

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Vladimir Como

v.

Philadelphia Gas Works

C-20055639

DOCKETED
MAR 29 2006

PREHEARING ORDER

**DOCUMENT
FOLDER**

On January 9, 2006, I was assigned as the presiding officer in this case. The purpose of this order is to bring to the attention of the parties certain procedural rules that apply to the participants in this proceeding. An Initial Hearing in this case is scheduled for Wednesday, March 22, 2006 at 1:30 p.m. in Hearing Room 1 on the 13th floor of the Philadelphia State Office Building. Your case is one of several cases that have been scheduled at this time in Hearing Room 1. You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. You should arrive at the Hearing Room no later than 1:15 p.m. and wait in the Hearing Room until the Administrative Law Judge calls your case. Your case might not be the first one to be called and you should be prepared to stay in the hearing room all afternoon, if necessary. If you are not present and prepared to go forward with your case when it is called, your case will be dismissed by the Administrative Law Judge.

On December 5, 2005, the Complainant filed a formal complaint against Philadelphia Gas Works ("PGW" or "Respondent") alleging the following: that he called all of the utilities to terminate service at 1301 Winton Street when he was moving to 7180 Gillespie Street; that the other utilities terminated the service at Winton Street; that the Respondent billed him for both addresses; that the Respondent denied that he requested disconnection at Winton Street; that the Respondent enrolled him in CRP in an effort to resolve the problem; that he paid \$130.00 a month in CRP; that when he wanted to get out of the program, he was charged

\$1,000.00; that the Respondent's representatives were rude, not helpful and sometimes racist. The Complainant wants the Commission to remove the incorrect charges from his bill and investigate the Respondent's offices.

On January 5, 2006, the Respondent, through its counsel, filed an Answer. The Respondent denied that there are incorrect charges on the Complainant's bill. The Respondent averred that the Complainant has been enrolled in the CRP program since September 3, 2003. The Respondent stated that pursuant to the Bureau of Consumer Services decision, dated September 26, 2005, it prorated the Complainant's bill from Winton Street back to September 20, 2002. In the BCS decision, the Complainant was instructed to pay the missed CRP payments and recertify for CRP if necessary.

On January 9, 2006, Chief Administrative Law Judge Veronica A. Smith issued an Interim Payment Order requiring the Complainant to pay his monthly bill until the Commission issues a final Order or the case is otherwise resolved.

The Complainant has the burden of proving that the allegations in the complaint are true. Section 332(a) of the Public Utility Code, 66 Pa. C.S. §332(a).

The parties are hereby directed to comply with the following requirements:

1. A request for a continuance of the scheduled hearing date must state the agreement or opposition of other parties, and must be submitted in writing no later than five (5) business days prior to the hearing. 52 Pa.Code §1.15(b). Requests for a change of hearing date must be sent to me and all parties of record. The correct address is

Administrative Law Judge Cynthia Williams Fordham
1302 Philadelphia State Office Building
1400 West Spring Garden Street
Philadelphia, PA 19130
Telephone: (215) 560-2105
Fax: (215) 560-3133

Changes are granted only in rare situations where good cause exists.

2. Commission policy promotes settlements. 52 Pa.Code §5.231(a). The utility shall contact the Complainant at least one week before the scheduled hearing to discuss a possible settlement of this case. Even if you are unable to settle this case, you may still resolve many questions or issues during your talks. If an agreement is reached, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

3. The Pennsylvania Legislature has recently enacted the Responsible Utility Customer Protection Act. 66 Pa C.S. §1401 *et seq.* This new law provides strict guidelines as to how the Commission must handle customer complaints. The application of this law may result in the issuance of a less favorable payment arrangement than a customer's current payment arrangement.

4. If the Complainant has not made the payments that the Bureau of Consumer Services ("BCS") directed him to make, he must explain why the payments were not made.

5. The customer must make monthly payments towards his/her utility bill while their complaint is pending. **FAILURE TO MAKE PAYMENTS WILL RESULT IN AN ORDER REQUIRING A CATCH UP PAYMENT EQUAL TO THE AMOUNT OF THE PAYMENTS THAT SHOULD HAVE BEEN MADE. FAILURE TO MAKE PAYMENTS MAY RESULT IN THE UTILITY TERMINATING YOUR SERVICE.**

6. If you wish to offer documents into evidence during the hearing (i.e. letters, bills, canceled checks, receipts, account statements, etc.), you must bring four (4) copies (a copy for the presiding officer, two (2) copies for the Court Reporter and a copy for each party of record). Please keep a copy for yourself. 52 Pa. Code §5.409.

