

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: 09/07/06
8. DOCKET NO: C-20066831	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: FUCE, JOSEPH AND KAREN

RESPONDENT/APPLICANT: PHILADELPHIA GAS WORKS

COMP/APP COUNTY: PHILADELPHIA

UTILITY CODE: 125042

ALLEGATION OR SUBJECT

COMPLAINANT STATES THE COMPANY BREACHED THEIR CPR AGREEMENT. THEY WOULD LIKE THE PUC TO INVESTIGATE THE BREACH OF THE AGREEMENT WITHOUT PROPER NOTIFICATION BY THE COMPANY AND ORDER THE COMPANY TO EXPUNGE THE ENTIRE BILL.

DOCUMENT
FOLDER



SEP 27 2006

ORIGINAL

Pennsylvania Public Utility Commission

125042

Formal Complaint Form

SECRETARY'S BUREAU

2006 SEP -7 PM 2:38
RECEIVED

1. :Joseph:&:Karen-E:Fuce:II:
4547 Old York Rd. - Apt#2
Philadelphia, Pa 19140

Tel.: 215-455-7677 lv msg
Utility Acct#0241459471

2. Philadelphia Gas Works

C-20066831

3. Gas

4. A. Other: P.G.W. breached the CPR Agreement

- B. 1. On the Twenty-second day of the month of March, 2006, we, :Karen: and I, :Joseph: of the :Fuce:-Family, in the second generation forwarded to P.G.W. a Letter of Notice, Ref#6335-2-001, the recertification agreement along with the necessary income documentation. For the agreement was for 57.54 a month.
2. On the Twentieth[20th] day of the month of April, 2006, Philadelphia Gas Works Co. forwarded to me a bill showing the CPR payment of \$95.53.
3. On the Twenty-first day of the month of April, 2006, I, :Joseph: forwarded a Letter of Notice concerning the change of the CPR agreement without proper notification.
4. On the Fifth day of the month of May, 2006, :George:Villano:, a representative of the Philadelphia Gas Works dispute resolution unit stated in a letter, "Your inquiry has been recieved and forwarded to the proper department for corrective action."
5. On the Fifteenth day of the month of May, 2006, I, :Joseph:, forwarded a second Letter of Notice to :George:Villano: informing him, that, P.G.W. failed to respond to my complaint.
6. On the Seventeenth day of the month of July, 2006, I, :Joseph:, forwarded a Notice of informal complaint, ref#6335-2-001, to :Lou: Sauers:, Division Chief, requesting him to check into the issue I had raised in the informal complaint. :Lou:Sauers:, Division Chief, acting under color of law, knowingly and willfully, failed to respond to my informal complaint.
5. For we, :Karen: and I, :Joseph:, request that the PUC investigates the breach of the Agreement without proper notification by P.G.W. and orders P.G.W. to expunge the entire bill concerning utility account no. 0241459471 on the basis, that, P.G.W. has not provided the level of service required by law concerning an individual on disability with minimal income.
6. NO
7. Yes - See 4 B.3-5 [Copies of my ltr along with the responce from :George:Villano:, P.G.W., resrepresentative]
8. Declaration

For we, :Karen Elizabeth: and I, :Joseph: of the :Fuce:-Family, in the
Page 1

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Phila. Gas Works

:Joseph:&:Karen-E.:Fuce:II:
4547 Old York Rd. 2nd fl.
Philadelphia, Pa 19140

Ref#6335-2-001

Date: 3/22/06

Philadelphia Gas Works
Customer Responsibility Program[CRP]
P.O. Box 3529
Philadelphia, Pa 19122-0529

Letter of Notice

Refs: Acct.#0241459471

Re: Verification, No Income

P.G.W.,

For the Letter of Notice is to inform the P.G.W., that, I, :Joseph: of the :Fuce:-Family, in the second generation, have no income.

Be advised, :Karen-E.:Fuce:II:, my wife, recieves the only income concerning the above residence[Apt.].

Declaration

I, :Joseph: of the :Fuce:-Family, in the second generation, declare, under penalty of perjury, under the Laws of the United States of America, in the jurisdiction of the United States Flag, that, the Letter of Notice is true.

