 12 2006
EXHIBIT "C"

PA PUBLIC UTILITY COMMISSION



C20065955

5/18/06 INCOME & EXPENSE WORKSHEET GS0112-03
 07:40:51 1140128001 KIRKPATRICK, CAROL
 NUMBER OF PEOPLE IN HOUSEHOLD: ADULTS: 1 CHILDREN: 00 TOTAL: 01
 AGES: 46
 Any Special Medical Condition: If Yes, Explain

MONTHLY INCOME	MONTHLY EXPENSE		
WAGES (Self)	Rent/Mortgage	594.00	Gasoline
Public Welfare	Food	100.00	H.O. Insurance
Social Security	Electric	34.00	Car Insurance
Unemployment	OIL		Personal Loans
Disability	TELEPHONE	50.00	CARBAGE
Pens-on	WATER	35.00	Cable TV
WAGES (Spouse)	Sewage	15.00	Charge Cards
Child Support	Day Care		VISA/MC
Allimony	Medical	120.00	
	Car Payment	364.00	

TOTAL INCOME: 205.00
 TOTAL EXPENSES: 1,452.00
 TOTAL INCOME MINUS TOTAL EXPENSES
 205.00 - 1,452.00 = 1,247.00-
 * LEVEL OF INCOME * 1 - EMP 1 INQUIRY ONLY
 ENTER TO CONTINUE CMD #1 TO END

DOCUMENT
 FOLDER

Operation Rec 3/4/02

2006065955
 EXHIBIT PCH
 0
 S-23-06

RECEIVED
 JUN 12 2006
 PA PUBLIC UTILITY COMMISSION
 SECRETARIAT & BUREAU

5/18/06 INCOME & EXPENSE WORKSHEET
8:54:58
ACCOUNT 3140128003 KIRKPATRICK, CAROL

GS0112-04
INDUJRY

REPERALS:

Y/N	DATE	LIHEAP I	Y/N	DATE	CARES	Y/N	DATE	PUC
000000		LIHEAP II	000000		CAP	000000		
000000		Util Hardship	000000		BUDGET	000000		
000000		State Weather	000000		SEFUND	000000		
000000		Util Weather	000000		EHP	000000		

Appiances which use gas: (Y/N)

- Furnace Heater
- Stove Dryer
- Hot Water Pool

Do You Own: X
Rent:

REMARKS: *EHP APP

REFERRED TO SUPERVISOR. TIME: 100845 REFERRED TO PUC:
DATE TAKEN 3/06/02 INQUIRY ONLY CMD #12 TO PRINT
BT: DENERGY INQUIRY ONLY CMD #2 PREVIOUS SCREEN

07:48:30 NUMBER OF PEOPLE IN HOUSEHOLD: ADULTS: 1 CHILDREN: 00 TOTAL: 01

AGES: 46 Any Special Medical Condition: If Yes, Explain

MONTHLY INCOME	MONTHLY EXPENSE	TOTAL EXPENSES
WAGES (Self)	Rent/Mortgage	603.00 Gasoline
Public Welfare	Food	103.00 H.O. Insurance
Social Security	Electric	69.00 Car Insurance
Unemployment	OIL	Personal Loans
Disability	TELEPHONE	GARBAGE
Pension	WATER	CABLE TV
WAGES (Spouse)	Sewage	Charge Cards
Child Support	Day Care	VISA/MC
Alimony	Medical	
MOM	Car Payment	
RENTAL INCOME		
TOTAL INCOME: 1,555.00		
	Food Stamps	135.00
TOTAL INCOME MINUS TOTAL EXPENSES		
1,555.00 - 1,549.00 =		
* LEVEL OF INCOME * 2 * EMF * 6.00		

INQUIRY ONLY CMD #12 TO PRINT
ENTER TO CONTINUE CMD #1 TO END

Payment Rec 9/15/03

5/19/06
 B-55.11
 ACCOUNT 1140128003 MARRPATRICK, CAROL

INCOME & EXPENSE WORKSHEET
 GS0112-04
 INQUIRY

REFERENCES:

Y/N	DATE	LIHEAP I	Y/N	DATE	CARES	Y/N	DATE	PUC
Y	091503	LIHEAP I	000000	091503	Y	091503		
Y	091503	LIHEAP II	000000		Y	091503		
000000		Cell Hardship	Y	091503	BUDGET	000000		
000000		State Weather	Y	091503	SEFURD	000000		
Y	091503	Cell Weather	Y	091503	EMP	000000		

Appliances which use gas: (Y/N)

Purchase Y Heater
 Stove Y Dryer
 Hot Water N Pool

Do You Own: X
 Rent:

REMARKS:

REFERRED TO SUPERVISOR: TIME 114225
 DATE TAKEN 9/15/01
 BY: LESLIE INQUIRY ONLY

REFERRED TO PUC: CMD #12 TO PRINT
 CMD #2 PREVIOUS SCREEN

07:48:24 NUMBER OF PEOPLE IN HOUSEHOLD: ADULTS: 1 CHILDREN: 00 TOTAL: 01

AGES: 48 Any Special Medical Condition: If Yes, Explain

MONTHLY INCOME	MONTHLY EXPENSE	
WAGES (Self)	Rent/Mortgage	500.00 Gasoline
Public Welfare	Food	H.O. Insurance
Social Security	Electric	Car Insurance
Unemployment	Oil	Personal Loans
Disability	TELEPHONE	GARBAGE
Pension	WATER	Cable TV
WAGES (Spouse)	Sewage	Charge Cards
Child Support	Day Care	VISA/MC
Alimony	Medical	
	Car Payment	

RENTAL INCOME 500.00 TOTAL EXPENSES: 796.00

TOTAL INCOME: 705.00 Food Stamps: 137.00

TOTAL INCOME MINUS TOTAL EXPENSES 796.00 - 796.00 = 0.00

* LEVEL OF INCOME: 1 EMP 2 INQUIRY ONLY CMD #12 TO PRINT

ENTER TO CONTINUE CMD #1 TO END

Automated Rec 3/25/04

5/18/06
 8:56:10
 ACCOUNT 1140128001 KIRKPATRICK, CAROL

INCOME & EXPENSE WORKSHEET
 GSO112-04
 INQUIRY

REFERRALS:

Y/N	DATE	LIHEAD I	Y/N	DATE	CARES	Y/N	DATE	PUC
Y	012504	LIHEAD I	000000	000000	CAP	Y	012504	
Y	012504	LIHEAD II	000000	000000	BUDGET		000000	
000000		Util Hardship	Y	012504			000000	
000000		State Weather	Y	012504	SEFUND		000000	
000000		Util Weather	Y	012504	EMP		000000	

Appliances which use gas. (Y/N)
 Furnace Y Heater Y
 Stove Y Dryer Y
 Hot Water N Pool

Do You Own: X
 Rent:

REMARKS:

REFERRED TO SUPERVISOR: TIME: 095658
 DATE TAKEN 3/25/04 INQUIRY ONLY
 BY: JMAN
 REFERRED TO PUC: GSD #12 TO PRINT
 CMD #2 PREVIOUS SCREEN

07:40:39 NUMBER OF PEOPLE IN HOUSEHOLD: ADULTS: 1 CHILDREN: 00 TOTAL: 01

Any Special Medical Condition: If Yes, Explain: AGES: 48

MONTHLY INCOME	MONTHLY EXPENSE	
WAGES (Self)	Rent/Mortgage	400.00 Gasoline
Public Welfare	Food	H.O Insurance
Social Security	Electric	35.00 Car Insurance
Unemployment	Oil	Personal Loans
Disability	TELEPHONE	60.00 CABLE TV
Pension	WATER	45.00 Cable TV
WAGES (Spouse)	Sewage	15.00 Charge Cards
Child Support	Day Care	VISA/MC
Alimony	Medical	125.00
	Car Payment	

RENTAL INCOME: 500.00
 TOTAL INCOME: 500.00
 TOTAL EXPENSES: 692.00

TOTAL INCOME MINUS TOTAL EXPENSES: 500.00 - 692.00 = 192.00-

* LEVEL OF INCOME: 1 - EFF 2 INQUIRY ONLY CMD #12 TO PRINT
 ENTER TO CONTINUE CMD #1 TO END

Information Rec July 14, 2004

REPERALS:

