

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00
 2. BUREAU: ALI
 3. SECTION(S):
 5. APPROVED BY:
 DIRECTOR:
 SUPERVISOR:
 6. PERSON IN CHARGE:
 8. DOCKET NO: F-01231082

4. PUBLIC MEETING DATE:
 00/00/00
 7. DATE FILED: 11/21/02
 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: JOHNSON, WANDA O.

RESPONDENT/APPLICANT: PHILADELPHIA GAS WORKS

COMP/APP COUNTY: PHILADELPHIA

UTILITY CODE: 125042

ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT SHE PAID HER MONTHLY BILLS, AND THEN SUDDENLY RECEIVED A BILL FOR OVER \$2,000, SUPPOSEDLY BECAUSE OF A FAULTY METER. SHE WANTS THESE CHARGES TO BE WAIVED.

DOCUMENT
FOLDER

DOCKETED
DEC 13 2002

ORIGINAL

FORMAL COMPLAINT FORM
Pennsylvania Public Utility Commission

11/26/02
BCS 1231082

F-01231082
125042

Please Print:

1. Your Name, Mailing Address and Telephone Number.

Name Wanda O. Johnson

Street/P.O. Box 7671 Brentwood Road Apt.#

City Philadelphia State PA Zip 19151-2022

County Philadelphia Home Telephone-Area Code (215) 473-0660

Work Telephone-Area Code (215) 625-5251

2. Name of Company your complaint concerns: Philadelphia Gas Works

3. What is your complaint?

I was NEVER notified of having a faulty meter by the
Philadelphia Gas Works until I received a bill for over \$2,000.00

I was presently notified after 4 years of occupancy at 7671
Brentwood Road, Philadelphia, PA 19151. I was billed monthly,
and paid in full each month my current charges.

I have been living at 7671 Brentwood Road since Dec. 15, 1998.

(If you need more space, use additional paper and attach to this form)

(-over-)

RECEIVED
2002 NOV 21 PM 12:33
SECRETARY'S BUREAU

53

4. What do you want the Public Utility Commission to do about your complaint?

"I would like PUC to have the Philadelphia Gas Works waive all charges billed due to them having the knowledge of the meter

being faulty and failing to address this issue upon settlemeant time or after a 4 year occupancy at my current residency of 7671 Brentwood Road, Philadelphia, PA 19151."

Also, after speaking to one of the employees of the Philadelphia Gas Works, it was stated to me that I have never received a bill from the Philadelphia Gas Works until I received the current bill statement in the amount of over \$2,000.00. This is a false statement and I can prove it with current check receipts.
(If you need more space, use additional paper and attach to this form.)

5. 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.

Wanda D. Johnson
Original Signature of complaining person

November 18, 2002
Date

6. If you are represented by a lawyer you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Telephone Number-Area Code () _____



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

11/21/02

IN REPLY PLEASE
REFER TO OUR FILE

November 6, 2002

BCS 1231082

WANDA O. JOHNSON
7671 BRENTWOOD ROAD
PHILADELPHIA PA 19151

Dear Sir/Madam:

We have received your request to appeal the decision of the Bureau of Consumer Services.

We have enclosed one complaint form for you to complete. Please read carefully the instructions to help you complete the form.

**** Please make sure you sign the form. We must receive your original signature in order for us to process your complaint. Your form will be returned to you if an original signature is not received.**

Return the form to us on or before November 26, 2002 to the address listed below:

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

While you wait for us to reach a decision on your complaint, you must pay all undisputed bills (ones that are not a part of your complaint). As long as you pay all undisputed bills and return these formal complaint forms to us on time, the company is not permitted to terminate your service.

Commission Procedures for Formal Complaints

- We send a copy of this letter to the company so they know you are appealing the Bureau of Consumer Services' decision;
- We also send the company a copy of your completed formal complaint forms. Once they receive it, they have 20 days to send us an answer to your complaint. The company will send you a copy of their answer.
- Once we receive all the paperwork, we usually will schedule your hearing before an Administrative Law Judge.

- We will notify both you and the company by mail when the hearing date is set.
- If you cannot travel to your hearing, you can request that the hearing be held by phone. This is called a telephonic hearing. If we can, we will schedule a telephonic hearing for you.
- We will most likely schedule your hearing sometime within three months after you file your complaint forms. If you know of certain dates when you will not be available for a hearing, let us know when you file your forms. We will try to work around your schedule.
- If you cannot attend the hearing on the scheduled date, you must request a different time or date. You should request the change at least 5 days before your hearing by writing to:

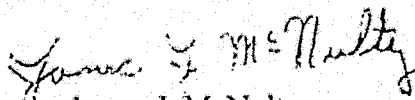
Office of Administrative Law Judge
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

YOU SHOULD INCLUDE YOUR DAYTIME TELEPHONE NUMBER IN YOUR LETTER. DEPENDING ON YOUR REASON FOR NOT BEING ABLE TO ATTEND THE SCHEDULED HEARING, YOUR REQUEST TO CHANGE THE HEARING MAY OR MAY NOT BE APPROVED. WE WILL LET YOU KNOW OUR DECISION ON YOUR REQUEST FOR CHANGING THE HEARING DATE BEFORE THE DATE OF THE HEARING.

