

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: ALJ	:	
3. SECTION(S):	:	
5. APPROVED BY:	:	4. PUBLIC MEETING DATE:
DIRECTOR:	:	00/00/00
SUPERVISOR:	:	
6. PERSON IN CHARGE:	:	7. DATE FILED: 11/08/05
8. DOCKET NO: Z-01720510	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: DIARASSOUBA, LANCINE

RESPONDENT/APPLICANT: PHILADELPHIA GAS WORKS

COMP/APP COUNTY: PHILADELPHIA

UTILITY CODE: 125042

ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT SHE IS NOT WORKING AND NEEDS TO WORK OUT A LOW MONTHLY PAYMENT.

DOCUMENT  
FOLDER

**DOCKETED**  
JAN 24 2005

ORIGINAL

ST1720510 PHILADELPHIA GAS WORKS

Must be returned by

12/17/04

Pennsylvania Public Utility Commission

2-01720510

125042

RECEIVED

Formal Complaint Form

OCT 17 2004

Please Print.

PA PUBLIC UTILITY COMMISSION

SECRETARY'S OFFICE

1. Your name, mailing address, telephone number and utility account number

Name DIARASSOUBA - LANCINE

Street/P.O. Box 2143 S 66th Apt # \_\_\_\_\_

City Phila State PA Zip 19142

Area Code/HOME Phone 215 8683481 Area Code/WORK Phone \_\_\_\_\_

Utility Account Number \_\_\_\_\_

If the above mailing address differs from the address where the utility service is provided, list this information below.

Name Diarrassouba Lancine

Street/P.O. Box 2143 S 66th

City Phila State PA Zip 19142

2. **NAME of utility company** your complaint concerns: PGW

3. Type of Utility (circle one):

GAS

WATER

MOTOR CARRIER

STEAM HEAT

ELECTRIC

SEWER

TELEPHONE - (LOCAL OR LONG DISTANCE)

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

12/13/04  
20  
[Signature]

4. What is your complaint? (Use additional paper if you need more space and provide copies of any relevant documentation you believe will support your complaint).

My Complaint is that I need PUC to help me get a low monthly payment plan for me since I am not working at the moment.

5. What do you want the Public Utility Commission to do about your complaint? (Use additional paper if you need more space).

I want the PUC to contact the GAS company to get me a low monthly plan til I get back to work.

6. You must sign and date your complaint below.

The information I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.

Lancine Miorosaba  
Signature

08-09-04  
Date

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

Lawyer's Name \_\_\_\_\_  
Street \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Area Code/Phone Number \_\_\_\_\_

8. Mail to:

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

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

AMENDMENT

1 Are you a victim under a "Protection from Abuse" Order?

YES

NO

2 Have you contacted the utility company regarding this complaint?

YES

NO  - If No, you must contact the utility company before you can file this complaint with the Commission.

RECEIVED  
2005 JUN 20 PM 9:20  
SECRETARY'S BUREAU

3 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, \_\_\_\_\_ 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).

Lancine Diarassouba  
(SIGNATURE)

01-13-05  
(DATE)

**NOTIFICATION OF INTENT TO APPEAL**  
(Request For Formal Complaint Forms)

Notice to Customer:

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

If you want to appeal this decision, you must return this Notification of Intent to Appeal form within 20 days of 8/24/2004. The Commission will send you formal complaint forms.

You must comply with the terms of 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 pursue the termination of your service.

Thank You  
Pennsylvania Public Utility Commission

**Yes, I want to appeal the decision of the Bureau of Consumer Services. Please send formal complaint forms to me at the following address:**

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

LANCINE DIARASSOUBA  
2143 S 66TH ST  
PHILADELPHIA PA 19142 - 1913

215 868 3481  
(Area Code) Telephone Number

Janine Diarassouba  
Signature

Mail this completed form to:

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

ST Number:	1720510	Date of mailing:	8/24/2004
Company:	PHILADELPHIA GAS WORKS		

REVISED 12/97

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: JANUARY 25, 2005

LANCINE DIARASSOUBA  
Complainant

VS.

