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COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Margaret Shafer
v.
UGI Utilities, Inc.
Initial Telephonic Hearing

Docket No.: C-20065954

**DOCUMENT
FOLDER**

DOCKETED
AUG 29 2006

400 North Street
Harrisburg, PA 17120

Monday, July 24, 2006
Commencing at 10:23 a.m.

BEFORE:

DAVID SALAPA, Administrative Law Judge

APPEARANCES:

MARGARET SHAFER, Pro Se
For the Complainant
(via telephone)

LARRY R. CRAYNE, Esquire
238 Johnston Road
Pittsburgh, PA 15241
For the Respondent
(via telephone)

REPORTER: BRIAN D. O'HARE

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P R O C E E D I N G S

1
2 -----
3 JUDGE DAVID SALAPA:

4 This is the time and the place that the
5 Pennsylvania Public Utility Commission has set for a
6 hearing on the case captioned Margaret Shafer versus
7 UGI Utilities, Inc. at Docket Number C-20065954. I am
8 Administrative Law Judge David Salapa. The Commission
9 has assigned me to preside over the hearing in this
10 case and to render a decision for the Commission to
11 consider. Appearing by telephone is the Complainant,
12 Margaret Shafer. Good morning, Ms. Shafer.

13 MS. SHAFER:

14 Good morning.

15 JUDGE SALAPA:

16 And also appearing by telephone is
17 Counsel for the Respondent, Larry Crayne. Good
18 morning, Mr. Crayne.

19 ATTORNEY CRAYNE:

20 Good morning.

21 JUDGE SALAPA:

22 Can each of you hear me?

23 MS. SHAFER:

24 Yes.

25 ATTORNEY CRAYNE:

1 Yes, I can.

2 JUDGE SALAPA:

3 And can you hear each other?

4 MS. SHAFER:

5 Yes.

6 JUDGE SALAPA:

7 Mr. Crayne?

8 ATTORNEY CRAYNE:

9 Yes, I can.

10 JUDGE SALAPA:

11 Okay. And I can hear each of you, so we
12 have a good telephone connection. Ms. Shafer, since
13 you are the Complainant in this matter, you have the
14 burden of going forward first. So I will swear you in
15 and take your testimony. After you are done
16 testifying, Mr. Crayne may ask you questions about
17 your testimony. This is Cross Examination. I would
18 simply ask that you listen to the questions that he's
19 asking and answer them to the best of your ability.

20 After you're done testifying and Mr.
21 Crayne has an opportunity to cross examine you, Mr.
22 Crayne will then have the opportunity to present
23 witnesses. And then when those witnesses are done
24 testifying, you will have the opportunity to cross
25 examine Mr. Crayne's witnesses. Do you understand how

1 this proceeding with go forward, Ms. Shafer?

2 MS. SHAFER:

3 Oh, absolutely.

4 JUDGE SALAPA:

5 All right. Could you please raise your
6 right hand then?

7 -----

8 MARGARET SHAFER, HAVING FIRST BEEN DULY SWORN,
9 TESTIFIED AS FOLLOWS:

10 -----

11 JUDGE SALAPA:

12 All right. Could you please state and
13 spell your name for the record?

14 A. It's Margaret Shafer, S-H-A-F-E-R.

15 JUDGE SALAPA:

16 All right. Ms. Shafer, where do you
17 currently reside?

18 A. At 105 North Lockwillow Avenue, Harrisburg,
19 Pennsylvania 17112.

20 JUDGE SALAPA:

21 And how long have you resided there?

22 A. We took possession of the house December '99.

23 JUDGE SALAPA:

24 And is this a single family dwelling, or
25 an apartment, or half of a double, or what it is?

1 A. This is a single-family dwelling. When we
2 purchased the property, it was a single family
3 dwelling. The upstairs had been made into an
4 apartment and had been converted back.

5 JUDGE SALAPA:

6 All right. So was this like a two-story
7 house and the second story was an apartment?

8 A. Yes, yes. It's a two-story Cape Cod and they had
9 built steps out back and had made an apartment, a one-
10 bedroom apartment upstairs.

11 JUDGE SALAPA:

12 And when you moved in, was there still
13 somebody in the apartment?

14 A. Yes, there was. But when we signed the lease, we
15 had given them 30 --- or I'm sorry, 90 days to be out
16 of the lease.

17 JUDGE SALAPA:

18 In other words, when you purchased the
19 property, you told the second-floor tenant they had 90
20 days to move out then?

21 A. Yeah, yeah.

22 JUDGE SALAPA:

23 All right. And when did the tenant move
24 out then?

25 A. Actually, the tenant had moved out the end of that

1 month.

2 JUDGE SALAPA:

3 So they moved out the end of December
4 1999, the same time you took possession?

5 A. No, no, no. No, they had --- we had taken --- we
6 had actually moved into the property the 1st of 2000,
7 January 1st of 2000. They had actually moved out it
8 was either December 31st --- I'm sorry, January 31st
9 of 2000 or like February 1st. It was one of the two
10 days.

11 JUDGE SALAPA:

12 Okay. So the tenant was gone shortly
13 after you moved in?

14 A. Absolutely.

15 JUDGE SALAPA:

16 Okay. I'm just trying to get the dates
17 straight here. Now, so since that time, the house has
18 been a single-family dwelling; correct?

19 A. Yes, it has.

20 JUDGE SALAPA:

21 And let me get this straight. From your
22 Complaint, you have --- UGI supplies your natural gas
23 service; is that correct?

24 A. Yes.

25 JUDGE SALAPA:

1 And they have supplied that service since
2 you moved into the house?

3 A. Yes.

4 JUDGE SALAPA:

5 And you have gas hot water heat; is that
6 correct?

7 A. Yes. We have a boiler, so it actually heats the
8 hot water in our house. And that's the only hot water
9 that we have coming in.

10 JUDGE SALAPA:

11 Okay. So it's a combination. You have
12 --- if I'm getting this correctly, you have a gas-
13 fired hot water heating system or furnace for your
14 house; is that correct?

15 A. Yes.

16 JUDGE SALAPA:

17 And that furnace also supplies the hot
18 water for the house?

19 A. Correct.

20 JUDGE SALAPA:

21 And that is the only ---?

22 A. Well, we do have a hot water heater. We have a
23 hot water --- a gas heated hot water heater, but it
24 also supplies to the boiler to heat the house.

25 JUDGE SALAPA:

1 Oh, all right. So you have a furnace and
2 then you have a gas hot water heater?

3 A. Yeah.

4 JUDGE SALAPA:

5 All right. I did --- okay. And let me
6 --- according to your Complaint, and I'm just reading
7 through it here, in March of 2005, you called UGI
8 because you thought you had a gas leak; is that
9 correct?

10 A. Yes.

11 JUDGE SALAPA:

12 And could you tell me what happened then
13 in March of 2005?

14 A. Sure. I have fairly large flower beds out in
15 front of our house. Our meter for the gas sits right
16 out in front of the property as you drive up the
17 driveway. I was out and I was raking and pulling
18 weeds and things like that, and I smelled gas. It was
19 a --- there was no wind. It was a nice warm day, and
20 I was outside. And like I said, you know, I was a
21 little bit taken aback that I smelled gas and I
22 thought, you know, maybe it was just me. But I came
23 in and I thought, I better be safe than sorry.

24 I called UGI and what I said --- you know, I
25 called the gas leak place, the number, and I said to

1 them please do me a favor, this is, you know --- I
2 want it to be checked, but it's not like --- you know,
3 I don't think my house is going to blow up. I think
4 this is outside. I said, could you please send
5 somebody over? And the girl that answered the phone
6 joked with me and I said please don't send the fire
7 department. And she said, that's fine. I'll send
8 somebody over immediately. And I said, okay.

9 And it was. It was about an hour later a
10 gentleman came over and he looked. He took a meter,
11 and he started going around it, like a handheld meter.
12 And he started going around it to see, I guess, if
13 there was any gas coming out. So he said he had to
14 make, you know, a couple calls. And the next thing I
15 know, he came back and he said, somebody else is going
16 to be coming out. He said, we're going to replace
17 that meter for you, and I said, okay. And I said, but
18 it's okay, everything's okay. And he said, oh, yeah,
19 it's fine. You know, we're going to need to turn the
20 gas off for a while, and I said, that's perfectly
21 fine.

22 And a second individual came out to the house, and
23 he came over and he, you know, introduced himself and
24 said he was going to change the meter. So I was still
25 outside, you know, working in my bed. And he brought

1 his truck over, brought his stuff out, walked over and
2 started checking everything.

3 He said, you know, the gas was off. He was going
4 to replace the meter. So he --- before he, you now,
5 replaced the meter, he found where the buried pipe
6 that comes out --- and it's kind of an angled pipe.
7 It kind of looks like it has --- it has a lot of arms
8 on it. There was gas leaking from there. And how I
9 noticed it was, you know, I was standing there and he
10 was showing me. He had liquid clear soap, and he had
11 put it on it and it actually was bubbling. And it was
12 coming from quite a few of the joints. And I said,
13 oh, what's that, and he said, oh, that's the way we
14 test for leaks. And I said, okay.

