

CAPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00
- 2. BUREAU: ALJ
- 3. SECTION(S):
- 5. APPROVED BY: DIRECTOR:
SUPERVISOR:
- 6. PERSON IN CHARGE:
- 8. DOCKET NO: C-20065955
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 03/03/06
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: KIRKPATRICK, CAROL

RESPONDENT/APPLICANT: PHILLIPS, T. W., GAS & OIL CO.

COMP/APP COUNTY: BUTLER

UTILITY CODE: 122350

ALLEGATION OR SUBJECT

COMPLAINANT STATES INCORRECT CHARGES ON BILL. SHE WOULD LIKE THE PUC TO HAVE BILL CORRECTED AND TO REDUCE CURRENT MONTHLY BILL.

DOCKETED
MAR 06 2006

**DOCUMENT
FOLDER**

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form send to: Secretary

Pa Public Utility Comm
P.O. Box #33285
Harrisburg, Pa 17105

Please print or type.

C-20065955

1. CUSTOMER NAME (COMPLAINANT)

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

Name CAROL KIRKPATRICK

Street/P.O. Box 122 W. PEARL ST. BUTLER, PA 15001 Apt #

City State Zip

County Butler

Area Code/HOME Phone 724 / 332-8281

Area Code/WORK Phone 52110

Utility Account Number 3140128003 (from your bill)

SECRETARY'S BUREAU
2006 MAR -3 AM 9:02

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

Name

Street/P.O. Box

City State Zip

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: A.W. Phillips Gas & Oil

3. TYPE OF UTILITY (check one)

- ELECTRIC
- GAS
- WATER
- TELEPHONE (local, long distance)
- STEAM HEAT
- WASTE WATER
- MOTOR CARRIER (taxi, moving company, limousine)

ORIGINAL

31

4. COMPLAINT (check one)

A. In general, what is your complaint?

I want to oppose the company's proposed rate increase.

There are incorrect charges on my bill.

There is a reliability, safety or quality problem with my utility service.

I received a notice that my utility service is being terminated.

I would like a payment agreement.

Other.
(explain)

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

see ^① attached ledger sheet & statement sheet. ^② Isovitck bill ^③ Danick bill and ^④ print out/ledger sheet sent to me by W. Phillips for inaccuracy in the fees.

5. RELIEF If you can further reduce the amt. just for the sheer headache and aggravation I would appreciate it. Thank-you Carol
What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space.

I would be willing to accept \$586.13 as my actual amt. due as of 1/20/2006. This amt. is explained both on the actual ledger sheet and accompanying statement sheet. My average monthly bill from 10/9/2002 through 1/20/06 is \$9,230.32 ÷ by 40 mos. = \$230.75 with the monthly average in 2003 of 178.51/mo. In March I will be getting new thermal glass windows for 23 windows. This should significantly reduce the monthly bill. I would be willing to pay the \$586.13 over time with a reduced mo. fee until we see how the windows affect things. I'll have to pay by credit card only.

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company AND your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES
(includes appeals of BCS determinations)

NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification:

I Carol A Kirkpatrick hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Carol Kirkpatrick
(Signature)

(Date)

9. LEGAL REPRESENTATION (IF ANY)

If you are represented by a lawyer in this matter you must provide your lawyer's name, address and telephone number.

Lawyer's Name Joe Kubit Kirkpatrick, Montgomery, Kubit
Montgomery - Petrolia
Street Main ST
City Butler State Pa Zip 16001
Area Code/Phone Number 724 / 255-4776

10. FILING

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
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Facsimiles and/or electronic filings of the complaint form will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your complaint for your records.

T. W. PHILLIPS GAS AND OIL CO.
205 North Main Street
Butler, Pennsylvania 16001

4/08/04

CAROL KIRKPATRICK
122 W PEARL ST
BUTLER PA 16001-3819

Re: 3140128003

Dear CAROL KIRKPATRICK:

Enclosed is the customer usage report you asked for on 04/08/04. I hope this information is helpful.

If you have any questions, please call me at 1-800-222-5101.

Thank You,

T. W. PHILLIPS GAS AND OIL CO.

Kristi

KRISTI
CUSTOMER SERVICE REPRESENTATIVE
1-800-222-5101

Enclosures

Dear Sir,

This is the print out from T.W. Phillips that shows the discrepancy in the late fees. No matter how you figure it none of the fees come out to the 1.25% they specify.

ACCOUNT #: 3140128003

CUSTOMER USAGE REPORT

KIRKPATRICK, CAROL
122 W PEARL ST BUTLER

INVESTIGATOR:

WETZEL

SERVICE TO	NO	METER	TR	CONSUMPTION	ADC	DEGREE DAYS*	BILL AMOUNT	DUE DATE	LATE PAY CHARGE	PAYMENT OR ADJUSTMENT	PAY/ADJ DATE	BALANCE
3/18/04	28	495	E	31	1.11	723	334.71	4/14/04	.00	300.00-	4/05/04	1,904.48
2/19/04	29	464	A	58	2.00	1174	609.51	3/17/04	19.13	100.00-	3/15/04	1,650.64
1/21/04	33	406	E	50	1.52	1176	516.30	2/18/04	12.69	.00		1,028.44
12/19/03	30	356	A	37	1.23	890	385.09	1/15/04	6.22	.00		505.92
11/19/03	30	319	E	21	.70	494	222.43	12/16/03	1.40	715.00-	12/09/03	834.43
10/20/03	34	298	A	9	.26	342	101.12	11/18/03	7.30	.00		604.70
9/15/03	26	289	A	3	.12	13	41.49	10/17/03	6.03	.00		497.55
8/20/03	30	286	A	5	.17	0	61.95	9/19/03	.00	.00		456.06
7/21/03	32	281	E	1	.03	10	21.93	8/19/03	4.74	.00		389.37
9/03/03	30	280	A	4	.13	122	52.72	7/17/03	4.46	95.00-	7/07/03	552.98
8/21/03	29	276	E	9	.31	215	98.39	6/18/03	6.18	.00		494.08
7/20/03	28	267	A	23	.72	446	167.35	5/20/03	.00	50.00-	5/12/03	445.69
6/20/03	32	244	E	34	1.21	839	315.97	4/17/03	.00	314.00-	4/08/03	592.34
5/20/03	30	210	A	61	2.03	1264	392.89	3/20/03	.00	30.00-	3/11/03	306.37
1/21/03	33	149	E	49	1.48	1220	286.44	2/18/03	.00	12.76-**	2/05/03	263.24
12/19/02	30	100	A	40	1.33	1000	234.33	1/16/03	.00	837.00-	2/04/03	526.56
11/19/02	32	60	E	27	.84	675	155.74	12/17/02	.00	12.76-**	1/15/03	526.56
10/18/02	28	33	A	8	1.29	211	46.31	11/14/02	.00	37.00-	11/13/03	526.56
9/20/02	31	25	E	1	.03	5	8.21	10/17/02	.00	12.76-**	12/11/02	636.99
8/20/02	32	24	A	5	.16	5	29.18	9/17/02	.00	332.00-	11/12/02	636.99
7/19/02	29	19	E	1	.03	0	7.73	8/15/02	.00	12.76-**	11/08/02	523.01
6/20/02	31	18	A	5	.16	80	27.66	7/18/02	.00	28.00-	10/10/02	523.01
5/20/02	32	13	E	16	.50	386	82.49	6/19/02	.00	25.00-	10/09/02	517.40
4/20/02	29	997	A	23	.79	505	117.36	5/16/02	5.26-	25.00-	9/04/02	534.19
3/20/02	28	974	E	28	1.00	705	142.27	4/17/02	5.26	25.00-	8/07/02	542.77

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

Bob & Karen Danik's
NORTH HILLS
GARDEN CENTER

Carol Kirkpatrick
122 West Pearl St.
Butler, Pa 16001

Price for repairing hole in ground from gas company repairs.

Dig out stones left in pit and haul them away.

Fill pit with top-soil , compacting soil to prevent settling.

Seed the area with grass seed and top dress seed with mushroom compost.