Y/N	DATE	LINEAP	I	Y/N	DATE	CARES	Y	Y/N	DATE	PUC
Y	071604	LINEAP I		000000		CAP	Y	071604		
Y	071604	LINEAP II		000000		BUDGET		000000		
000000		Util Hardship		Y	071604	SEFUND		000000		
000000		State Weather		Y	071604	EHP		000000		
000000		Util Weacher		Y	071604			000000		

Appliances which use gas (Y/N)

Appliance	Y	Heater	Y	Do You Own	X
Furnace	Y	Heater	Y	Rent	
Stove	Y	Dryer	Y		
Hot Water	N	Pool			

REMARKS:

REFERRED TO SUPERVISOR: TIME: 131326 REFERRED TO PUC: CMD #12 TO PRINT
 DATE TAKEN 7/16/04 INQUIRY ONLY CMD #2 PREVIOUS SCREEN
 BY: IMAN

08:26:42 3140128003 KIRKPATRICK, CAROL

NUMBER OF PEOPLE IN HOUSEHOLD: ADULTS: 1 CHILDREN: 00 TOTAL: 01

AGES: 48

Any Special Medical Condition: If Yes, Explain

MONTHLY INCOME	MONTHLY EXPENSE	
WAGES (Self)	Rent/Mortgage	400.00 Gasoline
Public Welfare	Food	H.O. Insurance
Social Security	Electric	Car Insurance
Unemployment	Oil	Personal Loans
Disability	TELEPHONE	GARBAGE
Pension	WATER	Cable TV
WAGES (Spouse)	Sewage	Charge Cards
Child Support	Day Care	VISM/MC
Alimony	Medical	
	Car Payment	

RENTAL INCOME 500.00 TOTAL EXPENSES: 692.00

NET INCOME: 500.00

Food Stamps : 137.00

TOTAL INCOME MINUS TOTAL EXPENSES 192.00

500.00 - 692.00 = 192.00

* LEVEL OF INCOME * 1 - ERF 2 INQUIRY ONLY

CMD #12 TO PRINT

ENTER TO CONTINUE CMD #1 TO END

Information Rec 10/12/04

5/18/06 INCOME & EXPENSE WORKSHEET
8:57:28
ACCOUNT 3140128003 KIRKPATRICK, CAROL

GS0112-04
INQUIRY

RESERVALS

Y/N	DATE	LIHEAP I	LIHEAP II	VEH Hardship	State Weather	Util Weather	Y/N	DATE	CARES	CAP	BUDGET	SEFUND	EHF	Y/N	DATE	PUC
Y	101204							000000						Y	101204	
Y	101204							000000							000000	
Y	101204							000000							000000	
000000								000000							000000	
000000								000000							000000	

Appliances which use gas: (Y/N)
Furnace Y Heater
Stove Y Dryer Y
Hot Water N Pool

Do You Own: X
Rent:

REMARKS:

REFERRED TO SUPERVISOR: TIME: 124759
DATE TAKEN 10/12/04 INQUIRY ONLY
BY: SCHAUB

REFERRED TO PUC: CMD #12 TO PRINT
CMD #2 PREVIOUS SCREEN

5/18/06 INCOME & EXPENSE WORKSHEET GS0112-03

07/40/33 3140120003 KIRKPATRICK, CAROL

NUMBER OF PEOPLE IN HOUSEHOLD: ADULTS: 1 CHILDREN: 00 TOTAL: 01

AGES: 48

Any Special Medical Condition: If Yes, Explain

MONTHLY INCOME	MONTHLY EXPENSE	
PAGES (Self)	Rent/Mortgage	400.00 Gasoline
Public Welfare	Food	H.O. Insurance
Social Security	Electric	Car Insurance
Unemp]oyment	OIL	Personal Loans
Disability	TELEPHONE	GARRAGE
Pension	WATER	Cable TV
WAGES (Spouse)	Sevage	Charge Cards
Child Support	Day Care	VISA/MC
Alimony	Medical	
	Car Payment	

RENTAL INCOME: 300.00

TOTAL INCOME: 500.00

Food Stamps: 137.00

TOTAL EXPENSES: 692.00

TOTAL INCOME MINUS TOTAL EXPENSES: 500.00 - 692.00 = 192.00

* LEVEL OF INCOME: 1 EMP 2 INQUIRY ONLY CMD #12 TO PRINT

ENTER TO CONTINUE CMD #1 TO END

Deposited Rec 1/21/04

REPERALS:

Y/N	DATE	LIHEAP I	Y/N	DATE	CASES	Y/N	DATE	PUC
Y	122104	LIHEAP I	000000	122104	CAP	000000		
Y	122104	LIHEAP II	000000	122104	BUDGET	000000		
Y	122104	Ue11 Hardship	000000	122104	SEFUND	000000		
000000		Scale Weather	Y	122104	EHP	000000		
000000		Uc11 Weather	Y	122104				

Appliances which use gas: (Y/N)

Furnace	Y	Heater		Do You O-m	X
Stove	Y	Dryer	Y	Rent:	
Hot Water	N	Pool			

REMARKS:

REFERRED TO SUPERVISOR: TIME 1344:16 REFERRED TO PUC. CMD #12 TO PRINT
 DATE TAKEN 12/21/04 INQUIRY ONLY CMD #2 PREVIOUS SCREEN
 BY: DEVORE

07:40:38 1140118003 KIRKPATRICK, CAROL CHILDREN: 00 TOTAL: 01

NUMBER OF PEOPLE IN HOUSEHOLD: ADULTS: 1 AGES: 46

Any Special Medical Condition: If Yes, Explain

MONTHLY INCOME	MONTHLY EXPENSE	TOTAL EXPENSES:
WAGES (Self) 205.00	Rent/Mortgage 600.00	Gasoline
Public Welfare	Food 100.00	H.O. Insurance
Social Security	Electric 60.00	Car Insurance
Unemployment	Oil	Personal Loans
Disability	TELEPHONE	GARAGE
Pension	WATER	Cable TV
WAGES (Spouse)	Sewage	Charge Cards
Child Support	Day Care	VISA/MC
Alimony	Medical	
ROM	Car Payment	
RENTAL INCOME 495.00		
TOTAL INCOME: 1,555.00	Food Stamps: 135.00	
TOTAL INCOME MINUS TOTAL EXPENSES		
1,555.00 - 1,549.00 =		
* LEVEL OF INCOME * 2 * EHF *		

INQUIRY ONLY CMD #12 TO PRINT
ENTER TO CONTINUE CMD #1 TO END

Information received 6/17/05

5/18/06 INCOME & EXPENSE WORKSHEET
 8:58:44
 ACCOUNT 1140128003 KIRKPATRICK, CAROL

GS0112-04
 INQUIRY

REPERALS

V/N	DATE	LIHEAP I	V/N	DATE	CARES	V/N	DATE	PUC
Y	091503	LIHEAP I	000000	091501	Y	091501		
Y	091503	LIHEAP II	000000	091501	Y	091501		
000000		Util Hardship	Y	091503	BUDGET	000000		
000000		State Weather	Y	091503	SEFUND	000000		
Y	091503	Util Weather	Y	091503	EHF	000000		

Applications which use gas: (Y/N)

Purnace Y Heater
 Scove Y Dryer
 Hot Water N Pool

Do You Con: X
 Rent:

REMARKS:

REFERRED TO SUPERVISOR: TIME: 081812 REFERRED TO PUC: CMD #12 TO PRINT
 DATE TAKEN 6/17/05 INQUIRY ONLY CMD #2 PREVIOUS SCREEN
 BY: LESLIE

07:47:38 1140128003 KIRKPATRICK, CAROL

NUMBER OF PEOPLE IN HOUSEHOLD: ADULTS: 1 CHILDREN: 00 TOTAL: 01

AGES: 49

Any Special Medical Condition: If yes, explain

MONTHLY INCOME	MONTHLY EXPENSE	
WAGES (Self)	Rent/Mortgage	Gasoline
Public Welfare	Food	H.O. Insurance
Social Security	Electric	Car Insurance
Unemployment	Oil	Personal Loans
Disability	TELEPHONE	GARBAGE
Pension	WATER	Cable TV
WAGES (Spouse)	Sewage	Charge Cards
Child Support	Day Care	VISA/MC
Alimony	Medical	
	Car Payment	