7. At the hearing, the customer must be prepared to testify about the total gross monthly income of the household. A household includes all adults living at the service address and

benefiting from the utility service. The "total gross monthly household income" includes but is not limited to the following

- (a) income from salaries, wages, tips or other compensation;
- (b) pension, retirement or social security benefits;
- (c) Supplemental Security Income (SSI)
- (d) unemployment compensation benefits;
- (e) workers' compensation benefits;
- (f) alimony;
- (g) support;
- (h) public assistance, and
- (i) any other source(s) of income.

8. The utility must bring the following documents to the hearing:

- (a) an account statement, showing the history of the account for a minimum of 24 months or the entire history of the account, whichever is less;
- (b) a service usage comparison report for the same period as the account statement;
- (c) a copy of the most recent Bureau of Consumer Services (BCS) decision, if any;
- (d) a brief summary of any payment arrangement(s) made between the utility and the customer other than determinations of the BCS or the Commission, and;
- (e) information regarding the Complainant's customer readings and request for an automatic meter reading device.

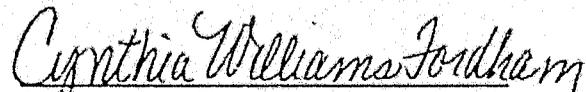
9. Pursuant to 52 Pa.Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa Code §1.24(b).

10. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa.Code §5.421. You must submit your written application to me sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days' notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

11. YOUR CASE WILL BE DISMISSED IF YOU DO NOT PARTICIPATE IN THE HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.

12. This is a formal hearing and will be conducted in accordance with the Commission's Rules of Practice and Procedure.

Date: March 3, 2006


Cynthia Williams Fordham
Administrative Law Judge

Philadelphia Gas Works



ORIGINAL

800 West Montgomery Avenue, Philadelphia, PA 19122

Laureto A. Farinas, Senior Attorney

Legal Department

Direct Dial: 215-684-6982

FAX: 215-684-6798

E-mail: laureto.farinas@pgworks.com

March 22, 2006

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

RECEIVED

MAR 22 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

RE: Vladimir Como v. PGW, Docket No. C - 20055639

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.24(b), the Philadelphia Gas Works (PGW) certifies that the above referenced Complaint has been satisfied. PGW and the Complainant's daughter, Mardola Como, who spoke on his behalf, have discussed the issues raised in the complaint and reached a settlement. With this discussion and settlement, the Complainant, through his daughter, has indicated that he is satisfied with the resolution of this complaint.

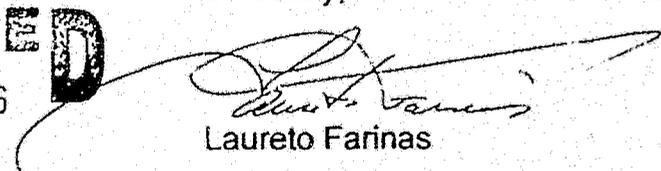
Therefore, the hearing scheduled for March 22, 2006 in this matter is no longer necessary.

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

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

Sincerely,

DOCKETED
MAR 30 2006


Laureto Farinas

**DOCUMENT
FOLDER**

cc: Vladimir Como (Regular Mail)
Mardola Como (Regular Mail)
Administrative Law Judge Cynthia W. Fordham (via FAX)
Cherie Pyle, Hearing Scheduler (via FAX)
Jack Irizarry (PGW Mail)
Linda Pereira (PGW Mail)
Anne Marie Cromley (PGW Mail)

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: March 22, 2006
SUBJECT: C-20055639
Vladimir Como v. Philadelphia Gas Works
TO: Wanda Zeiders
Docket Management
FROM: Cherie Pyle, ALJ Support Staff
Office of Administrative Law Judge

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On March 22, 2006, a Certificate of Satisfaction was filed in the above-captioned proceeding. If no objection is filed to this certificate within 10 days of service, this proceeding will be closed.

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

Attachment

pc: ALJ Cynthia W. Fordham
Beth Plantz
Case File

DOCKETED
MAR 27 2006

OALJ Hearing Report

Please check those blocks which apply

Docket No.:	C-20055639		YES	NO
		Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Case Name:	Vladimir Como v. Philadelphia Gas Works	Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Testimony Taken:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Hearing Concluded:	<input type="checkbox"/>	<input type="checkbox"/>
Location:	Philadelphia, PA	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Estimated Add'l Days:		
Date:	March 22, 2006			
		RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>
ALJ:	Cynthia W. Fordham	DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Sargents Court Reporting	DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
<p style="font-size: 2em; margin: 0;">RECEIVED</p> <p style="margin: 5px 0;">MAR 30 2006</p> <p style="font-size: 0.8em; margin: 0;">PHILADELPHIA COUNTY COMMISSION CLERK'S OFFICE</p>		<p>REMARKS: <i>Hearing cancelled.</i></p> <p><i>Certificate of satisfaction filed.</i></p>		

PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?			
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City	State	Zip			
Telephone:	E-mail Address:	Fax Number:			

Check this box if additional parties or attendees appear on back of form.

3/25/06

Reporter's Signature

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.