Total cost including all taxes \$ 513.60

Mail:
P.O. Box 156
Valencia, Pa 16059

(724) 898-2690
buxas@zoominternet.net

Location:
145 Davis Road
Valencia, Pa 16059

Date:	Beginning Balance:	Current Mo. Chg.	Adjustments & Payments	1.25/mo LE fee printed out mailed to me	on acct. bill mailed to me	ACTUAL AMT. DUE	AMT. DUE ON PRINT OUT
9-9-2002	517.40 +	46.37	- 12.76 10-10 - 29.00 11-8 - 12.76 11-12 - 332.00 12-10 - 57.00 1-15 - 12.76 12-11	?	?	522.01	523.01
19 "	155.74	155.74	- 29.00 11-8 - 12.76 11-12 - 332.00 12-10 - 57.00 1-15 - 12.76 12-11	?	?	332.99	336.99
19 "	234.35	234.35	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	517.56	526.56
21-2003	286.44	286.44	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	CR: -45.16	763.24
20 "	392.89	392.89	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	- 106.70	763.24
20 "	315.97	315.97	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	245.40	306.37
21 "	167.85	167.85	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	362.75	592.34
20 "	98.39	98.39	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	CR: -52.40	445.69
19 "	21.73	21.73	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	- 192.72	494.08
21 "	41.95	41.95	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	- 170.79	589.37
20 "	101.12	101.12	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	- 108.94	456.06
15 "	222.43	222.43	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	CR - 46.56	497.55
19 "	385.09	385.09	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	CR - 46.01	604.70
1-2004	516.30	516.30	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	- 75.92	834.45
9 "	609.51	609.51	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	CR - 46.01	505.94
8 "	334.71	334.71	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	CR - 46.01	1,023.44
8 "	272.35	272.35	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	CR - 46.01	1,650.67
8 "	96.21	96.21	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	CR - 46.01	1,904.48
8 "	43.97	43.97	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	CR - 46.01	1,796.44
8 "	22.43	22.43	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	CR - 46.01	1,904.40
15 "	22.43	22.43	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	CR - 46.01	1,768.76
15 "	22.43	22.43	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	CR - 46.01	1,291.17
15 "	22.43	22.43	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	CR - 46.01	1,313.77
15 "	22.43	22.43	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	CR - 46.01	1,252.60
15 "	22.43	22.43	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	CR - 46.01	719.37
15 "	22.43	22.43	- 12.76 1-15 - 937.00 2-4 - 60.94 1-23 - 12.76 2-3 - 30.00 3-11 - 314.00 4-8 - 50.00 5-12 - 513.60 - 95.00	?	?	CR - 46.01	736.14

1. This ledger sheet goes from 10-9-2002 through 1-20-2004. I start with the date as that is the date that begins the print out @ LE. Phillips sent to me a 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.

2. Back in Jan 9/ 2003 there was a break in the gas line that let water in the line. Phillips sent some repair men. The 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 the found the actual leak across the street, they then dug up across the street & cleaned it my side.

3. In Jan. I had to have the stove igniter replaced for \$60.94, as the water in the line damaged the igniter.

4. In March I wrote to Phillips requesting a leak that they would come and dig out the slag and replace it with salt, as I was before, and might about the embankment in May 2003. I was several times with no response.