:Joseph: Fuce:II:
:Joseph:Fuce:II: - Customer
All rights reserved 1-207

:KAREN-E.:FUCE:II:
:Karen-E.:Fuce:II: - Witness
All rights reserved 1-207

cc: Fuce,II

PHILADELPHIA GAS WORKS
CUSTOMER RESPONSIBILITY PROGRAM (CRP)
MAIL RE-CERTIFICATION FORM

KAREN-E FUCE, II

NAME: Joseph Fuce, II PGW ACCOUNT #: 0241459471
ADDRESS: 4547 old York Rd - Apt # 2, Phila, PA, 19140

1. SOCIAL SECURITY NUMBER: [203-46-6436] [164-58-6444]
2. HOME PHONE NUMBER: 215-455-7677
3. WORK PHONE NUMBER: 215-979-8835

4. SOURCE (S) OF INCOME:

- | | |
|--|--|
| <input checked="" type="checkbox"/> EMPLOYMENT | <input type="checkbox"/> CHILD SUPPORT |
| <input type="checkbox"/> PUBLIC ASSISTANCE | <input type="checkbox"/> RENTAL PROPERTY |
| <input type="checkbox"/> SOCIAL SECURITY | <input type="checkbox"/> UNEMPLOYMENT COMPENSATION |
| <input checked="" type="checkbox"/> SSI | <input type="checkbox"/> NONE |
| <input type="checkbox"/> PENSION/RETIREMENT | <input type="checkbox"/> OTHERS |
| <input type="checkbox"/> DISABILITY | |

5. TOTAL GROSS INCOME FOR EVERYONE LIVING IN YOUR HOME:

\$ 1,028.00 MONTHLY X 12 = \$ 12,340.00 ANNUALLY

Attach copies of proof of income for everyone living in your home. See reverse side for list of income documentation.

6. NUMBER OF PEOPLE LIVING IN YOUR HOME: 2

HOW MANY PEOPLE ARE 62 YEARS OF AGE AND OVER 0
HOW MANY PEOPLE ARE 18 YEARS OF AGE AND UNDER 0

Attach copies of social security cards for everyone living in your home

7. DO YOU LIVE IN A: PRIVATE HOME APARTMENT

8. REAL ESTATE INFORMATION: RENT OWN OTHER

LANDLORD/AGENT NAME: MINN THAI
LANDLORD/AGENT ADDRESS: 4547 old York Rd

Philadelphia Gas Works

:Joseph:Fuce:II:
4547 Old York Rd. Apt.#2
Philadelphia, Pa 19140

Ref#6335-2-001

Date: 4/21/06

Philadelphia Gas works
P.O. Box 3500
Philadelphia, Pa 19122-0500

Letter of Notice

Ref: Account Number: 0241459471

Re: CPR Agreement, complaint concerning

P.G.W.,

*No Resp #182
AS of 5/23/06
7/16/06
8/1/06*

For the Letter of Notice is to inform P.G.W., that, the CPR was changed without proper notice. As stated when entering into the CPR Agreement there is only one individual who has income concerning the above residence.

Enclosed, is a copy of the income recieved by my spouse. I have already forwarded paystubs from her employer in which the income has not changed.

Be advised, because of our proverty we are unable to pay \$95.53 a month and respectfully request that P.G.W. re-adjust the agreement to \$57.54 a month.

Also be advised, that we have reserved our rights without prejudice pursuant to Uniform Commercial Code 1-207.7 and if P.G.W. does not re-adjust the agreement, I, :Joseph: of the :Fuce:-Family, in the second generation, will have recourse pursuant to U.C.C.1-103.6 and will take possible legal action.

Your cooperation is very much appreciated.

Thank you,

J. Joseph Fuce II
:Joseph:Fuce:II:
Without prejudice 1-207
cc: Fuce, II

Karen E Fuce II
:Karen-E.:Fuce:II: - witness
Without prejudice 1-207

2004

:Joseph:Fuce:II:
4547 Old York Rd. - Apt.#2
Philadelphia, Pa 19140

Ref#6335-2-002

Date: 5/15/06

:George:Villano:
P.G.W.
800 W. Montgomery Ave
Philadelphia, Pa 19122

Letter of Notice[2nd]

Refs: Ltr of Notice, dated 4/21/06, Ref#6335-2-001, to P.G.W.
Acct.#0241459471

Re: Complaint

:George:Villano:,

There has yet to be a response from the proper department
that you, :George:, forwarded my complaint to.

Please forward all correspondences to the above address.