PHILADELPHIA GAS WORKS  
Respondent

Complaint Docket  
No: Z-01720510

DOCUMENT  
FOLDER

**DOCKETED**

JAN 24 2005

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PHILADELPHIA GAS WORKS

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

DATE SERVED: JANUARY 25, 2005

Z-01720510

LAURETO FARINAS ESQUIRE  
PHILADELPHIA GAS WORKS  
800 W MONTGOMERY AVE  
PHILADELPHIA PA 19122-2898

DOCUMENT  
FOLDER

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by LANCINE DIARASSOUBA. 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.

JANUARY 25, 2005

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

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,

James J. McNulty  
Secretary

dbb

# ORIGINAL



**Philadelphia Gas Works**  
800 West Montgomery Avenue, Philadelphia, PA 19122

Mary M Chan, Paralegal  
Legal Department  
Direct Dial: (215) 684-6830  
Fax: (215) 684-6798  
E-mail: [mary.chan@pgworks.com](mailto:mary.chan@pgworks.com)

February 9, 2005

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

RECEIVED

FEB 08 2005

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S OFFICE

**RE: Lancine Diarassouba vs. PGW, Docket No.: Z-01720510**

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.61, the Philadelphia Gas Works ("PGW") hereby files the original and three (3) copies of its Answer to the Complaint in the above captioned matter.

If additional information is needed about this matter, please do not hesitate to contact me at my direct-dial number above. Thank you for your assistance in this matter.

Sincerely,

Enclosure

cc: Lancine Diarassouba  
Susan Kelly

DOCUMENT  
FOLDER

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION FEB 11 2005

PA PUBLIC UTILITY COMMISSION  
SECRETARY: J. P. ...

Lancine Diarassouba :

v. :

Docket No.: Z-01720510

Philadelphia Gas Works :

Answer of the Philadelphia Gas Works

Pursuant to 52 Pa. Code §5.61, the Philadelphia Gas Works ("PGW") hereby answers the Complaint filed in the above captioned matter. PGW hereby avers the following:

1. Admitted.
2. Admitted.
3. Admitted.
4. Denied in part. PGW denies the averments contained in Paragraph 4 of the Complaint concerning the Complainant's financial status and all other averments that are conclusions.

PGW has no knowledge or other circumstance that merits a new payment arrangement, therefore strict proof is demanded at a hearing of this matter.

PGW records indicate that the Complainant was on a payment arrangement of \$226 budget billing plus \$15 towards the arrearage. The last payment on the account was \$200 on December 19, 2003. The Complainant is \$2883.24 in arrears on her PGW account as shown on the statement of accounts attached hereto as Exhibit "A".

The Bureau of Consumer Services ("BCS") decision dated August 23, 2004 ordered the Complainant to pay \$241 in budget billing plus \$15

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MAR 21 2005

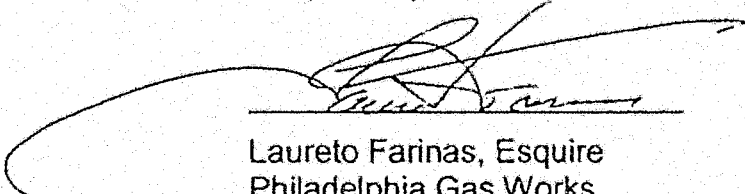
DOCUMENT  
FOLDER

5. Denied. The averments in Paragraph 5 of the Complaint are requests for relief to which no response is required. PGW therefore denies the averments in this paragraph.

**Wherefore**, PGW respectfully requests that this Commission find against the Complainant, and affirm the decision of the BCS in this matter. PGW requests that, the Commission enter an Interim Order directing the Complainant to make payment of the current bill during the pendency of the hearing in this matter. PGW further requests that the Interim Order directing payment authorize PGW to terminate service if the Complainant fails to comply with that Interim Order.

Respectfully submitted,

February 9, 2005



Laureto Farinas, Esquire  
Philadelphia Gas Works  
800 W. Montgomery Avenue  
Philadelphia, PA 19122

**EXHIBIT A**

# HISTORY REQUEST REPORT FOR ACCOUNT # 351274435 AND SA # 7663293010 AS OF 02/09/2005

Account # 351274435	SA # 7663293010	Bill Cycle 19	Rate Class CS	Phone # 863-3481(215)
Name: DIARASSOUBA, LANCINE		Address: 2143 S 66TH ST/PHILA, PA		
Pay Agreement Indicator: N	Easyway Indicator	CRP Status		
Blocker Start Date 20050131	Blocker End Date 20070131	Meter # 1791618		