Account No.	Date	Debit	Credit	Balance	Notes
18-2605	12/20/04 - 1/20/05	375.89	-	375.89	
"	1/20 - 2/18	545.86	-	921.75	
"	2/18 - 3/18	315.18	-	1,236.93	
"	3/18 - 4/18	254.38	-	1,491.31	
0			5,118.25	6,609.56	
18-2605	12/20/05 - 1/20/06	110.53	-	6,499.03	
"	1/20 - 2/19	61.66	-	6,437.37	
"	2/19 - 3/19	11.66	-	6,425.71	
"	3/19 - 4/18	96.69	-	6,329.02	
"	4/18 - 5/18	81.56	-	6,247.46	
"	5/18 - 6/18	209.93	-	6,037.53	
"	6/18 - 7/18	709.82	-	5,327.71	
"	7/18 - 8/18	8,630.78	-	3,696.93	
18-2605	12/20/05 - 1/20/06	599.54	-	3,097.39	
18-2605	12/20/05 - 1/20/06	9,830.32	-	12,927.71	
18-2605	12/20/05 - 1/20/06	1,045.49	-	13,973.20	
18-2605	12/20/05 - 1/20/06	1,319.51	-	15,292.71	
18-2605	12/20/05 - 1/20/06	1,695.43	-	16,988.14	
18-2605	12/20/05 - 1/20/06	1,394.32	-	18,382.46	
18-2605	12/20/05 - 1/20/06	1,432.50	-	19,814.96	
18-2605	12/20/05 - 1/20/06	1,423.88	-	21,238.84	
18-2605	12/20/05 - 1/20/06	1,277.40	-	22,516.24	
18-2605	12/20/05 - 1/20/06	305.94	-	23,822.18	
18-2605	12/20/05 - 1/20/06	305.94	-	24,128.12	
18-2605	12/20/05 - 1/20/06	26.92	-	24,155.04	
18-2605	12/20/05 - 1/20/06	53.11	-	24,208.15	
18-2605	12/20/05 - 1/20/06	131.61	-	24,339.76	
18-2605	12/20/05 - 1/20/06	476.50	-	24,816.26	
18-2605	12/20/05 - 1/20/06	148.76	-	24,965.02	
18-2605	12/20/05 - 1/20/06	1,045.49	-	26,010.51	
18-2605	12/20/05 - 1/20/06	1,557.77	-	27,568.28	
18-2605	12/20/05 - 1/20/06	1,319.51	-	28,887.79	
18-2605	12/20/05 - 1/20/06	1,695.43	-	30,583.22	
18-2605	12/20/05 - 1/20/06	1,394.32	-	31,977.54	
18-2605	12/20/05 - 1/20/06	1,432.50	-	33,410.04	
18-2605	12/20/05 - 1/20/06	1,423.88	-	34,833.92	
18-2605	12/20/05 - 1/20/06	1,277.40	-	36,111.32	
18-2605	12/20/05 - 1/20/06	305.94	-	36,417.26	
18-2605	12/20/05 - 1/20/06	305.94	-	36,723.20	
18-2605	12/20/05 - 1/20/06	26.92	-	36,750.12	
18-2605	12/20/05 - 1/20/06	53.11	-	36,803.23	
18-2605	12/20/05 - 1/20/06	131.61	-	36,934.84	
18-2605	12/20/05 - 1/20/06	476.50	-	37,411.34	
18-2605	12/20/05 - 1/20/06	148.76	-	37,560.10	
18-2605	12/20/05 - 1/20/06	1,045.49	-	38,605.59	
18-2605	12/20/05 - 1/20/06	1,557.77	-	40,163.36	
18-2605	12/20/05 - 1/20/06	1,319.51	-	41,482.87	
18-2605	12/20/05 - 1/20/06	1,695.43	-	43,178.30	
18-2605	12/20/05 - 1/20/06	1,394.32	-	44,572.62	
18-2605	12/20/05 - 1/20/06	1,432.50	-	46,005.12	
18-2605	12/20/05 - 1/20/06	1,423.88	-	47,428.99	
18-2605	12/20/05 - 1/20/06	1,277.40	-	48,701.39	
18-2605	12/20/05 - 1/20/06	305.94	-	49,007.33	
18-2605	12/20/05 - 1/20/06	305.94	-	49,313.27	
18-2605	12/20/05 - 1/20/06	26.92	-	49,340.19	
18-2605	12/20/05 - 1/20/06	53.11	-	49,393.30	
18-2605	12/20/05 - 1/20/06	131.61	-	49,524.91	
18-2605	12/20/05 - 1/20/06	476.50	-	50,001.41	
18-2605	12/20/05 - 1/20/06	148.76	-	50,150.17	
18-2605	12/20/05 - 1/20/06	1,045.49	-	51,195.66	
18-2605	12/20/05 - 1/20/06	1,557.77	-	52,753.43	
18-2605	12/20/05 - 1/20/06	1,319.51	-	54,072.94	
18-2605	12/20/05 - 1/20/06	1,695.43	-	55,768.37	
18-2605	12/20/05 - 1/20/06	1,394.32	-	57,162.69	
18-2605	12/20/05 - 1/20/06	1,432.50	-	58,595.19	
18-2605	12/20/05 - 1/20/06	1,423.88	-	60,019.07	
18-2605	12/20/05 - 1/20/06	1,277.40	-	61,291.47	
18-2605	12/20/05 - 1/20/06	305.94	-	61,597.41	
18-2605	12/20/05 - 1/20/06	305.94	-	61,903.35	
18-2605	12/20/05 - 1/20/06	26.92	-	61,930.27	
18-2605	12/20/05 - 1/20/06	53.11	-	61,983.38	
18-2605	12/20/05 - 1/20/06	131.61	-	62,114.99	
18-2605	12/20/05 - 1/20/06	476.50	-	62,591.49	
18-2605	12/20/05 - 1/20/06	148.76	-	62,740.25	
18-2605	12/20/05 - 1/20/06	1,045.49	-	63,785.74	
18-2605	12/20/05 - 1/20/06	1,557.77	-	65,343.51	
18-2605	12/20/05 - 1/20/06	1,319.51	-	66,663.02	
18-2605	12/20/05 - 1/20/06	1,695.43	-	68,358.45	
18-2605	12/20/05 - 1/20/06	1,394.32	-	69,752.77	
18-2605	12/20/05 - 1/20/06	1,432.50	-	71,185.27	
18-2605	12/20/05 - 1/20/06	1,423.88	-	72,609.15	
18-2605	12/20/05 - 1/20/06	1,277.40	-	73,886.55	
18-2605	12/20/05 - 1/20/06	305.94	-	74,192.49	
18-2605	12/20/05 - 1/20/06	305.94	-	74,498.43	
18-2605	12/20/05 - 1/20/06	26.92	-	74,525.35	
18-2605	12/20/05 - 1/20/06	53.11	-	74,578.46	
18-2605	12/20/05 - 1/20/06	131.61	-	74,710.07	
18-2605	12/20/05 - 1/20/06	476.50	-	75,186.57	
18-2605	12/20/05 - 1/20/06	148.76	-	75,335.33	
18-2605	12/20/05 - 1/20/06	1,045.49	-	76,380.82	
18-2605	12/20/05 - 1/20/06	1,557.77	-	77,938.59	
18-2605	12/20/05 - 1/20/06	1,319.51	-	79,258.10	
18-2605	12/20/05 - 1/20/06	1,695.43	-	80,953.53	
18-2605	12/20/05 - 1/20/06	1,394.32	-	82,347.85	
18-2605	12/20/05 - 1/20/06	1,432.50	-	83,780.35	
18-2605	12/20/05 - 1/20/06	1,423.88	-	85,204.23	
18-2605	12/20/05 - 1/20/06	1,277.40	-	86,476.63	
18-2605	12/20/05 - 1/20/06	305.94	-	86,782.57	
18-2605	12/20/05 - 1/20/06	305.94	-	87,088.51	
18-2605	12/20/05 - 1/20/06	26.92	-	87,115.43	
18-2605	12/20/05 - 1/20/06	53.11	-	87,168.54	
18-2605	12/20/05 - 1/20/06	131.61	-	87,300.15	
18-2605	12/20/05 - 1/20/06	476.50	-	87,776.65	
18-2605	12/20/05 - 1/20/06	148.76	-	87,925.41	
18-2605	12/20/05 - 1/20/06	1,045.49	-	88,970.90	
18-2605	12/20/05 - 1/20/06	1,557.77	-	90,528.67	
18-2605	12/20/05 - 1/20/06	1,319.51	-	91,848.18	
18-2605	12/20/05 - 1/20/06	1,695.43	-	93,543.61	
18-2605	12/20/05 - 1/20/06	1,394.32	-	94,937.93	
18-2605	12/20/05 - 1/20/06	1,432.50	-	96,370.43	
18-2605	12/20/05 - 1/20/06	1,423.88	-	97,794.31	
18-2605	12/20/05 - 1/20/06	1,277.40	-	99,071.71	
18-2605	12/20/05 - 1/20/06	305.94	-	99,377.65	
18-2605	12/20/05 - 1/20/06	305.94	-	99,683.59	
18-2605	12/20/05 - 1/20/06	26.92	-	99,710.51	
18-2605	12/20/05 - 1/20/06	53.11	-	99,763.62	
18-2605	12/20/05 - 1/20/06	131.61	-	99,895.23	
18-2605	12/20/05 - 1/20/06	476.50	-	100,371.73	
18-2605	12/20/05 - 1/20/06	148.76	-	100,520.49	
18-2605	12/20/05 - 1/20/06	1,045.49	-	101,565.98	
18-2605	12/20/05 - 1/20/06	1,557.77	-	103,123.75	
18-2605	12/20/05 - 1/20/06	1,319.51	-	104,443.26	
18-2605	12/20/05 - 1/20/06	1,695.43	-	106,138.69	
18-2605	12/20/05 - 1/20/06	1,394.32	-	107,533.01	
18-2605	12/20/05 - 1/20/06	1,432.50	-	108,965.51	
18-2605	12/20/05 - 1/20/06	1,423.88	-	110,389.39	
18-2605	12/20/05 - 1/20/06	1,277.40	-	111,666.79	
18-2605	12/20/05 - 1/20/06	305.94	-	111,972.73	
18-2605	12/20/05 - 1/20/06	305.94	-	112,278.67	
18-2605	12/20/05 - 1/20/06	26.92	-	112,305.59	
18-2605	12/20/05 - 1/20/06	53.11	-	112,358.70	
18-2605	12/20/05 - 1/20/06	131.61	-	112,490.31	
18-2605	12/20/05 - 1/20/06	476.50	-	112,966.81	
18-2605	12/20/05 - 1/20/06	148.76	-	113,115.57	
18-2605	12/20/05 - 1/20/06	1,045.49	-	114,161.06	
18-2605	12/20/05 - 1/20/06	1,557.77	-	115,718.83	
18-2605	12/20/05 - 1/20/06	1,319.51	-	117,038.34	
18-2605	12/20/05 - 1/20/06	1,695.43	-	118,733.77	
18-2605	12/20/05 - 1/20/06	1,394.32	-	120,128.09	
18-2605	12/20/05 - 1/20/06	1,432.50	-	121,560.59	
18-2605	12/20/05 - 1/20/06	1,423.88	-	122,984.47	
18-2605	12/20/05 - 1/20/06	1,277.40	-	124,261.87	
18-2605	12/20/05 - 1/20/06	305.94	-	124,567.81	
18-2605	12/20/05 - 1/20/06	305.94	-	124,873.75	
18-2605	12/20/05 - 1/20/06	26.92	-	124,900.67	
18-2605	12/20/05 - 1/20/06	53.11	-	124,953.78	
18-2605	12/20/05 - 1/20/06	131.61	-	125,085.39	
18-2605	12/20/05 - 1/20/06	476.50	-	125,561.89	
18-2605	12/20/05 - 1/20/06	148.76	-	125,710.65	
18-2605	12/20/05 - 1/20/06	1,045.49	-	126,756.14	
18-2605	12/20/05 - 1/20/06	1,557.77	-	128,313.91	
18-2605	12/20/05 - 1/20/06	1,319.51	-	129,633.42	</

Request for Formal Complaint Forms
(Notification of Intent to Appeal)

Continually sent 1/24/06

Notice to Customer:

If you sign and return this form, you are telling the Public Utility Commission that you want to appeal this decision. Do not return this form unless you want to appeal this decision.

If you want to appeal, you must return this form within 20 days of 11/9/2005. The Commission will send you formal complaint forms if you return this form.

You must comply with this decision until the Public Utility Commission completes the formal complaint process. You must make all of the required payments or the utility company may shut off your service.

Sincerely,
Pennsylvania Public Utility Commission

Yes, I want to appeal this decision. Please send formal complaint forms to me at the following address:

Customer name and address:
(Please correct any mistakes.)

