

DOCUMENT

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nurul Kabir

v.

Philadelphia Gas Works

C-20030627

SECRETARY'S BUREAU

APR 5 10:25

FURTHER PREHEARING ORDER

This complaint was recently reassigned to me, ALJ Allison K. Turner, for hearing and decision. It was previously assigned to ALJ Marlane R. Chestnut.

The date, time and location of the scheduled hearing remain the same:  
Wednesday, March 17, 2004, at 10:00 a.m., in person, in an available hearing room on the 13<sup>th</sup> Floor in the Philadelphia State Office Building.

The primary purpose of this Order is to notify the parties of the judge change, to adopt Judge Chestnut's Prehearing Order, and to establish some additional procedures to be followed by the parties prior to and during the hearing.

ORDER

1. The Prehearing Order served by Judge Chestnut on December 15, 2003 is hereby adopted. Additional procedures are set forth below:

2. Proceedings before the Commission are governed by, inter alia, 52 Pa. Code §1.15, which provides:

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APR 14 2004

§1.15. Extensions of time.

(b) Except as otherwise provided by statute, requests for continuance of hearings or for extension of time in which to perform an act required or allowed to be done at or within a specified time by this title or by order of the Commission or the presiding officer, shall be by motion in writing, timely filed with the Commission, stating the facts on which the application rests, except that during the course of a proceeding, the requests may be made by oral motion in the hearing before the Commission or the presiding officer. Only for good cause shown, will requests for continuance be considered. The requests should be submitted at least 5 days prior to the hearing date. (Emphasis added.)

In accordance with the foregoing, absent a timely request for continuance for good cause (i.e., no later than 5 days before the scheduled hearing on March 17, 2004), all parties to this proceeding shall be prepared to participate in the scheduled hearing.

3. If for any reason any party cannot appear at this initial hearing as scheduled, that party should request a continuance. **If you do not appear at the hearing, and you have not obtained a continuance, the hearing may be held without you and you may lose this case.** Continuances are only granted if good cause is presented. Any request for a change of the scheduled date for the initial hearing **must** be sent to the Office of Administrative Law Judge Scheduling Staff, to the office of the presiding officer, and to the opposing party or parties. The mailing address for the Scheduling Staff is: PA PUC, P.O. Box 3265, Harrisburg, PA 17105-3265, and the phone number is (717) 787-1399. The scheduling officer for your case is Judy Weaver. The mailing address for the Philadelphia Administrative Law Judges is: PA PUC, Room 1302 Philadelphia State Office Building, 1400 W. Spring Garden Street, Philadelphia, PA 19130. The phone number for this office is (215) 560-2105. The presiding officer on your case is Administrative Law Judge Allison K. Turner.

4. **COMPLAINANT:** Please be aware that you have the burden of proof in this proceeding, and must show by a preponderance of the evidence that respondent has violated the Public Utility Code or a regulation or order of the Commission, and that you are entitled to

the relief requested in the Complaint. If this burden is not satisfied, the Complaint must be denied as a matter of law. Since the **Complainant is an individual**, he may be represented by an attorney or not, as he chooses. **As a municipal corporate entity**, PGW must be represented by counsel.

5. If you wish to offer into evidence at the hearing material in the form of documents (letters, bills, cancelled checks and the like), you must bring with you the required number of copies (an original and two copies for the Commission, one copy for every other party in the case, and a copy for yourself). 52 Pa. Code §5.409.

5. **You may lose this case if you do not take part in the initial hearing, and present evidence on the issues raised by the Complaint and Answer.**

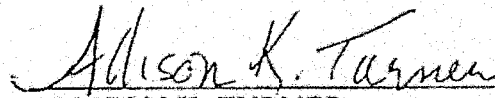
6. Any documents the parties wish to submit for the record to support their case should be marked as exhibits and four (4) copies should be submitted at the hearing to be marked for the record. The copies are for the ALJ (1), the Court Reporter (2), and the opposing party (1).

7. The parties should exchange lists of their proposed witnesses at least three days before the hearing.

8. Commission policy is to encourage settlements. 52 Pa. Code §5.231(a). Therefore, Jones and PGW are directed to **discuss informally between themselves the possible settlement of this case no later than seven (7) days before the hearing, and to notify the ALJ and or the Scheduling Office no later than by Wednesday by March 10, 2004, if an agreement is reached, and the hearing is not necessary.** If you are unable to completely settle this case, you may still resolve as many questions or issues as possible during your informal discussion.

ORDER

The parties shall comply with procedural rules and regulations discussed herein.