Thank you,

J. Fuce, II.
:Joseph:Fuce:II:
Without prejudice

cc: Fuce, II

copy

Pa Public Utility Commission

:Joseph:Fuce:II:
4547 Old York Rd. - Apt.#2
Philadelphia, Pa 19140
Email: fuce66@yahoo.com

Ref#6335-2-002

Date: 9/1/06

:James-J.:McNulty:,Secretary
Pa Public Utility Commission
P.O. Box 3265
Harrisburg, Pa 17105-3265
ATTN: :Lou:Sauers:,Division Chief

ATTN: :George:Villano:
P.G.W.
P.O. Box 3500
Philadelphia, Pa 19122-0500

Notice of Formal Complaint

Refs: Notice, Ref#6335-2-001, dated 7/17/06, to :Lou:Sauers:, Div. Chief
Ltr of Notice, Ref#6335-2-001, dated 4/21/06, to P.G.W.
Ltr of Notice, Ref#6335-2-002, dated 5/15/06, to :George:Villano:
Ltr, dated 5/5/06, from :George:Villano:

Re: Complaint, Formal

Acct#: 0241459471

:James-J.:McNulty:,Secretary,

For the witness is with the volition of the truth with his testimony.

For the Notice of the Formal Complaint is to request that you, :James-J.:McNulty:, Secretary, to investigate the formal complaint enclosed.

For the issue is, that, the Philadelphia Gas works Co., knowingly, willfully, and without reason, increased the CPR Agreement without proper notification to my wife, :Karen-E.:Fuce:II: or me, :Joseph:Fuce:II: and therefore P.G.W. has, in fact, breached the recertification agreement of \$57.54.

Be advised, I, :Joseph: of the :Fuce:-Family, in the second generation, forwarded an informal complaint to :Lou:Sauers:, Division Chief, who, acting under color of law, knowingly, willfully, and without reason did not respond. Also be advised, .P.G.W. failed to provide me with a bill for the month of September, 2006.

Enclosed, Formal Complaint along with evidence of the breach of the agreement by the Philadelphia Gas Works Company.

I, :Joseph: of the :Fuce:-Family, in the second generation, respectfully request, that, you, :James-J.:McNulty:, Secretary, immediately, acknowledge receipt of the Formal Complaint and forward to me the full-name of the investigator, who, acting under color of law, will investigate the breach of the agreement by the Philadelphia Gas works Co..

Thank you for your immediate attention concerning the Formal Complaint.

NOTICE TO PRINCIPLE IS NOTICE TO AGENT. NOTICE TO AGENT IS NOTICE TO PRINCIPLE

RECEIVED
2006 SEP - 7 PM 2:38
SECRETARY'S OFFICE

Pa Public Utility Commission

Joseph: Fuce: II:
:Joseph:Fuce:II:,Sui juris
All rights reserved without prejudice U.C.C.1-207.7

Karen-E: Fuce: II:
:Karen-E.:Fuce:II:,Sui juris - witness
All rights reserved without prejudice U.C.C.1-207.7

CERTIFICATE OF DELIVERY

I, :Joseph: of the :Fuce:-Family, in the second generation, declare, under the penalty of perjury under the laws of the United States of America, that, the original Formal Complaint was mailed by First Class mail to P.O. Box 3265, Harrisburg, Pa, 17105-3265, to :James-J.:McNulty:, Secretary of the Pa Public Utility Commission.

Joseph: Fuce: II:
:Joseph:Fuce:II:,Sui juris
without prejudice

cc: :Fuce:II:



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

IN REPLY PLEASE
REFER TO OUR FILE

DATE SERVED: September 27, 2006

C-20066831

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

DOCUMENT
FOLDER

Dear Mr. Farinas:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by JOSEPH AND KAREN FUCE . 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.

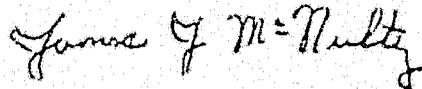
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

September 27, 2006

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,

A handwritten signature in cursive script that reads "James J. McNulty".

James J. McNulty
Secretary

ane

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: September 27, 2006

DOCUMENT
FOLDER

JOSEPH AND KAREN FUCE
Complainant

v.

PHILADELPHIA GAS WORKS
Respondent

Complaint Docket
No: C-20066831

SEP 27 2006

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).