TOTAL INCOME: Food Stamps 152.00 TOTAL EXPENSES: 242.00

TOTAL INCOME MINUS TOTAL EXPENSES 242.00 - 242.00 = 0.00

LEVEL OF INCOME: ? EHP INQUIRY ONLY CMD #12 TO PRINT

ENTER TO CONTINUE CMD #1 TO END

Deposited Rec 11/3/06

5/18/06 INCOME & EXPENSE WORKSHEET
 B:58.50
 ACCOUNT 1140128001 KIRKPATRICK, CAROL

GS0112-04
 INQUIRY

REPERALS:

Y/N	DATE	LIHEAP I	Y/N	DATE	CAPES	Y/N	DATE	PUC
Y	011306	LIHEAP I	000000	011306	Y	011306		
Y	011306	LIHEAP II	000000		Y	011306		
Y	011306	Uc11 Hardship	000000		Y	011306		
000000		Seate Weather	000000		000000			
000000		Uc11 weather	000000		000000			

Appliances which use gas: (Y/N)

Furnace X Heater
 Stove X Dryer
 Hot Water X Pool
 Do You Own: X
 Rent

REMARKS:

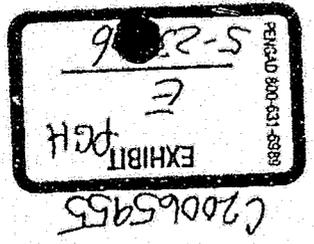
REFERRED TO SUPERVISOR: TIME 141442 REFERRED TO PUC. CMD #12 TO PRINT
 DATE TAKEN 1/13/06 INQUIRY ONLY CMD #2 PREVIOUS SCREEN
 BY: PARKER

T. W. PHILLIPS GAS AND OIL CO. Transaction Inquiry GS0015SP1
5/18/06

Account# 3140128003 00 KIRKPATRICK,CAROL
Cnd1-Return 122 W PEARL ST BUTLER
Cnd5-Supplier Detail Current Balance 2,223.65
Cnd5-Copy of Bill
ROLL-Page
CND13-ADJUSTMENT

Set Type	Loc.	Bill Date	Penalty Date	Transaction Amount	From Date	To Date	Balance
ADJST	69	5/06/02	0/00/00	12.75-	0/00/00	0/00/00	545.14
PYMT	97	5/05/02	0/00/00	35.00-	0/00/00	0/00/00	557.92
BILL	69	5/29/02	6/19/02	82.19	4/18/02	5/20/02	582.93
ADJST	69	5/09/02	0/00/00	12.76-	0/00/00	0/30/00	500.41
PYMT	97	5/08/02	0/00/00	25.00-	0/00/00	0/30/00	513.17
BILL	69	4/26/02	0/00/00	5.26-	0/00/00	0/00/00	538.17
PULTY	69	4/25/02	5/16/02	117.36	3/20/02	4/18/02	543.43
BILL	69	4/23/02	0/00/00	5.26	0/00/00	0/00/00	446.07
ADJST	69	4/03/02	0/00/00	12.76-	0/00/00	0/00/00	420.91
PYMT	97	4/02/02	0/00/00	25.00-	0/00/00	0/00/00	433.57
BILL	69	3/28/02	4/17/02	142.27	2/20/02	3/20/02	458.57
BILL	80	3/25/02	0/30/00	160.00-	0/00/00	0/30/00	316.30

1st
EFF
Payment ADJST



PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

JUN 12 2006

RECEIVED

DOCUMENT FOLDER

T. W. PHILLIPS GAS AND OIL CO Transaction Inquiry GS00155RH
 5/18/06

Account#: 1140128003 00 KIRKPATRICK, CAROL
 Cmd1-Return 122 W PEARL ST BUTLER
 Cmd4-Supplier Detail
 Cmd5-Copy of Bill
 ROLL-Page
 CMD12-ADJUSTMENT
 Current Balance: 2,223.65