15 And I said --- he said, well, we're just going to
16 replace the meter. He said, we're just going to do
17 everything. And I said, well, like the meter --- I
18 don't think the meter's bad. I said, I just smelled
19 it coming. Like I had actually --- you know, was down
20 there sniffing it. And he said, nope, we're going to
21 replace everything, so I stood there and watched him
22 while he did it.

23 And when he was finished, you now, he came to the
24 door. He knocked. He said, everything should be okay.
25 If you have any other problems, please give me a call.

1 He was extremely nice. He got everything done, and he
2 left. At that point, I had called UGI, and I said,
3 you know, I'm just wondering how --- you know, I mean,
4 this is the first time we've smelt it down here. I
5 had called one time prior, and that's when I was told
6 they had no record of me ever calling.

7 JUDGE SALAPA:

8 Well, no, wait.

9 A. Okay.

10 JUDGE SALAPA:

11 So let me go back and get some of this
12 information. You said you saw gas bubbling from leaks
13 in the pipe.

14 A. Yes.

15 JUDGE SALAPA:

16 Were these the pipes that were going into
17 the meter or were these the pipes that were going out
18 of the meter and into your house?

19 A. These were the pipes that were coming from the
20 very back of the meter. The very back of the meter
21 that was coming into the --- it was --- there's one
22 pipe that's coming directly out from the house. Then
23 there is a conglomeration of pipes with elbows on them
24 going into the back of the meter. That's where it was
25 leaking from.

1 Now, he also said to me while --- whenever he
2 showed me where these leaks were at, he said, this
3 meter should have been changed a long time ago. And I
4 said, why? He said, look how badly it's rusted. And
5 I said, well, you know, I'm a homeowner. I don't know
6 these things. And I said, you know, thank goodness I
7 smelled gas then. And that's when he proceeded to
8 change the meter.

9 JUDGE SALAPA:

10 All right. And so after the meter was
11 --- after UGI replaced the meter, did you smell gas
12 anymore then?

13 A. No, no. I --- that afternoon I continued to, you
14 know, put flowers on my flower bed --- put flowers on
15 my flower bed and we --- I didn't have any problem
16 after that.

17 JUDGE SALAPA:

18 All right. And you haven't had any smell
19 of gas since that time; is that correct?

20 A. Correct. I'm out in my flower bed constantly, you
21 know, doing all kinds of landscaping, and we haven't
22 had any problem since.

23 JUDGE SALAPA:

24 All right. Now, you said that you called
25 UGI after they replaced the meter; is that correct?

1 A. Yes. I did call them because I wanted to know
2 about our bill because it was so high. And I had
3 asked them if I could be set up on payment plans, and
4 I was told no. And when I asked why, and they said,
5 well, because it's the amount you owe. It's too high
6 for us to set up any kind of budget for you. And I
7 said, well, wait, that's whenever this whole thing
8 started. I said, well, wait a minute. I said, you
9 know, there was a gas leak, and I was told by the
10 customer service rep that there was nothing they could
11 do to help me.

12 At that point, I had even called a different
13 supplier of gas, and I can't think of what the name
14 is. They're out of --- I can't think of what the name
15 was and asked them if they could come over, and you
16 know, if I could have their ----. I think it was
17 Service Oil, but they have a gas division. And I had
18 asked if I could start getting gas through them, so
19 that I could stop, you know, my service through UGI
20 and get that paid off. And they told me, no, because
21 it had been reported to the credit union, and I said,
22 okay.

23 JUDGE SALAPA:

24 You mean the credit union or the credit
25 bureau?

1 A. The credit bureau.

2 JUDGE SALAPA:

3 Okay. Thank you.

4 A. I'm sorry. The credit bureau. It had been
5 reported to the credit bureau and it had actually made
6 my credit look bad.

7 JUDGE SALAPA:

8 All right. So what exactly is it that
9 you want the Commission to do about this?

10 A. Well, basically what I'm saying is, I mean, if
11 it's --- everyone feels that it's my responsibility.
12 I want them to work with me on these payments because
13 I tried and they said absolutely not. They said there
14 was nothing they could do, but I know --- I know what
15 the gentleman told me. The gentleman that came out
16 here basically told me that it was after the meter and
17 yes, it would affect the heating in the house.

18 Our house was constantly cold. You know, it's an
19 older house. This I understand. My husband and I
20 have caulked around windows. We've done everything we
21 can. And it just seems like this year --- you know,
22 since this leak's been fixed, the house is warmer. So
23 I can't believe that that gas leak --- to me, it was
24 affecting our usage. It wasn't getting into the
25 house. And I know what the guy told me.

1 I also have called some other contractors and
2 asked them when they put boilers and things like that
3 in or when they run gas, whose responsibility are the
4 lines. And they said, well, normally the actual pipe
5 that's coming out the house is your responsibility.
6 However, the little conglomeration on the back and the
7 meter itself, from what I was told, UGI put in. And
8 that's where the leak was at. It was the little
9 conglomeration of short pipes and elbows where the gas
10 was leaking from. So that gas was not entering my
11 house for me to heat my house. It was dissipating in
12 the atmosphere. And I just don't feel that I should
13 have to pay the total amount of the bill.

14 JUDGE SALAPA:

15 All right.

16 A. And that was over a course of six years, Your
17 Honor.

18 JUDGE SALAPA:

19 Okay. But you only discovered the gas
20 --- you only smelled the gas leaking then in March of
21 2005?

22 A. No, actually, we smelt it before then and we had
23 called UGI once before. And it was probably about ---
24 probably about three years prior that I had asked
25 them, and they said, they were going to send somebody

1 out to the house. They told me they'd send somebody
2 out to the house. Now, of course, my husband and I
3 were working. I didn't take off that day, and they
4 said everything was fine. But they also told me
5 because they read the meter every other month, that
6 the people that come out to read the meter never had
7 any problem smelling it.

8 But it wasn't something that you could --- I mean,
9 you had to stand there a few minutes and actually be
10 working around it, to smell it. You know, that was my
11 whole point.

12 When I called UGI to set up payment arrangements,
13 I also asked them for my history for the past five
14 years from when I had moved in to 2005, and I was told
15 that they didn't have the records. And when I spoke
16 to the customer service rep, I said, you have to have
17 the records. I said, every business keeps records for
18 seven years, and she said --- I said, you know what,
19 I'm not trying to be angry with you. I said, can you
20 please put a supervisor on the phone.

21 At that point, they had put a supervisor on the
22 phone. I had asked the supervisor for records of my
23 --- you know, since day one that I moved in here.
24 That I wanted to see usage and everything, and she
25 told me, they didn't have them to supply to me. So

1 that's what started this whole thing.

2 You know, I just don't feel --- on top of that,
3 you know, I mean --- yes, when we moved in here on
4 January 1st, I had one lady upstairs. I had my
5 husband, myself, and my daughter. My daughter moved
6 out two years ago. Our usage, you know, for that two-
7 year period up to when they fixed the meter, hadn't
8 changed.

9 So I'm just a little confused. You know, I would
10 think someone --- I mean, when you have a young person
11 in the house, who's constantly going out and
12 constantly washing her hair, constantly washing a pair
13 of jeans, I would think that that usage would've
14 changed. And now, I see it --- I see a change now,
15 but I did not see it up to that point. I feel very
16 strongly about that.

17 JUDGE SALAPA:

18 All right. Is there anything else you
19 want to tell me about this?

20 A. You know, actually, no. I mean, we don't have ---
21 other than we don't have a gas heated stove and we
22 don't --- you know, we don't have gas in our stove.
23 We don't have a gas fireplace, and that's the only
24 thing we have. You know, when the two gentlemen ---
25 when I called and I asked for that history of my ---

1 of my, you know, property, and I was told it's a
2 landlord/tenant property. And I said, excuse me? And
3 she said, it's a landlord/tenant property. It always
4 has been. I said, how can it be a landlord/tenant
5 property when there was never a UGI bill for upstairs?
6 And the lady said to me, what are you talking about?
7 I said, how could it have been. I said maybe at one
8 point it was a landlord/tenant because they were
9 renting the downstairs as well as the upstairs.

10 However, when they put it into my name, I called and
11 told them I was the property owner. I asked them if
12 they needed a copy that I was the property owner, and
13 they said absolutely not.

14 So when I asked for those records, I was told that
15 they couldn't provide them to me. She said, well, I
16 have to dispatch someone out to your house to verify
17 that it's a landlord --- it's not a landlord/tenant
18 property.

19 JUDGE SALAPA:

20 And when did this take place?

21 A. It took --- this was after they had put the new
22 meter in.

23 JUDGE SALAPA:

24 Okay.

25 A. And that would've been 2005. And you know, I

1 said, okay, and she said, well, we want to make sure
2 that that meter isn't supplying gas for two
3 properties. And I said, fine, you're more than
4 welcome to come out. I took off of work that day. I
5 stayed home. They sent a gentleman out to the house.
6 He came in. He went down the basement. He inspected
7 the unit. He also --- you know, he checked the pipes
8 and was wondering where things were running and had
9 asked questions.