Tran Date	Tran Type	Current Amt	Total Amt	Adjust Amt	Service Period	Read Code	End Read	Current Balance	Usage	Meter #
09/25/2003	BILL	\$18.69	\$18.69	\$0.00	08/25/2003 - 09/25/2003	R	7774	\$18.69	5	1791618
10/24/2003	BILL	\$83.37	\$83.37	\$0.00	09/25/2003 - 10/24/2003	R	7829	\$102.34	55	1791618
10/28/2003	LPC	\$0.28	\$0.28	\$0.28						
11/25/2003	BILL	\$167.72	\$167.72	\$0.00	10/24/2003 - 11/25/2003	R	7937	\$271.59	108	1791618
11/27/2003	LPC	\$1.53	\$1.53	\$1.53						
12/19/2003	PAY	(\$200.00)	(\$200.00)	\$0.00						
12/29/2003	BILL	\$385.43	\$385.43	\$0.00	11/25/2003 - 12/29/2003	R	8224	\$458.09	287	1791618
12/31/2003	LPC	\$1.07	\$1.07	\$1.07						
01/27/2004	BILL	\$408.27	\$408.27	\$0.00	12/29/2003 - 01/27/2004	R	8540	\$873.21	316	1791618
01/31/2004	LPC	\$6.85	\$6.85	\$6.85						
02/26/2004	BILL	\$335.47	\$335.47	\$0.00	01/27/2004 - 02/26/2004	R	8791	\$1,221.65	251	1791618
02/28/2004	LPC	\$12.97	\$12.97	\$12.97						
03/26/2004	BILL	\$220.54	\$220.54	\$0.00	02/26/2004 - 03/26/2004	R	8943	\$1,460.20	152	1791618
03/30/2004	LPC	\$18.01	\$18.01	\$18.01						
04/27/2004	BILL	\$150.04	\$150.04	\$0.00	03/26/2004 - 04/27/2004	R	9045	\$1,610.24	102	1791618
05/25/2004	BILL	\$47.40	\$47.40	\$0.00	04/27/2004 - 05/25/2004	R	9070	\$1,657.64	25	1791618
06/25/2004	BILL	\$34.17	\$34.17	\$0.00	05/25/2004 - 06/25/2004	R	9086	\$1,716.09	16	1791618
06/29/2004	LPC	\$24.28	\$24.28	\$24.28						
07/27/2004	BILL	\$32.95	\$32.95	\$0.00	06/25/2004 - 07/27/2004	R	9101	\$1,773.83	15	1791618
07/29/2004	LPC	\$24.79	\$24.79	\$24.79						
08/25/2004	BILL	\$38.53	\$38.53	\$0.00	07/27/2004 - 08/25/2004	R	9120	\$1,837.64	19	1791618
08/27/2004	LPC	\$25.28	\$25.28	\$25.28						
09/27/2004	BILL	\$38.74	\$38.74	\$0.00	08/25/2004 - 09/27/2004	R	9139	\$1,902.24	19	1791618
09/29/2004	LPC	\$25.86	\$25.86	\$25.86						
10/05/2004	LPCWVE	(\$51.14)	(\$51.14)	(\$51.14)						
10/26/2004	BILL	\$68.75	\$68.75	\$0.00	10/05/2004 - 10/26/2004	R	9180	\$1,919.85	41	1791618
11/26/2004	BILL	\$158.85	\$158.85	\$0.00	10/26/2004 - 11/26/2004	R	9282	\$2,078.70	102	1791618
12/28/2004	BILL	\$355.91	\$355.91	\$0.00	11/26/2004 - 12/28/2004	R	9504	\$2,434.61	222	1791618

Account # 351274435      SA # 766293010      Bill Cycle 15      M # 8083481215  
 Name: DIARASSOUBA, LANCINE      Address: 2143 S THST HI  
 Pay Agreement Indicator N      Easyway Indicator      CRP Stat  
 Blocker Start Date 20050131      Blocker End Date 20070131

Tran Date	Tran Type	Current Amt	Total Amt	Adjust Amt	Start Date	Segment End Date	Read Code	End Read	Current Balance	Usage	Meter #
01/27/2005	BILL	\$413.44	\$413.44	\$0.00	12/26/2004	01/27/2005	R	9757	\$2,883.24	253	1791618
01/28/2005	LPC	\$35.19	\$35.19	\$35.19							

