

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Rickie B. Gross

v.

Philadelphia Gas Works

Z-01635225

PREHEARING ORDER

An Initial Hearing in this case is scheduled for Tuesday, October 4, 2005 at 1:30 p.m. in Hearing Room 2 in the Philadelphia State Office Building. This case is one of several cases that have been scheduled at this time in Hearing Room 2. You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. You should arrive at the Hearing Room no later than 1:15 p.m. and wait in the Hearing Room until the Administrative Law Judge calls your case. Your case might not be the first one to be called and you should be prepared to stay in the hearing room all morning, if necessary. If the customer is not present and prepared to go forward with the case when it is called, the case will be dismissed by the Administrative Law Judge.

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

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

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1302 Philadelphia State Office Building
1400 West Spring Garden Street
Philadelphia, PA 19130
Telephone: 215-560-2105
Fax: 215-560-3133

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

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SECRETARY'S BUREAU

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

3. The Pennsylvania Legislature recently enacted the Responsible Utility Customer Protection Act. 66 Pa. C.S. §1401 *et seq.* The application of this law may result in new payment terms that are less favorable than the customer's current payment arrangement.

4. If the Commission's Bureau of Consumer Services (BCS) has directed the customer to make payments and those payments have not been made, the customer must be prepared to explain at the hearing why those payments have not been made.

5. The customer must pay his/her current monthly bills for utility service while waiting for a hearing on the complaint. **FAILURE TO MAKE PAYMENTS FOR CURRENT SERVICE BY THE DUE DATE EACH MONTH MAY RESULT IN THE TERMINATION OF THE CUSTOMER'S SERVICE PRIOR TO THE HEARING. FAILURE TO MAKE THESE PAYMENTS WILL RESULT IN AN ORDER REQUIRING A LUMP SUM PAYMENT EQUAL TO THE AMOUNT OF ALL MISSED PAYMENTS FOR SERVICE.**

6. If you intend to present any documents or exhibits for my consideration, you must bring four (4) copies to the hearing.

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

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

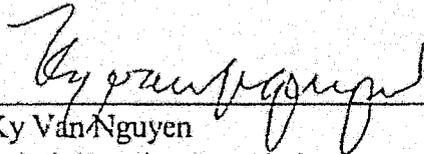
- (a) an account statement, showing the history of the account for a minimum of 24 months or the entire history of the account, whichever is less;
- (b) a copy of the most recent BCS decision, if any
- (c) a service usage comparison report for the same period as the account statement; and
- (d) a brief summary of any payment arrangement(s) made between the utility and the customer other than determinations of the BCS or the Commission.

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

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

11. THIS CASE WILL BE DISMISSED IF THE CUSTOMER FAILS TO PARTICIPATE IN THE HEARING AND PRESENT EVIDENCE IN SUPPORT OF THE COMPLAINT.

Date: August 5, 2005


Ky Van Nguyen
Administrative Law Judge

Philadelphia Gas Works



800 West Montgomery Avenue, Philadelphia, PA 19122

Laureto A. Farinas, Senior Attorney
Legal Department
Direct Dial: 215-684-6982
FAX: 215-684-6788
E-mail: laureto.farinas@pgworks.com

September 29, 2005

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

ORIGINAL

RE: Rickie B. Cross v. PGW, Docket No. Z - 01635225

Dear Secretary McNulty:

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

Therefore, the hearing scheduled for this matter on October 4, 2005 is no longer necessary.

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Laureto Farinas", is written over a large, stylized flourish that extends to the left.

Laureto Farinas, Senior Attorney

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cc: Rickie B. Cross
Administrative Law Judge Ky Van Nguyen (via FAX)
Cherie Pyle, Hearing Scheduler (via FAX)
Susan Kelly
Linda Perelra
Anne Marie Cromley

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SEP 29 2005
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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Philadelphia Gas Works

PGW

800 West Montgomery Avenue, Philadelphia, PA 19122
Sharon L. Banton, Paralegal
Legal Department
Direct Dial: 215-684-6862
FAX: 215-684-6798
E-mail: Sharon.banton@pgwcrks.com

September 29 2005

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

Re: Filings

Dear Secretary McNulty:

Enclosed please find filings for the below listed individuals:

Satisfaction Letter

Mildred Brown
Rickie Cross
Latonya Pressley

Docket No. Z-01777100
Docket No. Z-01635225
Docket No. Z-01713202

Yours truly,

Sharon Banton

Sharon Banton, Paralegal

Enclosures

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SEP 29 2005
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: October 3, 2005
SUBJECT: Z-01635225
Rickie B. Cross v. Philadelphia Gas Works
TO: Wanda Zeiders
Docket Management
FROM: Susan Kirwan, Support Staff
Office of Administrative Law Judge

On September 29, 2005, a Certificate of Satisfaction was filed in the above-captioned proceeding. If no objection is filed to this certificate within 10 days of service, this proceeding will be closed.

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

The Initial Hearing scheduled for Tuesday, October 4, 2005 has been cancelled.

Attachment

pc: ALJ Ky Van Nguyen
Beth Plantz
Case File

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