10 I also offered to take him upstairs. And I said,
11 you know, I'll take you upstairs and let you see. I
12 opened the door that leads to the upstairs. I showed
13 him. I said, you know, here's where they used to
14 live. I said, you know, we have some stuff ripped
15 down now. I said, we want to remodel. We just
16 haven't done it yet. And he said, okay. And I said,
17 do you need anything else, and the gentleman said,
18 absolutely not. He said, you showed me everything I
19 need, and he thanked me and we walked out front. And
20 I had the screen door open.

21 In the meantime, somebody else had come up,
22 another gentleman. He walked over and they were
23 looking at the meter, and that's when I had the screen
24 door open. And the one --- the younger gentleman who
25 had pulled up, not the one who had entered my house,

1 but the other one made the comment, he said, oh, well,
2 there, right there's where the leaks were at because
3 it appeared that those elbows and the short pipes,
4 where they had sealed the actual leaks --- it's green
5 now. You can see right around where it would actually
6 screw in, the pipes would screw together and the
7 elbows were actually green. And the one gentleman
8 made the comment, well, that was stupid. He goes,
9 they had to change that meter. And the other guy
10 said, well, I don't know. I was just, you know,
11 coming out to check on the landlord/tenant, and he
12 said, well, that should've been painted over. That
13 shows right there where the gas leak was at. And then
14 he called the person who put the meter in, you know,
15 not proper of a name. He used an expletive.

16 And I stood there and then the guy --- the
17 individual who was in the house before had knocked on
18 the door, and he said, can I check something else?
19 And I said, absolutely. And him and the other
20 individual went back downstairs, looked, I guess, over
21 where the wall --- like the wall that the pipes
22 would've come into and checked that. And he came back
23 upstairs, and I said, is everything okay? And he
24 said, oh, absolutely. He said, have a --- he said,
25 we're done. Have a nice day. He said, I'll go back

1 and report to them, and he went back and reported to
2 them.

3 JUDGE SALAPA:

4 Okay. All right. Do you have anything
5 else, Ms. Shafer?

6 A. No, that's everything.

7 JUDGE SALAPA:

8 All right. Mr. Crayne, do you have any
9 Cross Examination?

10 ATTORNEY CRAYNE:

11 I have some questions, Your Honor. But
12 before I ask the questions, did you get a copy of Ms.
13 Shafer's July 17, '06 letter?

14 JUDGE SALAPA:

15 Yes, I did. And I was going to ask ---
16 Ms. Shafer, I received a letter from you dated July
17 17th, 2006 ---

18 A. Yes.

19 JUDGE SALAPA:

20 --- and some pictures that were attached
21 to that letter.

22 A. Yes.

23 JUDGE SALAPA:

24 Did you want those pictures to be made
25 apart of the record in this proceed?

1 A. Yes.

2 JUDGE SALAPA:

3 All right. And what about the letter?

4 A. Absolutely. Yeah, I sent that --- I mean, that
5 was just my --- I mean, that's the only evidence I
6 have other than I was standing there, as well as
7 pictures that we took afterwards.

8 JUDGE SALAPA:

9 All right. Well, then what I will do is
10 that I will mark the letter as Complainant's Exhibit
11 One and the pictures as Complainant's Exhibit Two.
12 And you're asking that they be moved into the record
13 in this proceeding; is that correct, Ms. Shafer?

14 (Complainant's Exhibits One and Two
15 marked for identification.)

16 A. Yes.

17 JUDGE SALAPA:

18 Any objections, Mr. Crayne?

19 ATTORNEY CRAYNE:

20 I have no objections, Your Honor, for
21 what they're worth. I have some questions that I want
22 to ask about the letter, though.

23 JUDGE SALAPA:

24 All right. I will move Complainant's
25 Exhibits Number One and Number Two into the record in

1 this proceeding. Mr. Crayne, you may go ahead and ask
2 your questions.

3 ATTORNEY CRAYNE:

4 Very good. Thank you.

5 CROSS EXAMINATION

6 BY ATTORNEY CRAYNE:

7 Q. Ms. Shafer, the very first paragraph of your
8 letter states the pictures were taken a day after the
9 pipes were sealed by UGI Gas?

10 A. I believe it was a day.

11 Q. Is that correct?

12 A. Yes.

13 Q. The pictures were taken the day after the pipes
14 were sealed; correct?

15 A. Absolutely. Well, yes, I did this letter --- I
16 don't know if it was a day after or a few days after,
17 but it was directly after. It would've been ---
18 within the week after it was done. But actually ---.

19 Q. You're sure of that?

20 A. Sir, I'm assuming. I'm assuming it was within a
21 week. My son-in-law was the one that actually came
22 over, and my future son-in-law was actually the one
23 that took the pictures with his camera.

24 Q. So it's not possible that those pictures were
25 taken almost a year later, is it?

1 A. Oh, absolutely not. Absolutely not.

2 Q. Okay. Now, you testified about a pipe and where
3 you believe the leak was located.

4 A. Yes.

5 Q. If I understand your testimony correctly, you
6 believe the leak was located after the meter; correct?

7 A. Yes. Sir, if you're looking at the pictures
8 themselves, ---

9 Q. Yes.

10 A. --- you see the pipe behind the meter that has the
11 elbows on them.

12 Q. And those are all pipes that are after the meter?

13 A. Yes. Because from my understanding, the only
14 pipes that are before the meter are actually ones
15 underneath it that you cannot see.

16 Q. Okay. Now, you testified that --- and your letter
17 states in the last paragraph that on three separate
18 occasions, you requested a billing history?

19 A. Yes.

20 Q. Do you know about when you requested those?

21 A. Yeah. Actually, the first billing history
22 would've been oh, it would have been in 2003 because
23 we noticed that the bills were extremely high. We
24 requested one then, and I actually got --- I didn't
25 get one of my meter usage. I actually got like an

1 actual payment history, but that hadn't been what we
2 requested, and that was what we received then.

3 And then the second time we requested the billing
4 history was when I had called in. That was after the
5 meter had changed. They came out and put a new meter
6 in, and I had requested a history then, and was told
7 that I couldn't get one.

8 And then the third time was whenever we had called
9 back and asked that payment arrangements be made, and
10 they told us, no, they couldn't do it because it was a
11 landlord/tenant property, and I said, okay. And I
12 said, well, you know, can I get a history of
13 everything, and she said, well, we don't keep records.
14 And that's when I was told --- the third time was
15 actually when I was told they didn't keep records back
16 that far.

17 Q. All right. I'd like for you to look at the
18 pictures you submitted, Ms. Shafer.

19 A. Yes.

20 Q. I'm looking at the first picture which is the
21 meter. It looks like there's snow on the meter; is
22 that not correct?

23 A. Yes.

24 Q. And when you look at the other pictures, there's
25 also snow on the piping; correct?

1 A. Yes.

2 Q. Very good.

3 A. Sir, if you're trying to --- if you're trying to
4 insinuate that the snow was --- you know, we have had
5 snow after the fact last year. If you look, the meter
6 was changed in March and after that we did have a
7 snowfall. That was when my son-in-law went out and
8 took the pictures.

9 Q. You're sure the meter was changed in March?

10 A. I guess --- March, February --- March. I would've
11 thought it was the first half of last year.

12 Q. Okay. Now, the UGI workers who you overheard
13 discussing the meter piping, ---

14 A. Yeah.

15 Q. --- they were talking about the piping after the
16 meter; correct?

17 A. Yes.

18 Q. You're certain of that?

19 A. Yes.

20 Q. Okay.

21 A. Because they commented about the green ---
22 whatever the green stuff was that sealed it.

23 Q. You don't recall the date they were out there, do
24 you?

25 A. No, sir, I do not.

1 ATTORNEY CRAYNE:

2 Okay. I have no additional questions,
3 Your Honor.

4 JUDGE SALAPA:

5 All right. Do you have anything
6 additional at this point, Ms. Shafer?

7 MS. SHAFER:

8 No, sir, I do not.

9 JUDGE SALAPA:

10 All right. Mr. Crayne, do you have a
11 witness?

12 ATTORNEY CRAYNE:

13 I have three witnesses, Your Honor. We
14 will try to make things go as quickly as possible.

15 JUDGE SALAPA:

16 All right. Who's your first witness?

17 ATTORNEY CRAYNE:

18 Thomas Sload. If you want to swear all
19 three of them at the same time, the other two
20 witnesses are Gregory Orris and Raymond Nicaise.

21 JUDGE SALAPA:

22 Let's just swear them in one at a time.
23 We'll start with Mr. Sload. Could you please raise
24 your right hand?

25 -----

1 THOMAS SLOAD, HAVING FIRST BEEN DULY SWORN, TESTIFIED
2 AS FOLLOWS:

3 -----

4 JUDGE SALAPA:

5 Please state and spell your name for the
6 record.

7 A. Thomas Sload, S-L-O-A-D.

8 JUDGE SALAPA:

9 All right. Mr. Crayne?

10 DIRECT EXAMINATION

11 BY ATTORNEY CRAYNE:

12 Q. Mr. Sload, what is your connection with UGI
13 Utility?

14 A. I'm a supervisor within our central accounting
15 department.

16 Q. And how long have you been with UGI?

17 A. Eighteen (18) and a half years.

18 Q. Are you familiar with the company's computer
19 system?

20 A. Yes, I am.

21 Q. Have you reviewed Ms. Shafer's billing and payment
22 history?

23 A. Yes, I have.

24 ATTORNEY CRAYNE:

25 Your Honor, I submitted an exhibit by

1 letter dated July 17 and copied to Ms. Shafer. I
2 believe both you and Ms. Shafer have those?