**EXHIBIT B**

PRINT DATE: 2/7/2005

**PA PUBLIC UTILITY COMMISSION  
BUREAU OF CONSUMER SERVICES  
RTU PAR DECISION DATA**

BCS CASE NUMBER: 1720510      COMPANY NAME: PGW (Phila. Gas Works (NGDC))  
 CUSTOMER NAME: LANCINE DIARASSOUBA  
 ADDRESS: 2143 S 66TH ST  
 PHILADELPHIA, PA 19142 - 1913

PRIMARY COMPANY:

No Yes 

BCS UTILITY CODE: 0788

---

ACCOUNT NUMBER: 0351274435  
 DATE CASE CLOSED: 8/23/2004  
 TOTAL / FINAL ACCOUNT BALANCE: \$1,773.83  
 DATE OF ACCOUNT BALANCE: 8/20/2004  
 LETTER CODE / DESCRIPTION: 1NSB - EGW STRAIGHT PAR/NO LPCS/BUDGET +  
 DATE OF DECISION: 8/24/2004  
 SPECIAL PARAGRAPHS INCLUDED IN LETTER: N/A

**EGW Terms:**

NO.2'S (OFFS) TO HAVE SERVICE RESTORED PAY: \$0.00  
 NO.3'S (REMEDS) TO KEEP SERVICE ON PAY THIS AMOUNT: \$0.00      BY:

TERMS: BEGINNING: SEPTEMBER,2004 DUE  
 DATE

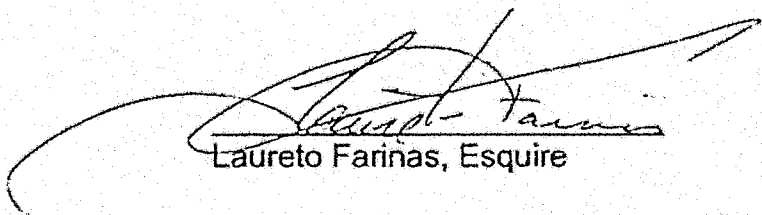
SPECIAL BUDGET OR OPTIONAL PAY AMOUNT: \$241.00  
 REGULAR BUDGET AMOUNT: \$226.00  
 PLUS PAYMENT TOWARD ARREARS: \$15.00  
 FINAL BILL MONTHLY PAYMENT: \$0.00  
 CURRENT BILL MONTHLY PAYMENT: \$0.00  
 END OF MONTH PAYMENT: \$0.00

INVESTIGATOR - MIKOLE RIVERA

VERIFICATION

I, Laureto Farinas, hereby declare that I am counsel to the Philadelphia Gas Works; that, as such, I am authorized to make this verification on its behalf; that the facts set forth in the foregoing Answer are true to the best of my knowledge, information and belief, and that I expect to be able to prove these at a hearing held in this matter. I make this verification subject to the penalties of 18. Pa. C.S. §4904, pertaining to false statements to authorities.

Date: February 9, 2005

  
Laureto Farinas, Esquire

RECORDED

FEB 09 2005

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S OFFICE

CERTIFICATE OF SERVICE

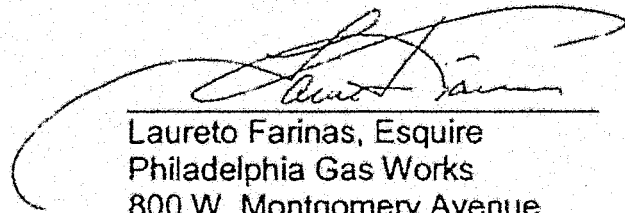
I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY  
OF THE FOREGOING DOCUMENT UPON THE PARTICIPANTS LISTED  
BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF §1.54  
(RELATING TO SERVICE BY A PARTICIPANT).

Service List:

For Complainant:

*Lancine Diarassouba*  
2143 S. 66<sup>th</sup> Street  
Philadelphia, PA 19142

February 9, 2005

  
Laureto Farinas, Esquire  
Philadelphia Gas Works  
800 W. Montgomery Avenue  
Philadelphia, PA 19122