CAROL KIRKPATRICK
122 W PEARL ST
BUTLER PA 16001 - 4219

C Kirkpatrick 11/17/05
Signature
Date of Mailing: 11/9/2005

(Area Code) Telephone Number
BCS: 1923737
Company: T W PHILLIPS GAS
COMPANY

Mail this completed form to:

Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

RECEIVED
2005 JAN 23 11:10:32
SECRETARY'S BUREAU

James Mc Utty

13



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

11/9/2005

BCS No: 1923737

CAROL KIRKPATRICK
122 W PEARL ST
BUTLER PA 16001 - 4219

The Public Utility Commission has completed its investigation into your informal complaint. Our decision is attached. We sent a copy of this decision to your utility company. You and the company must both follow this decision. Both parties may appeal this decision. If no one appeals, the decision will become final 20 days after the date of this letter.

If you do not agree with this decision you can appeal it by filing a formal complaint. Complete and return the attached Notification of Intent to Appeal within 20 days of the date on the form. The Commission will mail you formal complaint forms. When you complete and return the formal complaint forms, your appeal begins. The Commission will assign your complaint to the Office of Administrative Law Judge. They will contact you about your formal complaint.

You do not need a lawyer to file an appeal.

You must make all of the payments required by this decision. If you do not make these payments the utility company can shut off your utility service.

Do not mail your payments to the Public Utility Commission. Mail your payments directly to your company.

If you have any questions, please call 1-800-692-7360.

Sincerely,

JOHN CLEA JR.
Investigator

*formal comp.
secy. bureau*

1/717/772-7777

*mailed formal comp.
11/17/05*

INFORMAL COMPLAINT DECISION
THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

CAROL KIRKPATRICK
122 W PEARL ST
BUTLER PA 16001 - 4219

Date: 11/9/2005

BCS: 1923737

Acct. No: 3140128003

V

T W PHILLIPS GAS COMPANY

On June 16, 2005, you contacted the Public Utility Commission asking for help in preventing the termination of your utility service. You also stated the company was charging you double and incorrect late payment fees. We looked into your records with the company and decided that:

- The bills are correct as rendered.
- On July 2, 2005 and November 4, 2005, the customer offered to send the PUC copies of the bills to provide proof of the company incorrect billings. The proof of the incorrect billings has not been received.
- The company properly assessed your account for the late payment charges based on the past due balance.
- The company is permitted by PUC regulation to assess your past due balance at 1.5% interest each month on the total unpaid past due balance owed. You are responsible for the balance owed.
- Your total account balance is \$935.13. This balance does not include any payments or bills sent out on or after 11/4/2005.
- Beginning DECEMBER 2005, you must pay the company a special budget amount of \$222.00 per month. This amount may change depending on any change in the amount of service you use.
- This special budget amount includes a regular budget amount of \$206.00 per month, which is based on your monthly usage, plus \$16.00 that will be paid toward the account balance.
- You must make all payments by the due date of each month's bill and continue making the payments until you pay the account in full.
- The company will not charge late payment fees to your account as long as you pay according to this decision. However, the company may apply late payment fees if you do not pay on time or if you do not keep this agreement.

Based on the information you gave us, you appear to be eligible for EHF. EHF is a program that may reduce your budget and forgive your outstanding balance. Our review finds this may be the best rate for you. To receive this rate, you must contact the company to apply. They will tell you how to apply for EHF. If the company enrolls you in EHF, they will tell you the new amount you need to pay each month.

- If you break this payment agreement, the company may shut off your service. If the company shuts off your service, they may make you pay your full bill plus a reconnect fee and a deposit to restore service.

You appear to qualify for LIHEAP. If you qualify, the LIHEAP program will make a payment to help keep your service on. You must apply to receive this help. Please call LIHEAP at 1-866-857-7095 to apply.

JOHN CLEA JR.
Investigator

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: MARCH 6, 2006

CAROL KIRKPATRICK
Complainant

v.

T W PHILLIPS GAS & OIL
Respondent

Complaint Docket
No: C-20065955

DOCKETED
MAR 06 2006

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: T W PHILLIPS GAS & OIL

**DOCUMENT
FOLDER**

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the **Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265**, an answer (original and three copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

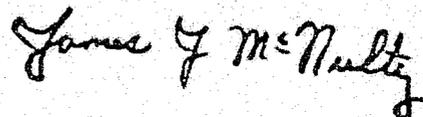
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq.; and, if

you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after a hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.



James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested



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

IN REPLY PLEASE
REFER TO OUR FILE

DATE SERVED: MARCH 6, 2006

C-20065955

T W PHILLIPS GAS & OIL
ROBERT M HOVANEC VICE PRES
205 N MAIN ST
BUTLER PA 16001

**DOCUMENT
FOLDER**

Dear Mr. Hovanec:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by CAROL KIRKPATRICK. To defend yourself against the claims stated in the following pages, you must act within twenty (20) days by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS, THE CASE MAY GO FORWARD IN YOUR ABSENCE AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

CUSTOMER OF A UTILITY

A payment schedule may be prescribed or a termination of utility services may be authorized. You may lose money or property or other rights important to you.

COMPANY/UTILITY

An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

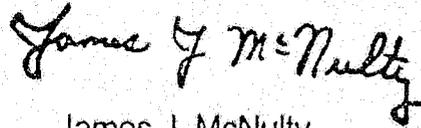
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

MARCH 6, 2006

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help:

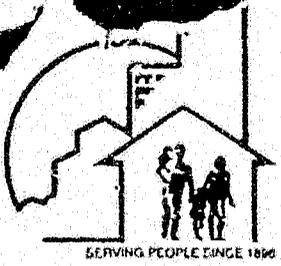
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186
Harrisburg, PA 17108
(800) 692-7375

Very truly yours,

A handwritten signature in cursive script that reads "James J. McNulty". The signature is written in black ink and is positioned above the typed name and title.

James J. McNulty
Secretary

SS



T.W. PHILLIPS
GAS AND OIL CO.

ORIGINAL

205 North Main Street
Butler, Pennsylvania 16001
(724) 287-2751

March 22, 2006

James J. McNulty
Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pennsylvania 17105-3265

2006 MAR 24 AM 9:12
SECRETARY'S BUREAU

Re: Carol Kirkpatrick v. T. W. Phillips Gas and Oil Co.
PUC Docket No. C-20065955

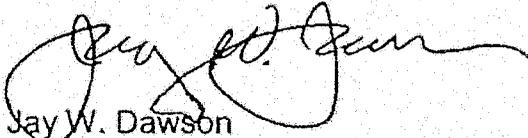
Dear Mr. McNulty:

Enclosed for filing are the original and three copies each of T. W. Phillips Gas and Oil Co.'s Answer and New Matter and Preliminary Motion to Dismiss the Formal Complaint with which it was recently served in the above-referenced proceeding.

Please acknowledge your receipt of these filings by date stamping the extra copy of this cover letter that is enclosed, and returning it to me in the stamped, self-addressed envelope provided for your convenience.

Very truly yours,
T. W. PHILLIPS GAS AND OIL CO.

**DOCUMENT
FOLDER**


Jay W. Dawson
Vice President - Legal
and Secretary

JWD/bjr

Enclosures

cc: Carol Kirkpatrick
Jennifer L. Jones

8

4 The second and third numbered phrases of the Formal Complaint contain no discernible averments of fact and, as such, constitute a request for relief to which no response is required. To the extent that any response is required, any averments that may be determined to exist therein are specifically denied. By way of further response, T. W. Phillips contends that the Pennsylvania Public Utility Commission (the "Commission") has no jurisdiction over or reason to become involved in the 'Isovitsch bill' or the 'Danik bill', as both bills were the subject of a Civil Complaint filed against T. W. Phillips by Complainant on December 20, 2004 in Magisterial District Number 50-3-05 at Docket No. CV-0000491-04, were addressed at a hearing on January 24, 2005, were resolved by judgment entered against T. W. Phillips on January 24, 2005 and were satisfied when the judgment was paid on February 28, 2005, which satisfaction was acknowledged by Complainant on April 11, 2005.