YOU MUST ATTEND SCHEDULED HEARINGS IN PERSON OR BY PHONE. IF YOU DO NOT ATTEND, YOUR COMPLAINT MAY BE DISMISSED (THROWN OUT).

If you have any questions about the complaint process, please call the Bureau of Consumer Services, toll free, at 1-800-782-1110.

Very truly yours,


James J. McNulty
Secretary

nvl

CC PHILADELPHIA GAS WORKS

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 twenty days of this date: October 24, 2002. 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.)

WANDA O JOHNSON
7671 BRENTWOOD RD
PHILADELPHIA PA 19151

215-877-2971
(Area Code) Telephone Number

Wanda O. Johnson
Signature

Mail this completed form to:

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

FOR OFFICE USE ONLY

BCS Number: 1231082

Date of mailing: October 24, 2002

Company: PHILADELPHIA GAS WORKS

REVISED 11/97

RECEIVED

OCT 30 2002

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

83

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

DATE SERVED: DECEMBER 13, 2002

F-01231082

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 WANDA O. JOHNSON. 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

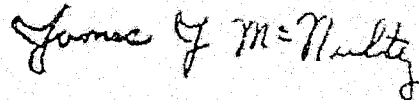
An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

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

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: DECEMBER 13, 2002

WANDA O. JOHNSON
Complainant

VS.

PHILADELPHIA GAS WORKS
Respondent

Complaint Docket
No: F-01231082

DOCUMENT
FOLDER

DOCKETED
DEC 13 2002

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,

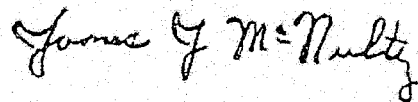
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17120, an answer (original and two copies), in writing, under oath, which, as required 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

Philadelphia Gas Works
Legal Department



ORIGINAL

800 W. Montgomery Avenue, Philadelphia, PA 19122
Fax: (215) 684-6798

Hector Ferrer
Legal Assistant
Legal Department
Direct Dial: 215-684-6533
FAX: 215-684-6798
E-mail: hector.ferrer@pgworks.com

RECEIVED

DEC 23 2002

December 23, 2002

PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

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

RE: Wanda Johnson v. PGW, Docket No F-01231082

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.

If additional information is needed about this matter, please contact me at my direct-dial number above. Thank you for your assistance.

Sincerely,

Hector Ferrer

Enclosures

cc: Wanda Johnson
Linda Pereria
Lauretc Farinas, Esq

DOCUMENT
FOLDER

SRB

ORIGINAL

BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

DEC 23 2002

PENNSYLVANIA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

Wanda Johnson

v.

Philadelphia Gas Works

:
:
:
:
:

Docket No. F-01231082

Answer Of 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. Denied in part PGW denies that averments contained in Paragraph 3 of the Complainant concerning an error in the billing and all other averments in Paragraph 3 that are conclusions. PGW admits that it was not able to read the Complainant's meter for the 24-month period between December 1998 and August 2002. The meter was working properly but a remote device malfunctioned.

DOCUMENT
FOLDER

PGW records indicate that an automated meter reading device ("AMR") was installed on August 6, 2002 at which time a removed index of 2220 was obtained. Thereafter, the Complainant received a make up billing. The account was re-billed to reflect rate changes occurring during the period of estimated and inaccurate meter readings.

A decision of the Bureau of Consumer Services ("BCS"), rendered October 24, 2002, provided relief to the Complainant in the form of a credit for \$443.00. The decision also provided for repayment agreement consisting of the payment of the current bill plus \$40.00 per month on the arrears.

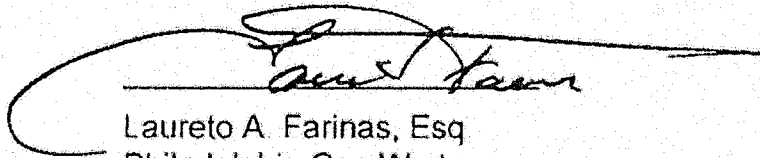
DOCKETED
DEC 27 2002

4. Denied. The averments in Paragraph 4 of the Complaint are requests for relief to which no response is required. PGW therefore denies the averments in Paragraph 4.

Wherefore, PGW respectfully requests that this Commission find against the Complainant, and affirm the decision of the BCS in this matter.

Respectfully submitted,

December 23, 2002

A handwritten signature in black ink, appearing to read "Laureto A. Farinas", is written over a horizontal line. The signature is stylized and cursive.

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

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 Response are true to the best of my knowledge, information and belief, and that I make this verification subject to the penalties of 18. Pa. C.S. §4904, pertaining to false statements to authorities.

Date December 23, 2002


Laureto Farinas

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).

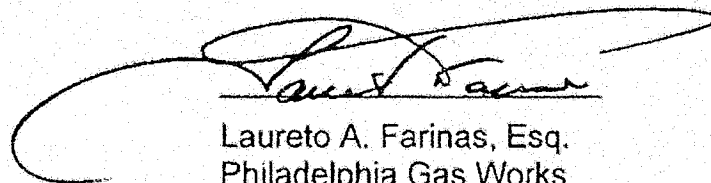
Service List.

For Complainant:

Wanda Johnson
7671 Brentwood Road
Philadelphia, PA 19151

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

December 23, 2002

A handwritten signature in black ink, appearing to read "Laureto Farinas", is written over a horizontal line. The signature is stylized and cursive.

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