ALLISON K. TURNER  
Administrative Law Judge

Date: February 27, 2004

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	C-20030627		YES	NO
Case Name:	Nuril Kabir v. Philadelphia Gas Works	Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Hearing Held:	<input type="checkbox"/>	<input type="checkbox"/>
		Testimony Taken:	<input type="checkbox"/>	<input type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input type="checkbox"/>
Location:	Philadelphia, PA	Hearing Concluded:	<input type="checkbox"/>	<input type="checkbox"/>
Date:	March 17, 2004	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ALJ:	Allison K. Turner	Estimated Add'l Days:	- 0 -	
Reporting Firm:	Precision Reporting, Inc.	RECORD CLOSED:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		DATE:	3/19/04	
		Briefs to be Filed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		REMARKS:	<i>Case withdrawn</i>	

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PA PUBLIC UTILITY COMMISSION

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

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

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

RJP

Reporter's Signature

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

**Philadelphia Gas Works**



**ORIGINAL**

800 West Montgomery Avenue, Philadelphia, PA 19122

Laureto A. Farinas, Senior Attorney

Legal Department

Direct Dial: 215-684-6982

FAX: 215-684-6798

E-mail: laureto.farinas@pgworks.com

March 16, 2004

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

*C-2003 0027*

Re: Nuril Kabir v. PGW, Docket No. G-~~20042354~~

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 and the Complainant acknowledges that the Complaint has been satisfied. PGW and the Complainant have discussed the Complainant's concerns with his account and reached a settlement. With this discussion and settlement the Complainant has indicated that he is satisfied with the resolution of this complaint.

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 A. Farinas", with a stylized flourish at the end.

cc: Nuril Kabir  
Administrative Law Judge Marlane R. Chestnut (via FAX)  
Administrative Law Judge Allison K. Turner (via FAX)  
Judy Springer Weaver, Hearing Scheduler  
Anne Marie Cromley

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SECRETARY'S BUREAU

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COMMONWEALTH OF  
PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

DATE: March 19, 2004

SUBJECT: Certification of Satisfaction Filed  
C-20030627 Nuril Kabir v. Philadelphia Gas Works

TO: Wanda Zeiders,  
Docket Management

FROM: Judy W. Springer, Scheduling Officer  
Office of Administrative Law Judge

On March 16, 2004, a Certificate of Satisfaction was filed in the above-captioned proceeding by Laureto A. Farinas, Esquire. If no objection is filed to this certificate within 10 days of service, this proceeding will be closed.

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

Attachment

pc: ALJ Allison K. Turner  
Elzy Ditzler  
Beth Plantz  
Case File

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RJE

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MAR 25 2004

**Philadelphia Gas Works**



800 West Montgomery Avenue, Philadelphia, PA 19122  
 Laureto A. Farinas, Senior Attorney  
 Legal Department  
 Direct Dial: 215-684-6982  
 FAX: 215-684-6796  
 E-mail: laureto.farinas@pgworks.com

March 16, 2004

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

C-20030627

Re: Nurul Kabir v. PGW, Docket No. C-20042354

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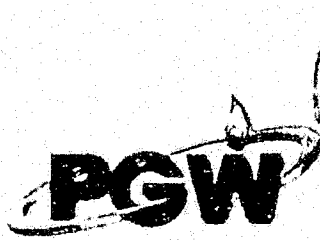
Sincerely,

cc: Nurul Kabir  
 Administrative Law Judge Marlene R. Chestnut (via FAX)  
 Administrative Law Judge Allison K. Turner (via FAX)  
 Judy Springer Weaver, Hearing Scheduler  
 Anne Marie Cromley

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**DOCKETED**  
 MAR 25 2004

**Philadelphia Gas Works**



800 West Montgomery Avenue, Philadelphia, PA 19122  
Laureto A. Farinas, Senior Attorney  
Legal Department  
Direct Dial: 215-684-6982  
FAX: 215-684-6798  
E-mail: laureto.farinas@pgworks.com

March 22, 2004

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

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MAR 22 2004

Re: Nuril Kabir v. PGW, Docket No. C - 20030627

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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 and the Complainant acknowledges that the Complaint has been satisfied. PGW and the Complainant have discussed the Complainant's concerns with his account and reached a settlement. With this discussion and settlement the Complainant has indicated that he is satisfied with the resolution of this complaint.

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Sincerely,

cc. Nuril Kabir  
Administrative Law Judge Marlane R. Chestnut (via FAX)  
Administrative Law Judge Allison K. Turner (via FAX)  
Judy Springer Weaver, Hearing Scheduler  
Anne Marie Cromley

**DOCKETED**  
MAR 26 2004

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