5. After reasonable investigation, T. W. Phillips is without information sufficient to form a belief as to the truth of the averments of fact contained in the fourth numbered phrase of the Formal Complaint and therefore specifically denies the same. By way of further answer, T. W. Phillips contends that the referenced 'print out/ledger sheet sent to me by T. W. Phillips for inaccuracy in its fees' contains no explanation or statement describing its relationship to the Formal Complaint or to any 'incorrect charges' on the Complainant's bill(s). To the contrary, the aforementioned attachment contains no averments of fact, directions or explanations whatsoever to which T. W. Phillips can be expected to respond.

NEW MATTER

6. The Formal Complaint contains no discernible, substantive complaint or averment with respect to any incorrect charges on any bill issued by T. W. Phillips to Complainant for her gas service. The Formal Complaint is so insufficient as to substance as to be impossible to respond to.

7. The Formal Complaint fails to allege any violation on the part of T. W. Phillips of any law, regulation or Order of the Commission. It simply refers, without any explanation or direction whatsoever, to four attachments, none of which present any discernable averments of fact to which T. W. Phillips can be expected to respond. In fact, the Formal Complaint is so insufficient as to form as to be impossible for T. W. Phillips to respond to.

8. On June 16, 2005, Complainant filed an Informal Complaint against T. W. Phillips with the Bureau of Consumer Services ("BCS") at Case No. 1923737, a copy of which is attached hereto as Exhibit "A" and made a part hereof.

9. T. W. Phillips responded to the Informal Complaint by Company Report dated July 14, 2005, a copy of which is attached hereto as Exhibit "B" and made a part hereof.

10. The BCS issued a Decision in BCS Case No. 1923737 on November 9, 2005 (the "BCS Decision"), which denied the Informal Complaint and held that the bills issued to the Complainant by T. W. Phillips had been correct as rendered. A copy of said BCS Decision is attached hereto as Exhibit "C" and made a part hereof. The BCS Decision stated that Complainant's gas service account balance was \$935.13.

11. Payments received from Complainant on November 18 and November 22, 2005 reduced her gas service account balance substantially, but no payments have been received from Complainant for her gas service since November 22, 2005, causing Complainant's unpaid account balance to escalate once again to \$2,144.71, as set forth on the Customer Usage Report attached hereto as Exhibit "D" and made a part hereof.

12. T. W. Phillips is unable to determine whether the Formal Complaint has anything to do with BCS Case No. 1923737 and the subject matter of the BCS Decision or not.

13. Complainant has failed to make the monthly payments required by the BCS Decision or any other payments for her gas service since November 22, 2005.

14. The Commission has no jurisdiction over the 'Isovitsch bill' or the 'Danik bill' (hereinafter collectively referred to as the "Bills"), which were also attached, without any explanation, to the Formal Complaint. To the contrary, the Bills have already been the subject of a Civil Complaint proceeding filed by Complainant in Magisterial District No. 50-3-05 at Docket No. CV-0000491-04 in Butler County, Pennsylvania on December 20, 2004 (the "Civil Complaint"). A copy of said Civil Complaint is attached hereto as Exhibit "E" and made a part hereof.

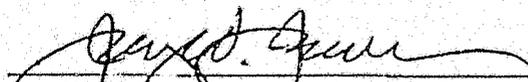
15. The Civil Complaint, which specifically addresses the Bills, was the subject of a hearing before a District Justice on January 24, 2005, who entered judgment against T. W. Phillips in the amount of \$583.10 on January 24, 2005. A copy of said Notice of Judgment is attached hereto as Exhibit "F" and made a part hereof.

16. On February 28, 2005, T. W. Phillips paid the Judgment and the satisfaction thereof was confirmed by Complainant by Entry of Satisfaction dated April 11, 2005, a copy of which is attached hereto as Exhibit "G" and made a part hereof.

17. To the extent that Complainant is seeking any remedy or relief relative to the Bills, the Commission has no power or authority to hear or decide any matters pertaining to the Bills as they have already been addressed and satisfied at Docket No. CV-0000491-04 in Butler County Magisterial District No. 50-3-05.

WHEREFORE, T. W. Phillips respectfully requests that Complainant's Formal Complaint against T. W. Phillips in this matter be dismissed promptly and with prejudice.

Date: March 22, 2006

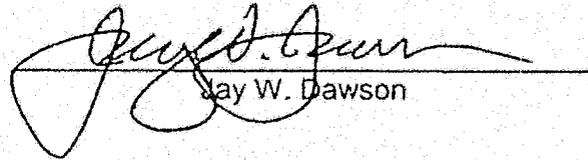

Jay W. Dawson
T. W. PHILLIPS GAS AND OIL CO.
205 North Main Street
Butler, Pennsylvania 16001
(724) 287-2751
Attorney for T. W. Phillips Gas and Oil Co.

CERTIFICATE OF SERVICE

I do hereby certify that I have this day served a true copy of the foregoing Answer and New Matter of T. W. Phillips Gas and Oil Co. to Formal Complaint upon Complainant, Carol Kirkpatrick, by first class mail, at the following address in accordance with the requirements of 52 Pa. Code, Section 1.54:

Carol Kirkpatrick
122 W. Pearl Street
Butler, Pennsylvania 16001

Date: March 22, 2006


Jay W. Dawson

REC'D
2006 MAR 24 AM 9:12
SECRETARY'S OFFICE
BUREAU

SECRETARY'S OFFICE

2006 MAR 24 PM 9:12

SECRETARY'S OFFICE

EXHIBIT "A"

TO: T W PHILLIPS PUBLIC UTILITY COMMISSION
BUREAU OF CONSUMER SERVICE

BCS Case Number: 1923737

BCS Investigator: CLEA, JOHN

OPENED ON: 6/16/2005

COMPANY NAME: T W PHILLIPS GAS COMPANY PRIMARY COMPANY: Yes No

Account Number: 3140128003 UTILITY TYPE: Gas Transporter

CLASS OF SERVICE: RESIDENTIAL CASE ORIGIN: Telephone

REASON FOR CONTACT: ON - PAR WITH DISPUTE (#63)

TERMINATION / SUSPENSION DATE: 6/16/2005 PRIOR CASE: Y 1050909 PRIOR CASE CLOSED: 12/18/2001

CUSTOMER NAME AND SERVICE ADDRESS: INTERVIEWER: PATRICIA PARKER

CAROL KIRKPATRICK
122 W PEARL ST
BUTLER, PA 16001 - 4219

CALLER OTHER THAN RATEPAYER / BUSINESS NAME:

MAILING ADDRESS:

TELEPHONE: (HOME) (724) 282-8281 (WORK)

DID YOU REFER THE CUSTOMER TO THE UNIVERSAL SERVICE PROGRAM? Y

MISCELLANEOUS INFORMATION:

ARREARAGE ON NOTICE: \$315.00

DATE OF LAST CONTACT: 6/3/2005

COMPANY POSITION: CO WANTS APPROX 315.00 TO AVOID SHUT OFF. CUST IS NOT SURE

GROSS INCOME: WAGES \$714.00

NET INCOME:

OTHER RELATED INFORMATION / DISPUTES

PAR W/DISPUTE - CUST CLAIMS THAT THE LATE PAYMENT FEES ARE INCORRECT. THERE WERE TENANTS AT SOME TIME - ATTY JOSEPH KUBIT (724.337 9514) IS INVOLVED WITH THIS DISPUTE.....CUST VAGUE & UNCLEAR

FAMILY SIZE: ADULTS: 1 CHILDREN: 0 AGE:

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EXHIBIT "B"

T. W. PHILLIPS GAS AND OIL CO.
COMPANY REPORT TO RTU

"PAR w/DISPUTE"

Customer's Name: Carol Kirkpatrick
Account Number: 3140128003
Service Address: 122 W. Pearl St.
Butler, PA 16001
Mailing Address: (same)

BCS Investigator: Clea
BCS Case Number: 1923737
Type of Account: RS
Heating: YES
Service (on/off): ON
Total Account Balance: \$1,339.06
Termination Date: N/A

Total Gross Income: \$1,555.00
(Check Source)

Employment: _____ Disability: _____
DPW: _____ X Pension: _____
Social Security: _____ Other: XX _____
Unemploy. Comp. _____

Payment Information

Date	Amount	Description
5/19/05	\$257.00	Amount to update recent arrangement: \$972.03
4/14/05	\$263.00	
3/18/05	\$277.00	
*2/15/05	\$813.00	
2/01/05	\$33.97	
12/21/04	\$100.00	
10/13/04	\$600.00	
9/21/04	\$150.00	

*LIP Cash

Date Info. Obtained: 6/17/05 Budget: \$224.00
Family Size (# of occupants): 1 Due Date: 7/18/05
PLEASE NOTE: This customer is not a CAP participant.

