

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

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Cheryl Smith,  
v.  
Philadelphia Gas Works  
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Docket No.:  
Z-01197128

DOCUMENT  
FOLDER

State Office Building  
1400 Spring Garden Street  
Philadelphia, Pennsylvania

Friday, December 5, 2003  
Commencing at 10:00 a.m.

BEFORE:

Marlane R. Chestnut, Administrative Law Judge

APPEARANCES:

CHERYL SMITH, PRO SE

For the Complainant

LAURETO A. FARINAS, Esquire  
PGW Legal Department  
800 West Montgomery Avenue  
Philadelphia, PA 19122

For the Respondent

REPORTER: Clonthica W. Payne

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<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
NONE				



## P R O C E E D I N G S

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3           JUDGE MARLANE R. CHESTNUT:

4           Beginning the hearing at Docket Number  
5 Z-01197128. For the record, let me state that I am  
6 Administrative Law Judge Marlane R. Chestnut. I would  
7 like the parties to identify themselves giving your  
8 name, your address and your telephone number. We'll  
9 start with you, Ms. Smith.

10           MS. SMITH:

11           Cheryl Smith. 2045 South Norwich Street,  
12 Philadelphia, PA 19145. Area code (215) 271-0425.

13           JUDGE:

14           Thank you. Mr. Farinas.

15           ATTORNEY FARINAS:

16           Laureto Farinas. L-A-U-R-E-T-O, F, as in  
17 Frank, A-R-I-N-A-S. Counsel for the Philadelphia Gas  
18 Works. Business address, 800 West Montgomery Avenue,  
19 Philadelphia, 19122. Telephone number, (215) 684-  
20 6982. I do have a witness with me today. Her name is  
21 Ann Marie Nagle. That's spelled N-A-G-L-E.

22           JUDGE:

23           Okay. Thank you. Now, Mr. Farinas, by  
24 cover letter, dated November 28, 2003, I received a  
25 packet of two pre-marked exhibits, PGW Exhibit One and

1 Exhibit Two; is that correct?

2 ATTORNEY FARINAS:

3 That's correct.

4 JUDGE:

5 Ms. Smith, did you get that?

6 MS. SMITH:

7 Yes.

8 JUDGE:

9 Now, Ms. Smith, I didn't receive anything  
10 from you; is that correct?

11 SMITH:

12 Yes.

13 JUDGE:

14 What I'm going to do then, Ms. Smith, is  
15 I'm going to give you and Mr. Farinas a chance to  
16 discuss this off the record. That means that I won't  
17 listen, the court reporter will not take down what is  
18 being said, to see if you and he can resolve this  
19 between you. Is that okay with you?

20 SMITH:

21 Yes.

22 JUDGE:

23 Okay. Mr. Farinas?

24 ATTORNEY FARINAS:

25 That's fine. I've been trying to contact

1 Ms. Smith all week.

2 JUDGE:

3 Okay. Well this is a good chance for you  
4 to talk directly then. What I'm going to do is, I'll  
5 put you on hold and then --- let's see who the best  
6 person to do this is. Mr. Farinas, I want you to call  
7 me on this number when you're ready to resume.

8 ATTORNEY FARINAS:

9 Okay.

10 JUDGE:

11 It's (610) 322-4179.

12 ATTORNEY FARINAS:

13 (610)

14 JUDGE:

15 322

16 ATTORNEY FARINAS:

17 322-4179?

18 JUDGE:

19 Yes.

20 ATTORNEY FARINAS:

21 Thank you.

22 JUDGE:

23 Okay?

24 ATTORNEY FARINAS:

25 I will.

1                   JUDGE:

2                   Okay. Thank you.

3                   ATTORNEY FARINAS:

4                   Thank you.

5 OFF RECORD DISCUSSION

6                   JUDGE:

7                   The parties had a chance to discuss this  
8 off the record. Mr. Farinas?

9                   ATTORNEY FARINAS:

10                  Yes, Your Honor. The parties have  
11 reached a settlement and Ms. Smith has graciously  
12 agreed to the following terms if you care to put them  
13 on the record.

14                  JUDGE:

15                  Sure.

16                  ATTORNEY FARINAS:

17                  The terms are, as her balance is \$252 as  
18 of this day, she will accept a credit of \$50 on her  
19 account and we will return her to the payment  
20 arrangement by the BCS which is a payment of \$100 a  
21 month.

22                  JUDGE:

23                  Okay. Ms. Smith, is that agreeable to  
24 you? You've agreed to that?

25                  MS. SMITH:

1 Yes. Yes.

2 JUDGE:

3 I'm really glad you were able to resolve  
4 this because it really is much better in your interest  
5 than for me to have to write a decision. So, Mr.  
6 Farinas has explained the procedures by which this  
7 will be closed?

8 MS. SMITH:

9 Yes.

10 JUDGE:

11 Okay. He'll send a letter and then  
12 you'll receive a letter from the Commission.

13 MS. SMITH:

14 Yes.

15 JUDGE:

16 And I will not have to issue a decision.

17 MS. SMITH:

18 Okay.

19 JUDGE:

20 Okay. Great. Is there anything else  
21 then, Ms. Smith?

22 MS. SMITH:

23 No. No.

24 JUDGE:

25 Okay. Mr. Farinas?

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ATTORNEY FARINAS:

Nothing further, Your Honor.

JUDGE:

Thank you very much. Then, this hearing  
is adjourned.

ATTORNEY FARINAS:

Thank you.

MS. SMITH:

Thank you.

\* \* \* \* \*

HEARING CONCLUDED AT 10:10 A.M.

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C E R T I F I C A T E

I HEREBY CERTIFY THAT THE FOREGOING  
PROCEEDINGS WERE REPORTED BY ME AND THEREAFTER  
REDUCED TO TYPEWRITING AND THAT THIS TRANSCRIPT IS A  
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