

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Alfred Simpkins

v.

Philadelphia Gas Works

:  
:  
: Docket Number  
:  
: F-01350489  
:

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PREHEARING ORDER

On October 21, 2004, I was assigned to preside over this case. The purpose of this order is to bring to the attention of all parties certain procedural rules, observance of which will serve to "secure the just, speedy and inexpensive determination" of this proceeding. 1 Pa. Code §1.2(a). The parties are directed to comply with the following requirements:

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

§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.)

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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 January 4, 2005), all parties to this proceeding shall be prepared to participate in the scheduled hearing.

2. 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 SEND THREE (3) COPIES OF ALL EXHIBITS YOU INTEND TO PRESENT TO MY OFFICE, AND ONE (1) COPY TO EACH PARTY OF RECORD AT LEAST THREE (3) DAYS PRIOR TO THE HEARING.

3. YOU MUST ARRANGE TO HAVE THOSE WHO INTEND TO TESTIFY AS WITNESSES ON YOUR BEHALF PRESENT WITH YOU AT THE TIME SET FOR THE HEARING.

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. Pursuant to 52 Pa. Code §§1.21 and 1.22, if you are an individual, you may be represented by an attorney or you may represent yourself. **If this is an adversarial proceeding and you are a partnership, corporation, trust, association or governmental agency or subdivision, you must be represented by an attorney.**

5. Please be aware that there often is a delay in my receiving documents filed in Harrisburg. Therefore, serve me directly with any documents that you file in this proceeding.

6. I will emphasize that if you are not available for the hearing and a continuance has not been granted, I will conduct the hearing without you. If you are the complainant, that may mean that the complaint will be dismissed. If you are the respondent, the complaint may be sustained and sanctions imposed, if appropriate, based on the record adduced.

7. PLEASE BE AWARE THAT ALTHOUGH THIS HEARING IS BEING CONDUCTED TELEPHONICALLY FOR THE CONVENIENCE OF THE PARTIES, IT IS A FORMAL HEARING AND WILL BE CONDUCTED IN ACCORDANCE WITH THE COMMISSION'S RULES OF PRACTICE AND PROCEDURE.

8. The parties are encouraged to informally discuss any of the matters involved in this case prior to the scheduled hearing.

ORDER

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

Date:

Oct. 26, 2004

Charles E. Rainey, Jr.

Charles E. Rainey, Jr.  
Administrative Law Judge

**OALJ Hearing Report**

*Please Check Those Blocks Which Apply*

Docket No:	F-01350489	YES	NO
Case Name:	Alfred Simpkins v. Philadelphia Gas Works	Prehearing Held:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Location:	Philadelphia, PA	Hearing Held:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Date:	January 4, 2005	Testimony Taken:	<input type="checkbox"/> YES <input type="checkbox"/> NO
ALJ:	Charles E. Rainey, Jr.	Transcript Due:	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reporting Firm:	Precision Reporting, Inc	Hearing Concluded:	<input type="checkbox"/> YES <input type="checkbox"/> NO
		Further Hearing Needed:	<input type="checkbox"/> YES <input type="checkbox"/> NO
		Estimated Add'l Days:	
		RECORD CLOSED:	<input type="checkbox"/> YES <input type="checkbox"/> NO
		DATE:	
		Briefs to be Filed:	<input type="checkbox"/> YES <input type="checkbox"/> NO
		DATE:	
		Bench Decision:	<input type="checkbox"/> YES <input type="checkbox"/> NO
<b>DOCUMENT</b>		REMARKS:	<i>A Certificate of Satisfaction was filed.</i>

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

Name and Telephone Number	Address	Who are you representing?
<del>Alfred Simpkins</del>	<del>4604 Kingessing Ave.</del>	<del>Pro Se</del>
	City: <del>Phila.</del> State: <del>PA</del> Zip: <del>19143</del>	
Telephone: <del>215-382-5473</del>	E-mail Address:	Fax Number:
<del>Laureto Farinas, Esq.</del>	<del>800 W. Montgomery Ave.</del>	<del>PGW</del>
	City: <del>Phila.</del> State: <del>PA</del> Zip: <del>19122</del>	
Telephone: <del>215-684-6982</del>	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

\_\_\_\_\_  
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**



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.farnas@pgworks.com

January 4, 2005

ORIGINAL

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

RE: Alfred Simpkins v. PGW, Docket No. F - 01350489

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.

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", is written over a horizontal line. A large, sweeping flourish extends from the left side of the signature across the page.

cc: Alfred Simpkins  
Administrative Law Judge Charles E. Rainey, Jr. (via FAX)  
Beth Plantz (via FAX)  
Linda Pereira

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JAN 04 2005

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JAN 24 2005

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

DATE: January 5, 2005

SUBJECT: Certification of Satisfaction Filed  
F-01350489 Alfred Simpkins v. Philadelphia Gas Works

TO: Wanda Zeiders  
Docket Management

FROM: Elizabeth L. Plantz, Scheduling Officer  
Office of Administrative Law Judge

On January 4, 2005, 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 Charles E. Rainey, Jr.  
Beth Plantz  
Case File

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FOLDER

**DOCKETED**  
JAN 25 2005

**Philadelphia Gas Works**

800 West Montgomery Avenue, Philadelphia, PA 19122

Laureto A. Farinas, Senior Attorney

Legal Department

Direct Dial: 215-684-6882

FAX: 215-684-6798

E-mail: laureto.farinas@pgworks.com

January 4, 2005

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

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cc: Alfred Simpkins  
Administrative Law Judge Charles E. Rainey, Jr. (via FAX)  
Beth Plantz (via FAX)  
Linda Pereira



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

IN REPLY PLEASE  
REFER TO OUR FILE

February 10, 2005

F-01350489

ALFRED SIMPKINS  
4604 KINGSESSING AVENUE  
PHILADELPHIA PA 19143

ALFRED SIMPKINS  
v.  
PHILADELPHIA GAS WORKS

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

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FOLDER

**DOCKETED**  
FEB 9 2005