3 JUDGE SALAPA:

4 Yes. I have --- I have what are marked
5 Exhibits R-1, R-2, R-3, R-4 and I think R-5.

6 (Respondent's Exhibits One through Five
7 marked for identification.)

8 ATTORNEY CRAYNE:

9 That is correct, Your Honor.

10 JUDGE SALAPA:

11 All right. Yes, I do have them all.

12 BY ATTORNEY CRAYNE:

13 Q. Mr. Sload, would you please identify what has been
14 marked as Exhibit R-1?

15 A. It is statement of Ms. Shafer's account from June
16 12th of '06 to June 10th of '04.

17 JUDGE SALAPA:

18 Excuse me one second. Ms. Shafer, do you
19 have copies of these documents present with you?

20 MS. SHAFER:

21 Yes. Yes, I do.

22 JUDGE SALAPA:

23 And you're able to follow along?

24 MS. SHAFER:

25 Yes.

1 JUDGE SALAPA:

2 All right. Continue. I'm sorry.

3 ATTORNEY CRAYNE:

4 Okay.

5 BY ATTORNEY CRAYNE:

6 Q. Mr. Sload, what is the amount currently owed by
7 Ms. Shafer?

8 A. \$2,888.73.

9 Q. And how many payments has Ms. Shafer made in 2006?

10 A. In 2006, we've had two.

11 Q. How many payments did Ms. Shafer make in 2005?

12 A. In 2005, there were five payments actually made,
13 however one of those was returned as a bad check, so
14 only four valid payments.

15 Q. All right. Now, you have reviewed this statement
16 of account and the billing and payment history of Ms.
17 Shafer?

18 A. That's correct.

19 Q. Has Ms. Shafer been billed in accordance with UGI
20 filed and approved tariff rate R general service
21 residential?

22 A. Yes.

23 Q. Mr. Sload, would you please identify what has been
24 marked Exhibit R-2?

25 A. That is a meter test card showing results of the

1 meter that was removed when it was tested.

2 Q. That was a meter that was removed from Ms.
3 Shafer's residence; correct?

4 A. That is correct.

5 Q. What date was that meter removed?

6 A. May 5th of 2005.

7 Q. Okay. Now, what do the test results indicate?

8 A. The test results show that it tested within the
9 guidelines of the PUC.

10 Q. And the guidelines of the PUC are plus or minus
11 two percent; correct?

12 A. That is correct.

13 Q. Mr. Sload, would you please identify what has been
14 marked Exhibit R-3?

15 A. R-3 would've been a written utility report that
16 was sent to the customer after she contacted us on
17 January 23rd.

18 Q. And what does that report conclude?

19 A. It says that the bills are correct and that the
20 initial gas leak that was found in May was done before
21 the meter itself.

22 Q. All right. I'm going to ask you to identify ---
23 just identify Exhibit R-4.

24 A. R-4 would've been the order that was created when
25 the customer contacted UGI with the initial gas leak

1 odor.

2 Q. And who was the service personnel that generated
3 that order?

4 A. The service personnel would've been somebody in
5 our call center.

6 ATTORNEY CRAYNE:

7 Very good. Your Honor, I will have
8 questions about this exhibit and the next exhibit of
9 the actual service personnel who were out at the site
10 and did the work. I'm just asking Mr. Sload to
11 identify these exhibits.

12 JUDGE SALAPA:

13 All right.

14 BY ATTORNEY CRAYNE:

15 Q. Mr. Sload, please identify Exhibit R-5?

16 A. R-5 would've been the order that was created when
17 we had the meter actually changed and rebuilt for the
18 customer.

19 Q. All right. Now, Mr. Sload, are you familiar with
20 the UGI Gas Service Tariff Rules and Regulations?

21 A. Yes, I am.

22 Q. Specifically, Tariff Rule 4.1?

23 A. Yes.

24 Q. And what does Tariff Rule 4.1 provide?

25 A. It states that the company will maintain and own

1 its service connection pipe, which is the supply main
2 to the curb, and the service supply pipe, which would
3 be the curb to the meter and stopping at the meter.

4 Q. All right. Now, could you explain that in perhaps
5 more simple terms?

6 A. Sure. Essentially, UGI will be responsible for
7 all the piping up to the outlet side of the meter.
8 Anything from the outlet side of the meter on is the
9 customer's responsibility.

10 Q. And the piping that Ms. Shafer has been talking
11 about here is on the outlet side of the meter;
12 correct?

13 A. That is correct.

14 Q. Okay. I want to refer you to the last paragraph
15 of Ms. Shafer's July 17, '06 letter. You have
16 reviewed the UGI computer records. And what do the
17 computer records show regarding contact by Ms. Shafer?

18 A. We show a contact in late 2001, and then nothing
19 again until the May 2005 when a gas leak odor was
20 called in.

21 Q. Okay. Now, I want to refer you to the first
22 picture attached to Ms. Shafer's July 17, '06 letter.
23 What does that picture illustrate?

24 A. Are you referring to the gas meter?

25 Q. Yes.

1 A. It's a picture of a gas meter showing the actual
2 meter number that corresponds to the meter at her
3 location with an actual index showing on the meter
4 itself.

5 Q. And what does the index reading?

6 A. 1,063.

7 Q. Now, when a new meter is set, what is the index
8 reading on the new meter?

9 A. I'm sorry. You broke up.

10 Q. When a new meter is set at a customer's residence,
11 what index reading does that meter carry?

12 A. When the meter was set at this location, it was
13 set on May 5th of 2005, and it was set an index of all
14 zeros.

15 Q. So this shows an index of 1,063?

16 A. Correct.

17 Q. Does that indicate that this picture could have
18 been taken a day or two after the meter was replaced?

19 A. No. Actually, I was looking at the Statement of
20 Account also, which does show the index from that
21 meter. It shows that on February 9th of 2006, almost
22 nine months later, we had an index of only 1,051,
23 which means the picture was taken sometime after
24 February 9th, 2006.

25 Q. So it was taken almost a year later?

1 A. That's correct.

2 MS. SHAFER:

3 And that's possible.

4 JUDGE SALAPA:

5 Let him ---.

6 MS. SHAFER:

7 Oh, I'm sorry.

8 JUDGE SALAPA:

9 You can ask him questions when he's done
10 testifying.

11 ATTORNEY CRAYNE:

12 That's all I have for Mr. Sload, Your
13 Honor.

14 JUDGE SALAPA:

15 All right. Now, Ms. Shafer, before I let
16 you ask questions of Mr. Sload, I have one or two
17 questions.

18 MS. SHAFER:

19 Okay.

20 JUDGE SALAPA:

21 Mr. Sload, back to your Exhibit R-2, the
22 meter test report, you indicate that the meter was
23 tested, and it was within the allowances that the
24 Commission regulations provide. Is that shown on the
25 document under percent error where it ---

1 A. That is correct.

2 JUDGE SALAPA:

3 --- where it says test one, plus 1.4 and
4 then test two, plus 1.9?

5 A. That is correct.

6 JUDGE SALAPA:

7 So would that indicate that the meter was
8 registering more gas than was actually passing through
9 it or less gas than was actually passing through it?

10 A. It was showing a little more gas than was actually
11 passing through it.

12 JUDGE SALAPA:

13 Okay. And the other question I have is,
14 you referenced the Complainant's Exhibit Number Two
15 with the meter reading of 1,063, and then you said
16 something about the index. Were you referring to UGI
17 Exhibit R-1, which shows a column there of usage and
18 then index?

19 A. That is correct, Your Honor.

20 JUDGE SALAPA:

21 So if I'm reading this correctly, in
22 April, April 12th, 2005, the index on the old meter
23 was 1,357; correct?

24 A. Correct, Your Honor.

25 JUDGE SALAPA:

1 And then the following month, which would
2 be May 11th, 2005, the index on the new meter would've
3 read 0015; is that correct?

4 A. That's correct.

5 JUDGE SALAPA:

6 All right. Thank you. That's all that I
7 have. Ms. Shafer, do you have any questions of Mr.
8 Sload?

9 MS. SHAFER:

10 Well, yes, I do. He made obviously ---
11 you know, he made it completely obvious that I haven't
12 been paying my bill, and talked about the payment
13 history from 2005 to 2006. He failed to tell you that
14 my payment history prior to that was fine.

15 JUDGE SALAPA:

16 Well, I ---.

17 MS. SHAFER:

18 In fact, my husband ---.

19 JUDGE SALAPA:

20 Do you have any questions to ask?

21 MS. SHAFER:

22 No, I have no questions.

23 JUDGE SALAPA:

24 All right. Well, then that --- that's
25 the purpose of you cross examining, Mr. Sload. If you

1 have no questions about ---.