Prior Agreements (Most Recent first, attach additional sheets if necessary)

Level	Type	Date	Balance	Terms	Beg. Date	Income	Expense
1-	Verbal	7/16/04	\$1,268.76	\$253 monthly	7/30/04	\$500.00	\$727.00
1-	EHF	3/06/02	\$636.30	\$25 monthly	4/17/02	\$205.00	\$1452.00
1-	PUC	12/18/01	\$120.55	\$192 monthly	1/17/02	\$205.00	\$1278.00

Final Report Information

Date of last contact with customer prior to current BCS complaint: 6/03/05
Did the customer accurately state the company position at last contact: No

What did the company tell the customer at time of last contact: The customer called the company regarding a ten-day termination notice issued 5/20/05 to expire 6/06/05. The company updated the customer's income and expense information in accordance with PUC guidelines. The customer has a level two income. The company was collecting on a verbal payment arrangement the customer entered into with the company on 7/16/04. Accordingly, the customer's catch up amount is \$458.03. Therefore, the company requested the customer pay the catch up amount of \$458.03 prior to 6/06/05 to avoid termination. The customer requested the company waive all late fees charged to her account since June 2003. The company advised the customer that the company would not adjust any penalty charges from her account. The company again requested the customer pay the catch up amount of \$458.03 prior to 6/06/05 to avoid termination. The company referred the customer to Energy Assistance, Crisis, Dollar Energy, Energy Help Fund, and the PUC.

CUST: Kirkpatrick
BCS#: 1923737
PAGE#: 2

Company final position: On 1/24/05, the company attended a hearing at the District Magistrate's Office in Butler, Pennsylvania, regarding yard damages at the customer's property in December 2002. The customer requested the company reimburse her for the yard restoration in the amount of \$513.60, and for damages to her stove in the amount of \$60.94 totaling \$574.54. The customer did not requests late fees be adjusted from her account at the time of the hearing.

On 1/24/05, judgment was entered that the company was required to pay the customer for yard damage in the amount of \$513.60, plus judgment costs of \$69.50 totaling \$583.10.

On 2/28/05, the company issued a letter to Joseph E Kubit, Esquire, advising that it decided not to file an appeal. Therefore, the company issued a check to the customer in the amount of \$583.10.

The customer's meter #4498 supplies gas service to a duplex located at 122 West Pearl Street, Butler, Pennsylvania, which is classified as an Act 54.

The customer reported to the BCS a monthly income of \$714.00, as a level one income. However, the customer reported to the company a monthly income of \$1,555.00, as a level two income. The customer's balance as of 7/14/05 is \$1,339.06. According to the payment arrangement the customer entered into with the company on 7/16/04, the catch up amount is \$972.03. Therefore, the company requests the customer pay the catch up amount of \$972.03. The company further requests the customer pay base budget \$224.00 plus \$16.00 or \$240.00 monthly thereafter by the due date of each bill.

Additional Information

Prepared by: Tracy Lazzo, (724) 287-2751, ext. 264

Date: 7/14/05

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SECRETARY'S BUREAU

EXHIBIT "C"

INFORMAL COMPLAINT DECISION
THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

CAROL KIRKPATRICK
122 W PEARL ST
BUTLER PA 16001 - 4219

Date: 11/9/2005

BCS: 1923737

Acct. No: 3140128003

V.

T W PHILLIPS GAS COMPANY

On June 16, 2005, you contacted the Public Utility Commission asking for help in preventing the termination of your utility service. You also stated the company was charging you double and incorrect late payment fees. We looked into your records with the company and decided that:

- The bills are correct as rendered.
- On July 2, 2005 and November 4, 2005, the customer offered to send the PUC copies of the bills to provide proof of the company incorrect billings. The proof of the incorrect billings has not been received.
- The company properly assessed your account for the late payment charges based on the past due balance.
- The company is permitted by PUC regulation to assess your past due balance at 1.5% interest each month on the total unpaid past due balance owed. You are responsible for the balance owed.
- Your total account balance is \$935.13. This balance does not include any payments or bills sent out on or after 11/4/2005.
- Beginning DECEMBER 2005, you must pay the company a special budget amount of \$222.00 per month. This amount may change depending on any change in the amount of service you use.
- This special budget amount includes a regular budget amount of \$206.00 per month, which is based on your monthly usage, plus \$16.00 that will be paid toward the account balance.
- You must make all payments by the due date of each month's bill and continue making the payments until you pay the account in full.
- The company will not charge late payment fees to your account as long as you pay according to this decision. However, the company may apply late payment fees if you do not pay on time or if you do not keep this agreement.

- Based on the information you gave us, you appear to be eligible for EHF. EHF is a program that may reduce your budget and forgive your outstanding balance. Our review finds this may be the best rate for you. To receive this rate, you must contact the company to apply. They will tell you how to apply for EHF. If the company enrolls you in EHF, they will tell you the new amount you need to pay each month.

- If you break this payment agreement, the company may shut off your service. If the company shuts off your service, they may make you pay your full bill plus a reconnect fee and a deposit to restore service.

You appear to qualify for LIHEAP. If you qualify, the LIHEAP program will make a payment to help keep your service on. You must apply to receive this help. Please call LIHEAP at 1-866-857-7095 to apply.

JOHN CLEA JR.
Investigator

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OF INVESTIGATION
SECRETARY'S BUREAU

EXHIBIT "D"

T. W. PHILLIPS GAS AND OIL CO.

CUSTOMER USAGE REPORT
 Carol Kirkpatrick (Account No. 3140128003)

Service To	Meter Reading	Gas Usage (Mcf)	Bill Amount	Due Date	Late Payment Charge	Payment	Payment Date	Balance
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	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	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	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

PRODUCTION

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EXHIBIT "E"

Mag. Dist. No.: 50-3-05
 DJ Name: Hon. PETER H. SHAFFER
 Address: 227 WEST CUNNINGHAM BUTLER, PA 16001
 Telephone: (724) 431-4854

Mailing
 Po Box 908
 Butler Pa
 16003

PLAINTIFF: NAME and ADDRESS
 Carol Kirkpatrick PHONE: 282-828
 122 W. Pearl ST
 Butler Pa 16001

DEFENDANT: VS. NAME and ADDRESS
 F.W. Phillips Gas & Oil Co.
 205 Main St.
 Butler, Pa 16001

	AMOUNT	DATE PAID
FILING COSTS	\$ 62.50	1/1
POSTAGE	\$ 7.00	1/1
SERVICE COSTS	\$	1/1
CONSTABLE ED.	\$	1/1
TOTAL	\$ 69.50	1/1

Docket No.: CV-491-04
 Date Filed: 12-20-01



Pa.R.C.P.D.J. No. 206 sets forth those costs recoverable by the prevailing party.

TO THE DEFENDANT: The above named plaintiff(s) asks judgment against you for \$ 574.54 together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

In January, 2003, F.W. Phillips Gas & Oil Co. allowed water to enter their gas line causing the gas stove at my house located at 122 West Pearl St. to be damaged. In addition, the gas company came to work on the gas line. They dug up my yard and did not put it back the way it was. The stove repairs cost \$60.94. The yard work cost \$513.60. I have asked the gas co. to pay these costs, I, Carol Kirkpatrick but they refuse.

I, Carol Kirkpatrick verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information, and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) related to unsworn falsification to authorities.

Carol Kirkpatrick
 (Signature of Plaintiff or Authorized Agent)

Plaintiff's Attorney: _____ Address: _____
 Telephone: _____

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, YOU SHOULD NOTIFY THIS OFFICE IMMEDIATELY AT THE ABOVE TELEPHONE NUMBER. YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO, JUDGMENT MAY BE ENTERED AGAINST YOU BY DEFAULT.

If you have a claim against the plaintiff which is within district justice jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five days before the date set for the hearing.

