

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

A. J. LaCourse, Inc.

v.

Philadelphia Gas Works

C-20030310

DOCUMENT

PREHEARING ORDER

FEB 18 2004

On October 16, 2003, I was assigned as the presiding officer in this case. The purpose of this order is to bring to the attention of the parties certain procedural rules that apply to the participants in this proceeding. This case is scheduled to be heard in an available hearing room on the 13th floor of the Philadelphia State Office Building on Friday, February 13, 2004 at 10:00 a.m.

The Complainant alleged that the Respondent's bills and the alleged gas usage were excessive. The Complainant requested that adjustments be made to the usage and billing.

In its Answer, the Respondent admitted that an automatic meter reading device ("AMR") was installed incorrectly at the Complainant's service address on August 13, 1999. The Respondent stated that due to a programming error no usage was transmitted. On June 27, 2002, the Respondent's field representatives corrected the problem with the AMR. The Respondent stated that the Complainant received an adjustment bill for \$9,682.67. The Respondent averred that all of the bills since the correction were based on actual usage.

The Commission's regulations require corporations to be represented by an attorney. 52 Pa. Code §§1.21, 1.22. The Complainant's counsel should file a notice of appearance pursuant to 52 Pa. Code §§1.24(b) and 1.25. Please send a copy to the presiding

officer at 1302 State Office Building, Broad & Spring Garden Streets, Philadelphia, PA 19130 and a copy to Mr. Farinas.

The Complainant has the burden of proving that the allegations in the complaint are true. Section 332(a) of the Public Utility Code, 66 Pa. C.S. §332(a). In addition, the Complainant should continue to make monthly payments on the undisputed portion of the bill while this proceeding is pending.

The Respondent must submit the relevant account statement (from at least 1999 to the present), which includes monthly meter readings, meter changes, usage, billed amounts and payments, and the most recent BCS decision.

If you wish to offer documents into evidence during the hearing (i.e. letters, bills, canceled checks, receipts, account statements, etc.), please bring a copy for the presiding officer, two (2) copies for the Court Reporter and a copy for each party of record. Please keep a copy for yourself. 52 Pa. Code §5.409.

Pursuant to 52 Pa. Code §1.15(b), requests for postponements or continuance of hearings must be submitted in writing no later than five (5) days prior to the hearing. Requests for postponement or continuance of hearings are to be sent to the presiding officer with copies to the Scheduling Office and the other party of record. The address for the Scheduling Office is P.O. Box 3265, Harrisburg, Pennsylvania 17105-3265.

All witnesses should be prepared to testify during the February 13, 2004 hearing.

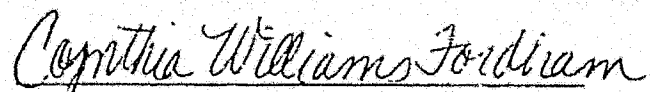
ORDER

THEREFORE,

IT IS ORDERED:

1. That the Complainant shall pay the undisputed portion of the bill while this proceeding is pending.
2. That the parties shall comply with the procedural rules and regulations discussed herein.

Date: January 27, 2004


Cynthia Williams Fordham
Cynthia Williams Fordham
Administrative Law Judge

Philadelphia Gas Works

Montgomery Station
Legal Department



ORIGINAL

800 W Montgomery Avenue, Philadelphia, PA 19122
Telephone: (215) 684-6634

Laureto A. Farinas, Senior Attorney
Legal Department

Direct Dial: 215-684-6982
FAX: 215-684-6798

E-mail: laureto.farinas@pgworks.com

February 10, 2004

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

**DOCUMENT
FOLDER**

Re: A.J. LaCourse, Inc. v. PGW, Docket No. C – 20030310

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 its account. With this discussion and settlement the Complainant has indicated that it is satisfied with the resolution of this complaint.

Therefore, the hearing in this matter scheduled for Friday, February 13, 2004 will not be necessary.

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

DOCUMENT
FEB 18 2004

RECEIVED

FEB 10 2004

cc Mr. A. J. LaCourse
Thomas Finnagan
Administrative Law Judge Cynthia W. Fordham, (via FAX)
Judy Weaver Sprinter (via FAX)
Orlando Rosario

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

COMMONWEALTH OF
PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: February 13, 2004

SUBJECT: Certification of Satisfaction Filed
C-20030310 A. J. LaCourse, Inc. v. Philadelphia Gas Works

TO: Wanda Zeiders,
Docket Management

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

On February 10, 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 Cynthia W. Fordham
Elzy Ditzler
Beth Plantz
Case File

DOCKETED
FEB 26 2004

DOCUMENT
FOLDER

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

February 10, 2004

James McNulty, Secretary
Pennsylvania Public Utility Commission
Room B-20, North Office Building
Harrisburg, PA 17105-3265Re: A.J. LaCourse, Inc. v. PGW, Docket No. C - 20030310

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Sincerely,

cc: Mr. A. J. LaCourse
Thomas Finnagan
Administrative Law Judge Cynthia W. Fordham, (via FAX)
Judy Weaver Sprinter (via FAX)
Orlando Rosano



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge
P.O. Box 3265, Harrisburg, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

February 13, 2004

In Re: C-20030310

(See letter dated 10/16/03)

A. J. LaCourse, Inc. v. The Philadelphia Gas Works

Billing dispute.

Cancellation Notice

This is to inform you of the following cancellation:

Type: Initial hearing
Date: Friday, February 13, 2004
Time: 10:00 a.m.
Location: Philadelphia, Pennsylvania
Presiding: Administrative Law Judge Cynthia W. Fordham

DOCUMENT
FOLDER

Please mark your records accordingly.

pc: Judge Fordham
Judy W. Springer
Beth Plantz
Docket Section
Calendar File

DOCKETED
MAR 04 2004

RJP

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	C-20030310		YES	NO
		Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Case Name:	A. J. LaCourse, Inc. v. Philadelphia Gas Works	Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Testimony Taken:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Hearing Concluded:	<input type="checkbox"/>	<input type="checkbox"/>
Location:	Philadelphia, PA	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Estimated Add'l Days:		
Date:	February 13, 2004			
		RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>
ALJ:	Cynthia W. Fordham	DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Commonwealth Reporting	DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS	<i>Hearing cancelled. Certificate of satisfaction filed.</i>	

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

Name and Telephone Number	Address	Who are you representing?
	<div style="font-size: 2em; font-weight: bold; margin: 0;">DOCUMENT</div> <div style="font-size: 2em; font-weight: bold; margin: 0;">FOLDER</div>	
Telephone:	E-mail Address:	Fax Number:
	<small>City</small> <small>State</small> <small>Zip</small>	
Telephone:	E-mail Address:	Fax Number:
	<small>City</small> <small>State</small> <small>Zip</small>	
Telephone:	E-mail Address:	Fax Number:

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

Reporter's Signature

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



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

March 16, 2004

C-20030310

A J LACOURSE INC
275 LEVERINGTON A VENUE
PHILADELPHIA PA 19125

DOCUMENT
FOLDER

A J LACOURSE INC
v.
PHILADELPHIA GAS WORKS

DOCKETED
MAR 16 2004

TO WHOM IT MAY CONCERN:

Please be advised that the Commission has marked closed the above-entitled proceeding.

Very truly yours,

James J. McNulty
Secretary

nvl
cc: All parties of Record
Office of ALJ

RJP