2 MS. SHAFER:

3 Well, maybe I do have one.

4 JUDGE SALAPA:

5 All right then.

6 CROSS EXAMINATION

7 BY MS. SHAFER:

8 Q. Mr. Sload, did you check my payment history prior
9 to all of this?

10 A. No, I did not.

11 MS. SHAFER:

12 Thank you.

13 JUDGE SALAPA:

14 All right. Any Redirect?

15 ATTORNEY CRAYNE:

16 One short question, Your Honor.

17 REDIRECT EXAMINATION

18 BY ATTORNEY CRAYNE:

19 Q. Mr. Sload, in referencing the --- looking at
20 Exhibit R-1 and in referencing the 4/12/05 and the
21 5/11/05 readings, those readings reflect the change of
22 the meter; correct?

23 A. Yes, they do.

24 ATTORNEY CRAYNE:

25 Okay. I have nothing additional for Mr.

1 Sload, Your Honor.

2 JUDGE SALAPA:

3 All right. Do you have any further
4 questions of Mr. Sload, Ms. Shafer?

5 MS. SHAFER:

6 No.

7 JUDGE SALAPA:

8 All right. Next witness please, Mr.
9 Crayne.

10 ATTORNEY CRAYNE:

11 I would like to call Gregory Orris.

12 JUDGE SALAPA:

13 All right. Mr. Orris, could you please
14 raise your right hand?

15 -----
16 GREGORY ORRIS, HAVING FIRST BEEN DULY SWORN, TESTIFIED
17 AS FOLLOWS:

18 -----

19 JUDGE SALAPA:

20 Thank you. Could you please state and
21 spell your name for the record?

22 A. Gregory Orris, O-R-R-I-S.

23 JUDGE SALAPA:

24 All right. Mr. Crayne?

25 DIRECT EXAMINATION

1 BY ATTORNEY CRAYNE:

2 Q. Mr. Orris, what is your position with UGI
3 Utilities?

4 A. I'm a Utility Mechanic II.

5 Q. How long have you been with the company?

6 A. Sixteen (16) years.

7 Q. All right. Now, Mr. Orris, would you please refer
8 to what has been identified as Exhibit R-4? Do you
9 have that document?

10 A. Yes. Yes, I do.

11 Q. Could you explain please what the document shows?

12 A. It's showing that that order was sent to me
13 through dispatch for a leak outside, and I went to the
14 residence.

15 Q. And that residence was located at 105 North
16 Lockwillow Avenue; correct?

17 A. Correct.

18 Q. Okay. Would you explain what you found and what
19 action you took at that time?

20 A. Okay. Well, I checked around the meter with my
21 gas scope, and I found some readings right above the
22 valve before the meter. It was rusted pretty bad, so
23 I figured I'll call into dispatch and get the fitters
24 out here to replace that whole set for her so she
25 wouldn't have any more leaks in the future and shut

1 the valve off so it would stop the leak and then I was
2 pretty much done.

3 Q. Were you at site alone?

4 A. Yes.

5 Q. Now, you state the leak was located before the
6 meter?

7 A. Yes, it was.

8 Q. So it would've been venting gas into the
9 atmosphere, which was not passing through the meter;
10 correct?

11 A. That's correct.

12 ATTORNEY CRAYNE:

13 That's all I have, Your Honor.

14 JUDGE SALAPA:

15 All right. I have a question or two of
16 Mr. Orris. Mr. Orris, when you went out, you said you
17 used a gas scope to detect gas; is that correct?

18 A. Yes, that's correct.

19 JUDGE SALAPA:

20 What exactly is that? Is that a handheld
21 device that has a probe on it or what is that?

22 A. Yes. It's a handheld device that has a probe on
23 it. It's digital and it has a pump and it just sniffs
24 for any natural gas.

25 JUDGE SALAPA:

1 All right. And so when you checked for
2 leaks at the 105 North Lockwillow Avenue address, do
3 you --- did you basically take that probe and just
4 hold it over the pipe and over the meter to determine
5 exactly where the leak was coming from?

6 A. Yes.

7 JUDGE SALAPA:

8 And you only detected the leak at the one
9 location before it went into the meter?

10 A. Yeah. I think there was more than one little leak
11 before the meter. Like I said, the pipe was badly
12 corroded, and it had to be replaced. So that's why I
13 called in and got the order made up.

14 JUDGE SALAPA:

15 And when you did your check, did you also
16 check the pipe on the outlet side of the meter?

17 A. Yes, I did.

18 JUDGE SALAPA:

19 And did you detect any leaks there?

20 A. No. That pipe wasn't --- well, it wasn't that
21 badly corroded, but I still checked everything and I
22 even put some holes in the ground. I didn't get any
23 reading there just in case there was a leak
24 underground. The only leaks I found was right above
25 the valve before the meter.

1 JUDGE SALAPA:

2 All right. Thank you very much. Ms.
3 Shafer, do you have any questions of Mr. Orris?

4 MS. SHAFER:

5 Yes, I do.

6 CROSS EXAMINATION

7 BY MS. SHAFER:

8 Q. You made the comment a few minutes ago that you
9 put some holes in around the ground. How far down do
10 you go when you check?

11 A. I just had a screwdriver. It was probably a foot
12 long that I used to put the holes in because the
13 ground wasn't tight. I just wanted to make sure that
14 there was no leaking underneath in the ground.

15 Q. Okay. Do you remember what was the on ground when
16 you --- was there anything on the ground, anything in
17 your way when you were trying to poke those holes down
18 there?

19 A. No, I don't remember that.

20 MS. SHAFER:

21 Okay. Well, there happened to be ---.

22 JUDGE SALAPA:

23 No. You can ask him questions.

24 MS. SHAFER:

25 Okay.

1 BY MS. SHAFER:

2 Q. Also, you're basically saying that you did not
3 seal or you did not get liquid soap out and seal any
4 of the pipes after the meter while I was standing
5 there?

6 A. No. I didn't seal any of the pipes, ma'am. I was
7 the first one there that found the leak ---

8 Q. Okay.

9 A. --- and called in to have a fitting guy come out.

10 MS. SHAFER:

11 Okay. I understand. I understand. Yes.

12 Okay. I have no other questions.

13 JUDGE SALAPA:

14 All right. Mr. Crayne, do you have any
15 Redirect?

16 ATTORNEY CRAYNE:

17 No Redirect.

18 JUDGE SALAPA:

19 All right. And do you have another
20 witness yet?

21 ATTORNEY CRAYNE:

22 Yes, I do, Your Honor. I would like to
23 call Raymond Nicaise.

24 JUDGE SALAPA:

25 All right. Mr. Nicaise, could you please

1 raise your right hand?

2 -----

3 RAYMOND NICAISE, HAVING FIRST BEEN DULY SWORN,
4 TESTIFIED AS FOLLOWS:

5 -----

6 JUDGE SALAPA:

7 Could you please state and spell your
8 name for the record?

9 A. Raymond, N-I-C-A-I-S-E.

10 JUDGE SALAPA:

11 N-I-C-A ---?

12 A. I Sierra, Echo.

13 JUDGE SALAPA:

14 Let me just repeat it. N-I-C-A-I-S-E?

15 A. Yes, sir.

16 JUDGE SALAPA:

17 All right. Mr. Crayne, go ahead.

18 DIRECT EXAMINATION

19 BY ATTORNEY CRAYNE:

20 Q. Mr. Nicaise, what is your position with UGI?

21 A. Mechanic II in C&M.

22 Q. How long have you been with the company?

23 A. Sixteen (16) years.

24 Q. Okay. Would you please refer to what has been
25 identified as Exhibit R-5?

1 A. Yes, sir.

2 Q. Now, Exhibit R-5 is a computer record of your
3 activities when you were called to 105 North
4 Lockwillow Avenue on April (sic) 5, '05; correct?

5 A. Yes, sir.

6 Q. Would you please state what action you took upon
7 arrival at the site?

8 A. Well, I went there. The meter set was hand built,
9 so I removed the meter set and the meter. I don't
10 remember quite --- I think the meter was damaged when
11 I took the swivel off or I couldn't get the swivel
12 off, one of the two. And I replaced it with a
13 prefabricated meter set, and I tied the fuel line back
14 in to the existing fuel line. And I had --- I had to
15 change it around a little bit to make it adapt to our
16 prefabricated set.

17 Q. You had to change the customer's piping ---

18 A. Yes, sir.

19 Q. --- to adapt to your meter set?

20 A. Yes, sir.

21 Q. What do you mean by a prefabricated meter set?

22 A. It's already built up for us. The regulator and
23 everything's already on it, and they look a little
24 nicer than a hand-build set.

25 Q. Well, what do you mean when you said the

1 customer's piping was hand built?

