

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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SECRETARY'S BUREAU

Scotty Sanders

v.

Philadelphia Gas Works

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Z-01637231

PREHEARING ORDER

An Initial Hearing in this case is scheduled for Tuesday, October 18, 2005, at 9:30 a.m. in Hearing Room 1 in the Philadelphia State Office Building. This case is one of several cases that have been scheduled at this time in Hearing Room 1. **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 9:15 a.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 business days prior to the hearing. 52 Pa. Code § 1.15(b). Requests for changing a hearing date must be sent to me and all parties of record. The correct address is:

Administrative Law Judges Angela T. Jones
1302 Philadelphia State Office Building
1400 West Spring Garden Street
Philadelphia, PA 19130
Telephone: (215) 560-2105
Fax: (215) 560-3133

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

2. Commission policy promotes settlements. 52 Pa. Code §5.231(a). The utility shall contact you 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 recently enacted Responsible Utility Customer Protection Act, 66 Pa. C.S. §§ 1401, *et seq.*, became effective on December 14, 2004 and applies to this case. This law provides strict requirements that the Commission must follow in handling customer complaints. The application of this law may result in the issuance of less favorable payment terms than a customer's current payment arrangement.

4. The customer must make monthly payments for current consumption on or before the billing due date while this complaint is pending. **FAILURE TO MAKE PAYMENTS MAY RESULT IN THE UTILITY TERMINATING YOUR SERVICE.**

5. As the party seeking affirmative relief from the Commission, Complainant bears the burden of proof. 66 Pa. C.S. 332(a).

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

7. At the hearing, the customer must be prepared to testify about the total gross monthly income of the household. A household includes all adults living at the service address and benefiting from the utility service. The "total gross monthly household income" includes but is not limited to the following:

- (a) salaries, wages, tips or other compensation;
- (b) pension, retirement or social security benefits;
- (c) Supplemental Security Income (SSI);
- (d) unemployment compensation benefits;

- (e) workers' compensation benefits;
- (f) alimony;
- (g) child support;
- (h) public assistance; and
- (i) any other source(s) of income.

8. The utility must prepare and submit the following documents at least five business days before 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 brief summary of any payment arrangement(s) made between the utility and the customer.

9. Pursuant to 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 me sufficiently in advance of the hearing date so that the other parties will have the required ten days notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

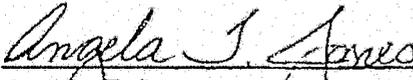
11. THIS CASE WILL BE DISMISSED IF THE CUSTOMER FAILS TO PARTICIPATE IN THE HEARING AND PRESENT EVIDENCE IN SUPPORT OF THE COMPLAINT.

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

13. Complainant should endeavor to provide evidence and/or proof of any change in circumstances in living expenses or income or health since February 15, 2005, the date of the Bureau of Consumer Service's decision.

14. Respondent should replace Exhibit B to its Answer with a copy of the BCS decision dated February 15, 2005.

Date: September 15, 2005



Angela T. Jones
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: 215-684-6798
E-mail: laureto.farinas@pgworks.com

October 17, 2005

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

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OCT 17 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Scotty Sanders v. PGW, Docket No. Z-01637231

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 she is satisfied with the resolution of this complaint.

Therefore, the hearing scheduled for October 18, 2005 in this matter is no longer necessary.

By copy of this letter, I am notifying the Complainant of her 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,

Laureto Farinas, Senior Attorney

cc: Scotty Sanders
Administrative Law Judge Angela T. Jones (via FAX)
Cherie Pyle, Hearing Scheduler (via FAX)
Lucille Coleman
Linda Pereira
Anne Marie Cromley

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Philadelphia Gas Works



600 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@pgwworks.com

October 18, 2005

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

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Re: filings

Dear Secretary McNulty:

Enclosed please find filings for the below listed individuals:

Satisfaction Letter

Scottydee Sanders
Tanya Pierce

Docket No. Z-01637231
Docket No. Z-01697030

Yours truly,

A handwritten signature in cursive script that reads "Sharon L. Banton".

Sharon Banton, Paralegal

Enclosures

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: October 20, 2005
SUBJECT: Z-01637231
Scotty Sanders v. Philadelphia Gas Works
TO: Wanda Zeiders
Docket Management
FROM: Susan Kirwan, Support Staff
Office of Administrative Law Judge

On October 17, 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.

Attachment

pc: ALJ Angela T. Jones
Beth Plantz
Case File

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