Seq	Type	Loc	Bill Date	Penalty Date	Transaction Amount	From Date	To Date	Balance
	Bill		10/24/02	11/14/02	46.37	9/20/02	10/18/02	523.01
	ADJST	69	10/10/02	0/00/00	12.76-	0/00/00	0/00/00	476.64
	PYMT	97	10/09/02	0/00/00	28.00-	0/00/00	0/00/00	489.40
	Bill		9/26/02	10/17/02	8.21	8/20/02	9/20/02	517.40
	PYMT	97	9/04/02	0/00/00	25.00-	0/00/00	0/00/00	509.19
	Bill		8/27/02	9/17/02	29.18	7/19/02	8/20/02	534.19
	ADJST	69	8/07/02	0/00/00	12.76-	0/00/00	0/00/00	505.01
	PYMT	97	8/06/02	0/00/00	25.00-	0/00/00	0/00/00	517.77
	Bill		7/25/02	8/15/02	7.73	6/20/02	7/19/02	542.77
	ADJST	69	7/09/02	0/00/00	12.76-	0/00/00	0/00/00	535.04
	PYMT	97	7/08/02	0/00/00	25.00-	0/00/00	0/00/00	547.80
	Bill		6/27/02	7/18/02	27.66	5/20/02	6/20/02	572.80

T. W. PHILLIPS GAS AND OIL CO. Transaction Inquiry GS00153P1
 5/18/06

Account#: 3140128003 00 KIRKPATRICK, CAROL
 Cnd1-Return 122 W PEARL ST BUTLER
 CND5-Copy of Bill
 ROLL Page
 CND12-ADJUSTMENT
 Current Balance: 2,223.65

Set Type	Loc	Bill Date	Penalty Date	Transaction Amount	From Date	To Date	Balance
ADJUST	69	2/05/01	0/00/00	12.76-	0/00/00	0/00/00	699.40
PYMT	97	2/04/03	0/00/00	51.00-	0/00/00	0/00/00	712.24
BILL	69	1/28/03	2/18/03	286.44	12/19/02	1/21/03	763.24
ADJUST	69	1/15/03	0/00/00	12.76-	0/00/00	0/00/00	475.80
PYMT	97	1/13/03	0/00/00	37.00-	0/00/00	0/00/00	489.56
BILL	69	12/25/02	1/16/03	234.33	11/19/02	12/19/02	525.56
ADJUST	69	12/11/02	0/00/00	12.76-	0/00/00	0/00/00	592.23
PYMT	70	12/11/02	0/00/00	300.00	0/00/00	0/00/00	292.23
PYMT	97	12/10/02	0/00/00	32.00-	0/00/00	0/00/00	604.99
BILL	69	11/26/02	12/17/02	155.74	10/18/02	11/19/02	636.99
ADJUST	69	11/12/02	0/00/00	12.76-	0/00/00	0/00/00	481.25
PYMT	97	11/08/02	0/00/00	29.00-	0/00/00	0/00/00	494.01

T. M. PHILLIPS GAS AND OIL CO. Transaction Inquiry

G500155SP1

5/18/06

Account#: 3140128003 00 KIRKPATRICK,CAROL

122 W PEARL ST BUTLER

Current Balance:

2,223.65

Cmd1-Return
Cmd5-Copy of Bill
ROLL-PAGE
CMD12-ADJUSTMENT

Bill	Bill	Penalty	Transaction	From	To	Balance
Loc	Date	Date	Amount	Date	Date	
PYMNT 86	7/07/03	0/00/00	95.50-	0/00/00	0/00/00	162.98
BILL	6/26/03	7/17/03	52.72	5/20/03	6/19/03	552.98
PNLTY	6/24/03	0/00/00	6.18	0/00/00	0/00/00	500.25
BILL	5/28/03	6/18/03	98.39	4/21/03	5/20/03	494.08
PYMNT 91	5/12/03	0/00/00	50.00	0/00/00	0/00/00	395.69
BILL	4/29/03	5/20/03	167.35	3/20/03	4/21/03	445.69
PYMNT 19	4/24/03	0/00/00	277.00-	0/00/00	0/00/00	278.34
BILL	4/08/03	0/00/00	37.00-	0/00/00	0/00/00	555.34
PYMNT 97	3/27/03	4/17/03	315.97	2/20/03	3/20/03	592.34
BILL	3/11/03	0/00/00	30.00-	0/00/00	0/00/00	276.37
PYMNT 97	2/27/03	3/20/03	392.89	1/21/03	2/20/03	306.37
BILL	2/07/03	0/00/00	786.00	0/00/00	0/00/00	86.32.