2 A. Well, I didn't say the customer's was hand built.
3 Ours was hand built.

4 Q. Oh, okay.

5 A. In other words, it looks a lot different than what
6 this set here, the prefabricated one does.

7 Q. Okay. Did you observe the point at which the
8 piping was leaking?

9 A. No, I didn't. I just was told to rebuild the
10 meter set and that's what I did.

11 Q. Okay. So what modification did you make to Ms.
12 Shafer's piping?

13 A. Okay. Coming up out of the wall, there's a one
14 inch L and a one inch nipple about approximately a
15 foot long. I put a new one inch L with a short one
16 inch nipple, and a reducer from one inch to three
17 quarter and then approximately another foot with two
18 Ls to tie back into our prefabricated meter set.

19 Q. Now, is that shown in the pictures?

20 A. Yes, sir.

21 Q. Which picture?

22 A. Number three and number four. And the reducer's
23 shown in number five.

24 Q. Okay.

25 JUDGE SALAPA:

1 And these --- excuse me, Mr. Crayne.
2 These would be the pictures that Ms. Shafer previously
3 had admitted and they would be Complainant's Exhibit
4 Number Two, the third, fourth and fifth picture?

5 A. I believe that's correct, Your Honor.

6 JUDGE SALAPA:

7 All right. Continue.

8 BY ATTORNEY CRAYNE:

9 Q. Now, when you completed the work, did you check
10 the piping for leaking?

11 A. Yes, I did, sir.

12 Q. You checked the UGI part of the piping; correct?

13 A. Yes, I checked both.

14 Q. And you checked Ms. Shafer's piping; correct?

15 A. Yes, sir.

16 Q. Did you find any leaks?

17 A. No, I didn't.

18 Q. Okay. Were you at the site alone?

19 A. Yes, I believe I was.

20 Q. Okay. Now, there's been reference to liquid soap.
21 I presume that's the material you used to check for
22 leaks after you completed the installation of the new
23 meter; correct?

24 A. Yes, sir.

25 ATTORNEY CRAYNE:

1 Okay. I have no additional questions.

2 JUDGE SALAPA:

3 All right. Let me just ask a question or
4 two to clarify. You said you're with the C and M
5 department; is that correct?

6 A. Yes, sir. That's construction and maintenance.

7 JUDGE SALAPA:

8 All right. That's what I wanted to know.
9 You also referenced that there was a damaged swivel
10 set on the old meter. What is a swivel set?

11 A. It's a swivel turning. You can turn it a little
12 bit to make the meter spin. And what happens
13 sometimes is the nut gets stuck on the meter and you
14 can't get them off. And if you really try and force
15 them off, sometimes it pulls the threads off of the
16 meter and it will leak if you try to use it again.

17 JUDGE SALAPA:

18 All right. So basically, you had to
19 replace that because that was damaged beyond being
20 able to be re-used?

21 A. Yes, sir.

22 JUDGE SALAPA:

23 All right. The other thing, I had a
24 question. I understand that you replaced this with a
25 prefabricated meter, but you said the meter that was

1 in place was hand-built. Does that mean that the
2 meter was built by UGI personnel for that particular
3 location or what exactly does that mean?

4 A. No, sir, it's not the meter. It's the piping
5 itself. We hand build them or we use a prefabricated
6 one that's already built to save time. They have them
7 --- you know, they're already made up for us and it
8 saves us time instead of trying more of less stick
9 build one out of, you know, nipples and Ls ourselves.

10 JUDGE SALAPA:

11 All right. Is it uncommon --- or maybe I
12 should phrase it this way. Is it common in your
13 experience for older homes to have what you call a
14 hand-built meter set?

15 A. Yes, it's common.

16 JUDGE SALAPA:

17 All right. Those are all the questions
18 that I have. Ms. Shafer, do you have any questions?

19 MS. SHAFER:

20 Yes, I do.

21 CROSS EXAMINATION

22 BY MS. SHAFER:

23 Q. You made the comment that you came out and you
24 replaced the meter and you tested for leaks. Are you
25 saying that you did not take clear soap out and check

1 the pipes that are in that picture?

2 A. No, ma'am, I didn't say that.

3 Q. Okay. But did you check those pipes?

4 A. Yes, ma'am, I checked them.

5 Q. Okay. And did you seal them?

6 A. Yes, ma'am, when you put them together, you seal
7 them.

8 Q. Okay. Now, you said you replaced piping. Can you
9 explain to me exactly what piping you replaced?

10 A. Yes, ma'am. The one inch elbow, approximately a
11 four or five-inch piece of one inch pipe and a one
12 inch to three quarter inch reducer, and approximately
13 a foot-long three quarter inch pipe, two elbows and a
14 small nipple and a small nipple.

15 Q. Okay. So if you're looking at the pictures that I
16 provided, ---

17 A. Yes, ma'am.

18 Q. --- the one that's the side view.

19 A. Yes.

20 Q. The meter would be to the left, and of course, the
21 wall would be to the right-hand side.

22 A. Yes, ma'am.

23 Q. The pipe that's in the back, are you saying that
24 you replaced that?

25 A. Yes, ma'am.

1 Q. Okay. Do you think it's common for a pipe that is
2 put in within a course of year to have rusted out that
3 bad?

4 A. Yes, ma'am. It will.

5 Q. Okay. Okay. So if you look on the left-hand
6 side, ---

7 A. Yes, ma'am.

8 Q. --- the pipes that are in the front, the one elbow
9 at the very top of the picture that you see.

10 A. Yes.

11 Q. Could you explain why that wouldn't have rusted as
12 well as the one in the back?

13 A. I don't know, ma'am.

14 MS. SHAFER:

15 I don't have any other questions.

16 JUDGE SALAPA:

17 Any Redirect, Mr. Crayne?

18 ATTORNEY CRAYNE:

19 No.

20 JUDGE SALAPA:

21 All right. At this point, Ms. Shafer, do
22 you have any rebuttal testimony you would like to give
23 at this point?

24 MS. SHAFER:

25 Yes, I would.

1 JUDGE SALAPA:

2 All right. You're still under oath.

3 MS. SHAFER:

4 Yes.

5 JUDGE SALAPA:

6 Go ahead.

7 MS. SHAFER:

8 Hearing the testimony --- I think the
9 workers came out and did exactly what they were
10 supposed to. However, I fail to believe that a pipe
11 --- pipes that were replaced within a year would have
12 rusted as badly as the ones in the picture. Also,
13 while I was sitting here on the computer, I did look
14 at the dates that the pictures were e-mailed to me
15 from my son-in-law.

16 JUDGE SALAPA:

17 All right.

18 MS. SHAFER:

19 It was --- it was after that, and I want
20 to add, excuse me for my error on this. We recently
21 had a loss, and I've just been dealing with that.
22 Yes, it was. It was after. And I'm looking at the
23 actual pictures itself of when my son-in-law sent them
24 to me. But getting back ---.

25 JUDGE SALAPA:

1 Well, what dates --- do you have a date
2 when the pictures were actually taken?

3 MS. SHAFER:

4 Yes, it was January of this year. And
5 like I said, we had been in and out of the hospital
6 from July of last year until December when my father
7 passed away. So we had been in and out, and this was
8 not something that was priority to me at the time.

9 JUDGE SALAPA:

10 All right. I understand.

11 MS. SHAFER:

12 But looking at these pictures and
13 listening to the testimony, I'm a woman. I'm not a
14 mechanic. I'm not --- you know, I don't know all the
15 things you guys know being professionals. However, I
16 cannot believe that within a course of a year that
17 that pipe --- that that pipe would have rusted and the
18 front one would not have.

19 When I was referring to the testimony of
20 the two individuals that came out and checked the
21 landlord/tenant, those were the pipes they were
22 referring to. The one individual made the comment,
23 those are the pipes that should've been painted. And
24 the other one, said, what do you mean. Well, look,
25 it's obvious he sealed the pipes right there.

1 So I'm not trying to rip anybody off.
2 I'm trying to do what's fair, and I don't think UGI
3 was being fair to me. There's no way in the course of
4 a year those pipes could've rusted that bad,
5 absolutely not. Those pipes had not been changed. I
6 stood there and watched it. I know what he replaced,
7 and those pipes in the back were sealed. That's where
8 he put the liquid soap.

9 I never disputed the fact that the meter
10 itself wasn't running properly. When I called, I said
11 I put my head down there by the pipe and I smelled
12 gas. And it was back there by the house. So my
13 dispute wasn't that the meter itself wasn't --- I
14 mean, the meter looked ugly, but I wasn't disputing
15 that. I was disputing those leaks, and those pictures
16 show where those leaks were sealed. And your other
17 two workers that came out to the house verified that
18 that should have been painted over. And I'm thinking
19 it should've been painted over so stupid people like
20 me didn't see where the leaks were at.

21 That's all I have to say.

22 JUDGE SALAPA:

23 All right. Mr. Crayne, do you have
24 anything further you want to add in light of Ms.
25 Shafer's rebuttal?

1 ATTORNEY CRAYNE:

2 No, Your Honor.

3 JUDGE SALAPA:

4 All right. Here is what's going to
5 happen from here on out. I will wait for the
6 transcript to come back from this hearing, and it
7 should be 21 calendar days from today, I believe. At
8 that point, I will review the transcript and the
9 testimony, and I will sit down and write an initial
10 decision in this case. After I've written the initial
11 decision, the decision will be sent to the parties, to
12 UGI and to you, Ms. Shafer.