If you are disabled and require a reasonable accommodation to gain access to the Magisterial District Court and its services, please contact the Magisterial District Court at the above address or telephone number. We are unable to provide transportation.

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SECRETARY'S BUREAU

EXHIBIT "F"

**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

Mag Dist No.	50-3-05
DJ Name: Hon	PETER H. SHAPPER
Address	PO BOX 1208 227 WEST CUNNINGHAM BUTLER, PA
Telephone	(724) 431-4854 16003

PLAINTIFF: **KIRKPATRICK, CAROL**
122 WEST PEARL ST
BUTLER, PA 16001

VS.

DEFENDANT: **T.W. PHILLIPS GAS & OIL CO**
205 MAIN ST
BUTLER, PA 16001

**T.W. PHILLIPS GAS & OIL CO
205 MAIN ST
BUTLER, PA 16001**

Docket No.:	CV-0000491-04
Date Filed:	12/20/04



THIS IS TO NOTIFY YOU THAT:
Judgment: FOR PLAINTIFF

- Judgment was entered for: (Name) KIRKPATRICK, CAROL
 - Judgment was entered against: (Name) T.W. PHILLIPS GAS & OIL CO
- in the amount of \$ 583.10 on: (Date of Judgment) 1/24/05

Defendants are jointly and severally liable. (Date & Time) _____

Damages will be assessed on: _____

This case dismissed without prejudice.

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____

Portion of Judgment for physical damages arising out of residential lease \$ _____

Amount of Judgment	\$ <u>513.60</u>
Judgment Costs	\$ <u>69.50</u>
Interest on Judgment	\$ <u>.00</u>
Attorney Fees	\$ <u>.00</u>
Total	\$ <u>583.10</u>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total	\$ _____

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR DISTRICT JUSTICES, IF THE JUDGMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE DISTRICT JUSTICE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE DISTRICT JUSTICE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

12/24/05 Date *Peter H. Shapper* District Justice

Specialty Presiding

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.	
_____	_____, District Justice
Date _____	

My commission expires first Monday of January, 2010 .

SEAL

SECRETARY'S BUREAU

2005 MAR 24 AM 9:13

SECRETARY'S BUREAU

EXHIBIT "G"

ENTRY OF SATISFACTION

Mag. Dist. No.	50-3-05
MDJ Name Hon.	PETER H. SHAFFER
Address	PO BOX 1208 227 WEST CUMMINGHAM BUTLER, PA
Telephone	(724) 431-4854 16003

PLAINTIFF: NAME and ADDRESS
KIRKPATRICK, CAROL
 122 WEST PEARL ST
 BUTLER, PA 16001

VS.

DEFENDANT: NAME and ADDRESS
T.W. PHILLIPS GAS & OIL CO
 205 MAIN ST
 BUTLER, PA 16001

T.W. PHILLIPS GAS & OIL CO
 205 MAIN ST
 BUTLER, PA 16001

Docket No.:	CV-0000491-04
Date Filed:	12/20/04



*State & National
 All to our care
 Thank you*

Please be advised that the judgment entered in this matter has been paid in full, settled, or otherwise complied with and is hereby satisfied.

4/11/05
 Date

Carol Kirkpatrick
 Signature of Judgment Creditor

Any party may contend that satisfaction should not have been entered in this matter by filing a petition to strike entry of satisfaction with the prothonotary/clerk of court of common pleas, civil division.

4-13-05 Date *Deborah A. Maggion*

My commission expires first Monday of January, 2010



BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

CAROL KIRKPATRICK,
Complainant,

vs.

T. W. PHILLIPS GAS AND OIL CO.,
Respondent.

DOCKETED

APR 03 2006

Complaint Docket
No. C-20065955

DOCUMENT
FOLDER

SECRETARY'S OFFICE

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**T. W. PHILLIPS GAS AND OIL CO.'S PRELIMINARY MOTION TO
DISMISS FORMAL COMPLAINT FOR LACK OF JURISDICTION,
INSUFFICIENCY AS TO FORM AND INSUFFICIENCY AS TO SUBSTANCE**

NOW COMES T. W. Phillips Gas and Oil Co. ("T. W. Phillips"), by its attorney, Jay W. Dawson, Esquire, and submits this Preliminary Motion to Dismiss the Formal Complaint of Carol Kirkpatrick in the above-captioned matter for lack of jurisdiction in the Pennsylvania Public Utility Commission (the "Commission"), for insufficiency as to form and for insufficiency as to substance pursuant to 52 Pa. Code, Section 5.101(a)(1), (2) and (3). As required by Section 5.101(b), T. W. Phillips' Answer and New Matter to the Formal Complaint is being filed simultaneously with this Preliminary Motion to Dismiss.

1. Complainant, Carol Kirkpatrick, is a residential gas service customer of T. W. Phillips at 122 W. Pearl Street, Butler, Pennsylvania 16001.

2. Contrary to Section 701 of the Public Utility Code (66 Pa. C. S. § 701), which pertains to the filing of complaints before Commission and states, in pertinent part, that

"[A]ny person...having an interest in the subject matter...may complain in writing, setting forth any act or thing done or omitted to be done by any public utility in violation, or claimed violation, of any law which the commission has jurisdiction to administer, or of any regulation or order of the commission[.]"

the Formal Complaint fails to set forth any substantive claim against T. W. Phillips and does not allege that T. W. Phillips has violated any law, regulation or order which the Commission has jurisdiction to administer.

3. The Formal Complaint contains no discernible, substantive complaint or averment of fact with respect to any incorrect charges on any bill issued by T. W. Phillips to Complainant for her gas service. The Formal Complaint is so insufficient as to substance as to be impossible to respond to.

4. The Formal Complaint simply refers, without any explanation or direction whatsoever, to four attachments, none of which present any discernable averments of fact to which T. W. Phillips can be expected to respond. The principal attachment consist of four handwritten pages of numbers and narrative, which contain no directions for the reader, identify no specific allegation of billing error or other complaint and is otherwise so disorganized and confusing as to preclude any reasonable response. The Formal Complaint is so insufficient as to form as to be impossible for T. W. Phillips to respond to.

5. The Commission has no jurisdiction over the 'Isovitsch bill' or the 'Danik bill' (hereinafter collectively referred to as the "Bills"), which were also attached, without explanation, to the Formal Complaint. To the contrary, the Bills have already been the subject of a Civil Complaint proceeding filed by Complainant in Magisterial District No. 50-3-05 at Docket No. CV-0000491-04 in Butler County, Pennsylvania on December 20, 2004 (the "Civil Complaint"). A copy of said Civil Complaint is attached hereto as Exhibit "A" and made a part hereof.

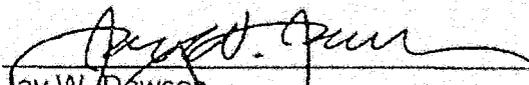
6. The Civil Complaint, which specifically addresses the Bills, was the subject of a hearing before a District Justice on January 24, 2005, who entered judgment against T. W. Phillips in the amount of \$583.10 on January 24, 2005. A copy of said Notice of Judgment is attached hereto as Exhibit "B" and made a part hereof.

7. On February 28, 2005, T. W. Phillips paid the Judgment and the satisfaction thereof was confirmed by Complainant by Entry of Satisfaction dated April 11, 2005, a copy of which is attached hereto as Exhibit "C" and made a part hereof.

8. To the extent that Complainant is seeking any remedy or relief relative to the Bills, the Commission has no power or authority to hear or decide any matters pertaining to the Bills as they have already been addressed and satisfied at Docket No. CV-0000491-04 in Butler County Magisterial District No. 50-3-05.

WHEREFORE, T. W. Phillips respectfully requests, pursuant to 52 Pa. Code, Section 5101(a) and (b), that the Commission grant its Preliminary Motion and dismiss Carol Kirkpatrick's Formal Complaint against T. W. Phillips promptly and with prejudice for lack of jurisdiction and for insufficiency as to substance and form.