Handwritten: 2.223.65
EHT
Oxy

T.W. Phillips Gas And Oil Co.
Energy Help Fund ("EHF") Program
P.O. Box 912
Butler, PA 16003-0912
1-866-276-4055

5/21/03

CAROL KIRKPATRICK

122 W PEARL ST
BUTLER PA 16001-3819

DOCUMENT
FOLDER

Dear CAROL KIRKPATRICK:

We did not receive your EHF payment of \$ 56.00 , which was due on 05/20/03 . You will lose your EHF status on 05/26/03 if you do not bring your EHF gas service account up-to-date.

Removal from the EHF program will place you in jeopardy of having your gas service shut off. Please mail your payment to T.W. Phillips today. If you cannot pay the full past-due amount, call our EHF office at 1-866-276-4055 or write to the address below now.

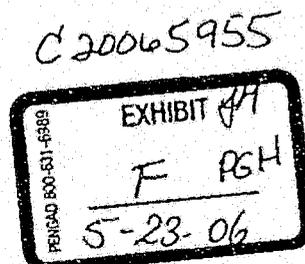
Please make your payment immediately so you don't lose your EHF status.

Energy Help Fund ("EHF") Program
P.O. Box 912
Butler, PA 16003-0912

Sincerely,

Energy Help Fund

[Signature]
Program Administrator



T. W. Phillips'
Exhibit "F"

T.W. Phillips Gas And Oil Co.
Energy Help Fund ("EHF") Program
P.O. Box 912
Butler, PA 16003-0912
1-866-276-4055

5/27/03

CAROL KIRKPATRICK

122 W PEARL ST
BUTLER PA 16001-3819

Dear CAROL KIRKPATRICK:

We removed you from the EHF program because we did not receive your EHF payment of \$ 56.00, which was due on 05/20/03.

Your past-due gas bill has been turned over to the Collection Department. In order for us to continue providing you with gas service, you must pay your account in full or call T.W. Phillips' Customer Service Department at 1-800-222-5101 immediately to make a new payment arrangement.

Please give this your immediate attention.

Sincerely,

Energy Help Fund

Dyan
Program Administrator

This Month: 267 4/21/03 Actual
 Last Month: 244 3/20/03 Estimate
 Current Usage: 23 Mcf in 3 DAYS

NGDC Charges:
 Balance From Last Bill \$+592.34
 Late Charges 0
 Adjustments 0
 Transfers 0
 Payments Received -Thank You \$-314.00

Residential Service
 Account Number: 3140128003
 Meter Number...: 000004493
 Gas Used Ar...: 122 W PEARL ST BUTLER

Distribution Charges:
 Customer Charge 2.75
 Delivery Charge 38.58
 23 Mcf @ 1.6773
 Gas Cost Adjustment 4.09
 23 Mcf @ .1779
 Commodity Charge 121.93
 23 Mcf @ 5.3013

Mcf	AVG TEMP
61	
49	2002 53]
36	2003 52)
23	
12	
6	

A M J J A S O N D J F M A
 2002 2003

<=Estimated [=Actual [=Customer Read

Annual Usage: 293 Mcf
 Average Monthly Usage: 23 Mcf

NGDC Charges \$+445.69

NGS Charges:

Natural Gas Distribution Company (NGDC)
 For the NGDC portion of your bill notify:
 T. W. Phillips Gas And Oil Co.
 205 North Main St.
 Butler, PA 16001
 1-800-222-5101
 www.twphillips.com

EHF Savings
 Balance before EHF 636.30
 Credits earned for on time pay 127.60
 EHF savings this month 61.88
 Total savings 904.02

NGS Charges 0

TOTAL ACCOUNT BALANCE \$ 445.69
 BUDGET AMOUNT DUE 106.00

Your EHF payment amount increased because of a change in your gas usage or the cost of gas.
 WE ARE NO LONGER ACCEPTING CREDIT CARD PAYMENTS
 Commodity prices and charges are set by the Natural Gas Supplier you have chosen.
 The Public Utility Commission regulates distribution prices and services.
 Your new charges include an estimated total State Tax of \$ 2.04 .

Please read your meter between 05/20/03 and 05/25/03 and call 1-888-427-7335 and enter your read to avoid an estimated bill next month.

3140128003 5/20/03 106.00

CAROL KIRKPATRICK
 122 W PEARL ST
 BUTLER PA 16001-3819

3140128003000010600