13 At that point, there will be an
14 instruction sheet on the initial decision indicating
15 what steps you may take. If one or the other parties
16 disagrees with what I have put in my initial decision,
17 they may file what are called exceptions or objections
18 to my initial decision. If one or the other or both
19 parties file exceptions to the initial decision, my
20 initial decision and any exceptions or replies to
21 those exceptions will go to the five-person Public
22 Utility Commission.

23 The five commissioners will then issue an
24 order based on their review of my initial decision and
25 the exceptions. That will then become the final

1 Commission order, and the parties may then appeal that
2 order to Commonwealth Court if they so desire. The
3 Commission's decision on my initial decision and the
4 exceptions will be made at a public meeting.

5 Now, do you understand what will happen
6 from here on, Ms. Shafer?

7 MS. SHAFER:

8 Yes, I do.

9 JUDGE SALAPA:

10 All right. Do the parties have anything
11 further at this point? Ms. Shafer?

12 MS. SHAFER:

13 No, I do not.

14 JUDGE SALAPA:

15 Mr. Crayne?

16 ATTORNEY CRAYNE:

17 I have a short closing statement, Your
18 Honor. I think it has been clearly established here
19 that the leak was before the meter. Whatever gas
20 leaked from the piping never passed through the meter.
21 Therefore, Ms. Shafer was never billed for any
22 consumption that she did not actually consume. The
23 meter was tested after it was removed and found to be
24 operating within the Commission guideline. Mr. Sload
25 testified that Ms. Shafer has been billed correctly

1 under the applicable UGI tariff.

2 Ms. Shafer makes a point about the pipes
3 being --- or perhaps should have been painted. I
4 don't know what relevance that is. I don't think it
5 is of any relevance. Pipes need not be painted. The
6 leaks sealed that she references on her side of the
7 piping --- if you look at the pictures, obviously,
8 when you screw pipes together, you have a sealant
9 material on there and some of it will squeeze out the
10 joint. The pipes were sealed, as testified, by Mr.
11 Nicaise, who stated that when you screw the pipes
12 together that seals the pipes. I would ask the
13 Commission dismiss Ms. Shafer's complaint.

14 JUDGE SALAPA:

15 All right. I have one bit of
16 housekeeping here. I did not recall, Mr. Crayne, that
17 you asked for admission of your exhibits into the
18 record.

19 ATTORNEY CRAYNE:

20 I did not, Your Honor. I would ask for
21 that at this time.

22 JUDGE SALAPA:

23 All right. Ms. Shafer, Mr. Crayne has
24 asked for admission of the exhibits that he has sent
25 to me with a copy to you marked Exhibits R-1 through

1 R-5. Do you have any objection to that?

2 MS. SHAFER:

3 Yes, I do.

4 JUDGE SALAPA:

5 On what basis?

6 MS. SHAFER:

7 I have an objection on the payment
8 history because it's only been for one year. I've
9 been --- I've been a customer of theirs since '99 as
10 well as prior to when I moved here in '87. I've
11 always had exemplary credit with them, and yes, he's
12 only showing a credit history for the past year.

13 JUDGE SALAPA:

14 I am going to overrule your objection,
15 Ms. Shafer.

16 MS. SHAFER:

17 Okay.

18 JUDGE SALAPA:

19 And I will admit Exhibits R-1 through R-5
20 of UGI into the record in this proceeding. And just
21 in case I didn't already do so, I will also admit
22 Complainant's Exhibits One and Two into the record in
23 this proceeding for you, Ms. Shafer?

24 MS. SHAFER:

25 Okay.

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JUDGE SALAPA:

All right. Having nothing else before me at this point, this proceeding is adjourned. Thank you. Wait a minute.

OFF RECORD DISCUSSION

JUDGE SALAPA:

All right. Having nothing further to transact at this point, this hearing is adjourned. Thank you and have a good day.

* * * * *

HEARING CONCLUDED AT 11:31 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.



Court Reporter

Exhibit R2
 C-20065954
 HBG 7-24-06

DOCUMENT
 FOLDER

DOCKETED
 AUG 29 2006

2		UGI Utilities, Inc - Harrisburg Area		WR#		080391		Date Set		9/5/80		Date Removed		5/5/05		Field Test	
Gas Meter Test Card		Meter Number		Meter Size		Manufacturer		Reason for Removal		Repairs		COND.					
11118747		815 8 1/2		Rockwell		037		<input checked="" type="checkbox"/> PUC <input type="checkbox"/> LEGAL CHANGE <input type="checkbox"/> CUST REQUEST <input type="checkbox"/> HIGH BILL <input type="checkbox"/> NON-PAYMENT <input type="checkbox"/> NON-REGISTER <input type="checkbox"/> DOESN'T PASS GAS <input type="checkbox"/> CUST ACC'TG REQUEST <input type="checkbox"/> INCREASED LOAD <input type="checkbox"/> LEAK IN METER		<input type="checkbox"/> FIRE <input type="checkbox"/> NON-USE <input type="checkbox"/> THEFT <input type="checkbox"/> IN TO OUT <input type="checkbox"/> INST. ERRORS							
MFG Serial No.		Corr. Index		Uncorr. Index		Removed By		<input type="checkbox"/> PUC <input type="checkbox"/> LEGAL CHANGE <input type="checkbox"/> CUST REQUEST <input type="checkbox"/> HIGH BILL <input type="checkbox"/> NON-PAYMENT <input type="checkbox"/> NON-REGISTER <input type="checkbox"/> DOESN'T PASS GAS <input type="checkbox"/> CUST ACC'TG REQUEST <input type="checkbox"/> INCREASED LOAD <input type="checkbox"/> LEAK IN METER		<input type="checkbox"/> FIRE <input type="checkbox"/> NON-USE <input type="checkbox"/> THEFT <input type="checkbox"/> IN TO OUT <input type="checkbox"/> INST. ERRORS							
D-		Regulator No.		Removed By		VHA/32											
Date of Test		Cu. Ft. Passed		Percent Error		TEST 1		TEST 2		TEST 3		TEST 4		Tasted By			
MAY 26 2005		2		+1.4		+1.9								B.T			
Customer Account No.		Name & Service Address		Name & Service Address		Name & Service Address		Name & Service Address		Name & Service Address		Name & Service Address		Name & Service Address		Name & Service Address	
2064007100		D1		Shafer Margaret		105 1 1/2 N. Lockewillow Ave H88											

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PA PUBLIC UTILITY COMPANY
 Harrisburg, PA 17101

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AUG 29 2006

Exhibit R-3
C-20065954
HAG 724-06

January 26, 2006

Margaret Shafer
105 N Lockwillow Ave 1F
Harrisburg, PA 17112

Customer Number: 208-420-7100-01

**DOCUMENT
FOLDER**

Dear Ms. Shafer:

This is to advise you that your dispute regarding the billing period from December 9, 2005 to January 11, 2006 was resolved on January 26, 2006.

You contacted our office on January 23, 2006 stating you felt the bill was too high and requested another payment arrangement. At that time the UGI representative you spoke with advised you we were not able to offer you a new payment arrangement as your account is a landlord/tenant account. You stated this property had been converted into a single family dwelling. A UGI serviceman visited your property on January 25, 2006 to trace the fuel lines to find out if the property had been converted. His report shows that there is still only 1 gas hot water heater and 1 gas house heater for this property. You would need to provide us with the proper documents, such as a contractors invoice, or deed showing that this is no longer a multiple unit dwelling and now just a single family dwelling. You also mentioned during that conversation that there had been a gas leak at your property and you were concerned that may have caused your bill to be higher. Upon research of the gas leak it was found that the leak was on the fuel line prior to where the meter registers any usage, therefore it did not affect your gas bill.

If you have any questions or need additional assistance, please call our Customer Information Center at 1-800-276-2722. If you still feel the bill seems higher than normal, you can have a High Bill Investigation and Meter Test performed on your utility meter. The total cost of the investigation and test is \$ 76.00. You also have the right to be present during this testing. If this is an option you are interested in please call our Customer Information Center at 1-800-276-2722 to schedule at your convenience. If you are not satisfied with the explanation or options given, you do have the right to file an Informal Complaint with the Pennsylvania Public Utility Commission. I have enclosed an outline on the procedure for filing the complaint.