Date: March 22, 2006

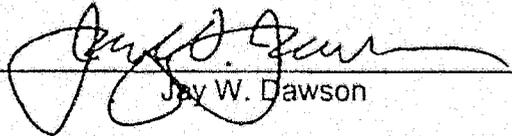

Jay W. Dawson
T. W. PHILLIPS GAS AND OIL CO.
205 North Main Street
Butler, Pennsylvania 16001
(724) 287-2751(Ext. 224)
Attorney for T. W. Phillips Gas and Oil Co.

CERTIFICATE OF SERVICE

I do hereby certify that I have this day served a true copy of the foregoing Preliminary Motion to Dismiss Formal Complaint for Lack of Jurisdiction, Insufficiency as to Form and Insufficiency as to Substance upon Complainant, Carol Kirkpatrick, by first class mail, at the following address in accordance with the requirements of 52 Pa. Code, Section 1.54:

Carol Kirkpatrick
122 W. Pearl Street
Butler, Pennsylvania 16001

Date: March 22, 2006


Jay W. Dawson

SECRETARY'S BUREAU
2006 MAR 24 AM 9:13

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MAY 24 1963
SECRETARY'S BUREAU

EXHIBIT "A"

Mag. Dist. No: 50-3-05 *Mailing Po Box 1208 Butler Pa 16003*

CJ Name: Hon. PETER H. SHAFER

Address: 227 WEST CUNNINGHAM BUTLER, PA 16001

Telephone: (724) 431-4854

PLAINTIFF: Carol Kirkpatrick NAME and ADDRESS
 PHONE: 282-828
 122 W. Pearl ST
 Butler Pa 16001

DEFENDANT: VS. NAME and ADDRESS
 F.W. Phillips Gas & Oil Co.
 205 Main St.
 Butler, Pa 16001

Docket No.: CV-491-04
 Date Filed: 12-20-01



	AMOUNT	DATE PAID
FILING COSTS	\$ 69.50	1/1
POSTAGE	\$ 76.00	1/1
SERVICE COSTS	\$	1/1
CONSTABLE ED.	\$	1/1
TOTAL	\$ 69.50	1/1

Pa.R.C.P.D.J. No. 206 sets forth those costs recoverable by the prevailing party.

TO THE DEFENDANT: The above named plaintiff(s) asks judgment against you for \$ 574.54 together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

In January, 2003, F.W. Phillips Gas & Oil Co. allowed water to enter their gas line causing the gas stove at my house located at 122 West Pearl St. to be damaged. In addition, the gas company came to work on the gas line. They dug up my yard and did not pick it back the way it was. The stove repairs cost \$60.94. The yard work cost \$513.60. I have asked the gas co. to pay these costs, but they refuse.

I, Carol Kirkpatrick verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information, and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) related to unsworn falsification to authorities.

Carol Kirkpatrick
 (Signature of Plaintiff or Authorized Agent)

Plaintiff's Attorney: _____ Address: _____
 Telephone: _____

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, YOU SHOULD NOTIFY THIS OFFICE IMMEDIATELY AT THE ABOVE TELEPHONE NUMBER. YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO, JUDGMENT MAY BE ENTERED AGAINST YOU BY DEFAULT.

If you have a claim against the plaintiff which is within district justice jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five days before the date set for the hearing.

If you are disabled and require a reasonable accommodation to gain access to the Magisterial District Court and its services, please contact the Magisterial District Court at the above address or telephone number. We are unable to provide transportation.

SECRETARY'S SIGNATURE
2006 MAR 24 AM 9:13

EXHIBIT "B"

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

Mag Dist No	50-3-05
DJ Name: Hon	PETER H. SHAFER
Address	PO BOX 1208 227 WEST CUNNINGHAM BUTLER, PA
Telephone	(724) 431-4854 16003

PLAINTIFF NAME and ADDRESS
KIRKPATRICK, CAROL
 122 WEST PEARL ST
 BUTLER, PA 16001

VS.
 DEFENDANT: NAME and ADDRESS
T.W. PHILLIPS GAS & OIL CO
 205 MAIN ST
 BUTLER, PA 16001

T.W. PHILLIPS GAS & OIL CO
 205 MAIN ST
 BUTLER, PA 16001

Docket No.: CV-0000491-04
 Date Filed: 12/20/04



THIS IS TO NOTIFY YOU THAT:
 Judgment: FOR PLAINTIFF

Judgment was entered for: (Name) KIRKPATRICK, CAROL
 Judgment was entered against: (Name) T.W. PHILLIPS GAS & OIL CO
 in the amount of \$ 583.10 on: (Date of Judgment) 1/24/05

Defendants are jointly and severally liable. (Date & Time) _____

Damages will be assessed on:

This case dismissed without prejudice.

Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____

Portion of Judgment for physical damages arising out of residential lease \$ _____

Amount of Judgment	\$ <u>513.60</u>
Judgment Costs	\$ <u>69.50</u>
Interest on Judgment	\$ <u>.00</u>
Attorney Fees	\$ <u>.00</u>
Total	\$ <u>583.10</u>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
Certified Judgment Total	\$ _____

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR DISTRICT JUSTICES, IF THE JUDGMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE DISTRICT JUSTICE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE DISTRICT JUSTICE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

12/20/05 Date *Peter H. Shaffer* SP District Justice *Specialty Presiding*

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.
 _____ Date _____, District Justice

My commission expires first Monday of January, 2010

SEAL

SECRET

2005 MAR 24 11 09 14

SECRETARY'S OFFICE

EXHIBIT "C"

ENTRY OF SATISFACTION

Mag Dist No.	50-3-05
MDJ Name, Hon.	PETER H. SHAFFER
Address	PO BOX 1208 227 WEST CUNNINGHAM BUTLER, PA
Telephone	(724) 431-4854 16003

PLAINTIFF:	NAME and ADDRESS
KIRKPATRICK, CAROL	122 WEST PEARL ST BUTLER, PA 16001
VS.	
DEFENDANT:	NAME and ADDRESS
T.W. PHILLIPS GAS & OIL CO	205 MAIN ST BUTLER, PA 16001

T.W. PHILLIPS GAS & OIL CO
205 MAIN ST
BUTLER, PA 16001

Docket No.:	CV-0000491-04
Date Filed:	12/20/04



Handwritten notes:
T.W. Phillips Gas & Oil Co
Butler, PA

Please be advised that the judgment entered in this matter has been paid in full, settled, or otherwise complied with and is hereby satisfied.

1/4/11/05 Carol Kirkpatrick
Date Signature of Judgment Creditor

Any party may contend that satisfaction should not have been entered in this matter by filing a petition to strike entry of satisfaction with the prothonotary/clerk of court of common pleas, civil division.

4-13-05 Dawn M. Anagnone
Date District Judge



My commission expires first Monday of January, 2010



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
March 30, 2006

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20065955

(SEE ATTACHED LIST)

Carol Kirkpatrick v. T. W. Phillips Gas & Oil Company
Billing Dispute / Requests Payment Arrangement

Telephone Hearing Notice

This is to inform you that a hearing by telephone on the above-captioned case will be held as follows:

Type: Initial Telephonic Hearing
Date: Tuesday, May 2, 2006
Time: 10:00 a.m.
Presiding: Administrative Law Judge Robert P. Meehan
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Telephone: 412.565.3550
Fax: 412.565.5692

DOCUMENT
FOLDER

If you have not provided a current telephone number where you can be reached for participation in the hearing OR YOUR AREA CODE HAS CHANGED, then you must contact the presiding officer at least 7 days before the actual hearing and provide the necessary information.

DOCKED
APR 05 2006

At the above date and time, the Presiding Officer will contact the parties as follows:

Carol Kirkpatrick	724-282-8281
Jay W. Dawson, Esquire	724-287-2751

If you have any hearing exhibits to which you will refer during the hearing, 3 copies must be sent to the Administrative Law Judge and 1 copy each must be sent to every other party. All copies must be received at least 5 days before the hearing.

Attention: You may lose the case if you do not take part in this hearing and present facts on the issues raised.

Except for those individuals representing themselves, the Commission's rules require that all parties have an attorney; therefore, you should have an attorney of your choice file an entry of appearance before the scheduled hearing.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: 717.787.1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1.800.654.5988

pc: Judge Meehan
Cherie Pyle, Scheduling Officer
Beth Plantz
Docket Section
Calendar File