Sincerely,
Heather

Customer Relations Representative
Enclosures

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PENNSYLVANIA PUBLIC UTILITY COMMISSION

DOCKETED
AUG 29 2006

**DOCUMENT
FOLDER**

Page: 1 Document Name: untitled

*C-2006575-4
HRC 7-24-06
Exhibit P.4*

IRMH * * * * * INSPECTION/REPAIR/MAINTENANCE HISTORY * * * * * 06/26/06

DIST: 0020 WR#: 080320 CA#: 208-420-7100-01 MTR#: 1118747:815 REM: 05/05/05

JOB ADDRESS: 105*1F,N LOCKWILLow AVE,HARRISBURG

COMMENTS: STATED SHE SMELLS MILD ODOR

1118747,METER OUTSIDE FRONT

CONTACT NAME: SHAFER,MARGARET R PHONE# : 717 671-5318 APPL#:

CONTACT ADDRESS:

JOB CODE: 26-001 METER, GAS ODOR DATE REQ: 05/05/05

WPA: J05 TECHID: REPID:

ZONE: 17112A APP DTE: @ BUDGET ITEM: 99 HARORDER TRBL: N

UTILITY TYPE (G E W): G GAS

TAKEN BY: HSTEI ON: 05/05/05 @ 08:47 STATUS: 99 PRINT REQ: RDGREGCD

SS/FDR: USD: USD ID: LMS ID: MISC:

----- WORK SCHEDULING -----

CODE REQUIREMENT STATUS CREW HQ : 2701CS | RELATED WR#:

498 EMERGENCY ORDER COMP C | CREW ID : GORRID | NOTICE LOG:

510 ACKNOWLEDGE LEAK C | PRIORITY: 1 | FCODE: 2-893-04-701-511

598 SELECTED FOR CAD C | SCHD START: 05/05/05 | HA CD: LPAXT NOTICE REQ?: N

----- WORK COMPLETION -----

CREW ID: GORRID ON: 05/05/05 @ 09:46 EST TIME: 0.52 ACT TIME: 0.85

JOB CODE: 26-001 CHANGE: REOPEN: SKETCH: N RESOLUTION CODE: 53 FOLLOW UP:

NEXT SCREEN:

DC901007 PF3-MENU PF4-MAIN MENU PF7-BACKWARD PF8-FORWARD

1912

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AUG 6 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CREM * * * * * DISPLAY REMARKS * * * * * 06/26/06
COMPANY: GUD REGION: HBG DISTRICT: 0020 W/R#: 080320 CREW HQ: 2701CS
STATUS 99 ON 11/27/05 HISTORY SCHEME#: WPA: J05
PROJECT NAME: ZONE: 17112A
JOB ADDRESS: 105*1F,N LOCKWILLow AVE,HARRISBURG TYPE: 26-001 IRMA
TECH ID: CICT: SHAFER,MARGARET R DISP RTYPE

ENTERED 05/05/05 BY GORRI STATUS 60 09:46 RTYPE GENERAL PRINT N
FOUND LEAK AT FUELLINE ABOVE VALVE,OUT SIDE SET,SHUT OFF AT VALVE,PHIL IS MAKIN
G UP ORDER TO REBULLID FROM VALVE TO METER

ENTERED 05/05/05 BY HSTEI STATUS 50 08:48 RTYPE GENERAL PRINT N
MARGARET CALLED STATED SHE SMELLS GAS ODOR WHEN SHE WORKS IN HER GARDEN

ENTERED BY STATUS RTYPE PRINT

NEXT SCREEN:
DC901007 PF3-MENU PF4-MAIN MENU PF7-BACKWARD PF8-FORWARD

EX. R-4
Pg 2 of 2

Page: 1 Document Name: untitled

IRMH * * * * * INSPECTION/REPAIR/MAINTENANCE HISTORY * * * * * 07/13/06

DIST: 0020 WR#: 08034 CA#: 208-420-7100-01 MTR#: 1118747 REM: 05/11/05

JOB ADDRESS: 105*1F, N LOCKWILLOW AVE, HARRISBURG

COMMENTS: GAS SHUT OFF DUE TO LEAKS..LEAKS AT METER SET. PLEASE REPAIR/REBUILD
1118747, METER OUTSIDE FRONT

CONTACT NAME: SHAFER, MARGARET R PHONE#: 717 671-5318 APP#: '11'

CONTACT ADDRESS:

JOB CODE: 20-002 SPECIAL METER CHANGE DATE REQ: 05/05/05

WPA: J05 TECHID: REPID:

ZONE: 17112A APP DTF: Q JOB CARD: HARORDER TRBL: N

UTILITY TYPE (G E W): G GAS BUDGET ITEM: 99 SCH#:

TAKEN BY: PEXXT ON: 05/05/05 @ 09:28 STATUS: 99 PRINT REQ: RDGREGCD

SS/FDR: USD: USD ID: LMS ID: MISC:

----- WORK SCHEDULING -----

CODE REQUIREMENT STATUS: CREW HQ: 2701CS | RELATED WR#: 080320

599 JOB SCHEDULED C | CREW ID: RNICAO | NOTICE LOG:

699 WORK COMPLETED C | PRIORITY: 6 | FCODE: 2-878-01-701-511

736 AUTO TRANS REJECTED C | SCHD START: 05/05/05 | HA CD: LPXNT NOTICE REQ?: N

----- WORK COMPLETION -----

CREW ID: RNICAO ON: 05/05/05 @ 08:57 EST TIME: 0.40 ACF TIME: 1.75

JOB CODE: 20-002 CHANGE: REOPEN: SKETCH: N RESOLUTION CODE: 99 FOLLOW UP:

DC901007 PF3-MENU PF4-MAIN MENU PF7-BACKWARD PF8-FORWARD NEXT SCREEN:

C-2005954
H86 7-24-06
Exhibit Q.5

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AUG 09 2006

Page 2

Page: 1 Document Name: untitled

DREM * * * * * DISPLAY REMARKS * * * * * 07/13/06
COMPANY: GUD REGION: HBG DISTRICT: 0020 W/R#: 080341 CREW HQ: 2701CS
STATUS 99 ON 11/27/05 HISTORY SCHEME#: WPA: J05
PROJECT NAME: ZONE: 17112A
JOB ADDRESS: 105*1F,N LOCKWILLOW AVE, HARRISBURG TYPE: 20-002 IRMA
TECH ID: CTCT: SHAFER, MARGARET R DISP RTYPE

ENTERED 05/11/05 BY CSPIN STATUS 60 08:52 RTYPE GENERAL PRINT N
NICAISE: 5-5-05, RMVD MTR#1118747 I-1465,, SET MTR#1363667 I-0000,, REMOVED
OLD SET, REBUILT AND TIED FUEL LINE IN PIPING TEST OK, GAS UP OK, REG OK. DAMAG
ED THREAD ON METER SO I CHANGED METER

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ENTERED	BY	STATUS	RTYPE	PRINT

NEXT SCREEN:
DC901007 PF3-MENU PF4-MAIN MENU PF7-BACKWARD PF8-FORWARD

Ex R-5
Pg 2 of 2

July 17, 2006

Pennsylvania Public Utility Commission
Office of Administrative Law Judge
P.O. Box 3265
Harrisburg, PA 17105-3265

DOCKETED
AUG 29 2006

Larry R. Crayne, Esquire
238 Johnston Road
Pittsburgh, PA 15241

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RECEIVED
OFFICE OF O.A.L.J.
06 JUL 20 AM 8:39
PA PUC

RE: C-20065954
Billing Dispute, Gas Leak

As previously stated in my complaint to the Public Utility Commission, I am forwarding copies of the pictures taken a day after the pipes were sealed by UGI Gas.

I was told by the worker from UGI, that the leak was before the meter, however, I stood there and watched this worker, not only replace the meter, but also put the liquid soap on the pipes coming directly out of the back of the meter. The pipes themselves were leaking, as bubbles were erupting from the joints. These pipes, from what I am told by various heating and plumbing contractors in the area, are supplied by the gas company. The main pipe coming directly from furnace leading to the outside wall, is the owner's responsibility.

After the pipes were sealed, two other workers, from UGI came to my house to inspect the furnace, to determine if this property, (at one time being used as two separate apartments) still supplied gas for one residence or two. At that time, the two went into my basement, checked the units, and then went back outside, stating everything was alright.

At that time, I entered the house, but still had the window open to our storm door. The one UGI worker stated to the second, "Wow, who did they send out to do that, (he was pointing to the sealed pipes." The other worker asked what he meant, and the first stated "look were the pipes were sealed, they ARE after the meter, and that's our pipe. That should have been painted over."

Also the reason for the dispute, is that when we moved in, there was an apartment upstairs, however it had it's own electric hot water heater, and had electric baseboard heating, on a separate PPL meter. The tenant then moved out 2 months after we took possession of the property, leaving my daughter, my husband, and myself in the property.

For the past 6 years that we have been there, the gas usage has never come down, and only my husband and myself, have been living in the property for the past 3 years, since my daughter moved and got her own place. Since the leak has been sealed, we have seen an improvement in our monthly bills. However, we were told by UGI representative, the property was listed with UGI as a commerical property, due to it once being rented. When I called the UGI rep, to inquire about this, I was told that an inspection of the property had to be made, in order to change this. Thus, the two UGI reps, previously stated in this letter, were dispatched to the house.

Also, on three separate occasions, I requested a billing history be sent to my attention showing from the time we took possession of the house, to current, and was told, UGI didn't save records that long. I would also like to add that the only gas we have in our house, is gas heated hot water for bathing, and for heating our boiler. Every other appliance in our house is electric.

Sincerely,
Marge and James Shafer

C-20065954
HBG 7-24-06
Complaint Exhibit #1

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