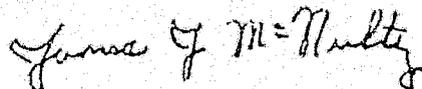
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. 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

Philadelphia Gas Works
500 West Montgomery Avenue, Philadelphia, PA 19122



Mary M. Chan, Paralegal
Legal Department
Direct Dial: (215) 684-6630
Fax: (215) 684-6788
E-mail: mary.chan@pgworks.com

CONFIDENTIAL

October 17, 2006

RECEIVED

OCT 17 2006

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

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Joseph and Karen Fuce vs. PGW, Docket No. C-20066831

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 required, please do not hesitate to contact the undersigned. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Chan", is written over the typed name.

Mary M. Chan

DOCUMENT
FOLDER

Enclosure

cc: Joseph and Karen Fuce
Anne Marie Cromley

DOCKETED

OCT 20 2006

BTL

40

RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

OCT 17 2006

Joseph and Karen Fuce

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

v.

Docket No. C-20066831

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. (a) Denied. PGW denies the averment that PGW breached the Customer Responsibility Program ("CRP") contract with the Complainant.

(b1) Admitted. It is admitted that in March 2006, the Complainant submitted information to complete a re-certification for CRP. It is further admitted that before this recertification, the Complainant's CRP amount was in the amount of \$57.54.

(b2) Admitted. It is admitted that in April 2006, PGW billed the Complainant in the amount of \$95.53. By way of further answer, based on the household income information provided by the Complainant during the recertification, the Complainant's monthly CRP bill was increased to \$95.53, pursuant to the Gas Tariff § 13.1A, which is attached hereto as Exhibit "A."

(b3) Admitted. It is admitted that the Complainant sent a correspondence concerning the CRP increase.

(b4) Admitted. It is admitted that PGW provided a correspondence to the Complainant indicating that the Complainant's correspondence had been forwarded to the proper department for corrective action.

(b5) Admitted. It is admitted that that on May 15, 2006, the Complainant sent a second correspondence to PGW advising that PGW had not responded to the Complainant's correspondence. By way of further answer, PGW records indicate that on May 10, 2006, PGW's Universal Services Department called the Complainant in reference to the first correspondence and left a message for the Complainant to call back.

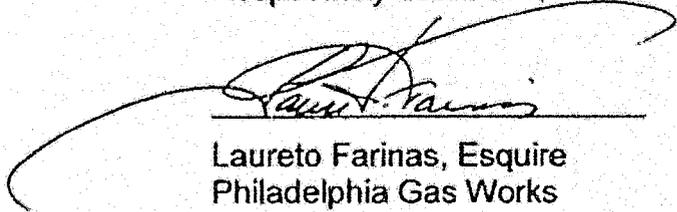
(b6) Admitted in part; denied in part. It is admitted that the Complainant filed an Informal Complaint in July 2006 with the Bureau of Consumer Service ("BCS"). It is further admitted that the BCS did not respond to the Informal Complaint as the Complainant filed the Formal Complaint.

5. Denied. The averment in Paragraph 5 of the Complaint is a request for relief to which no response is required. PGW therefore denies the averments in this paragraph.
6. Admitted.
7. Admitted.

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

Respectfully submitted,

October 17, 2006



Laureto Farinas, Esquire
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122
(215) 684-6982

RECEIVED

OCT 17 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

EXHIBIT A

13. Universal Service And Energy Conservation Programs

13.1 CUSTOMER RESPONSIBILITY PROGRAM

13.1.A Eligibility and Enrollment. A Customer is eligible for the Customer Responsibility Program if it is determined at the time of application (or recertification) that the Customer's annual household gross income is at or below 150% of the federal poverty level. The Customer shall provide all documentation necessary for PGW to determine the household Gross Annual Income, including but not limited to proof of household income, verification of family size, and character of service requested (Heating or Non-Heating). PGW has the right to verify an Applicant's or Participant's income by means including but not limited to verification through governmental agency and checking credit reports. Enrollment shall be ongoing and open year-round. Applicants or Participants selecting Transportation Service will no longer qualify for the CRP Program and will be responsible for the tariffed rates under General Service - Rate GS.

13.1.B Requirements. A Participant must abide by the following provisions. The failure of a Participant to comply with one of the following could result in dismissal from the CRP Program.

13.1.B.1. A Participant shall make regular monthly Customer Responsibility Payments. Failure to do so may lead to termination of service.

13.1.B.2. A Participant shall recertify annually, based upon the Participant's anniversary date of enrollment.

13.1.B.3. It is the Participant's responsibility to notify PGW when there is a change in the household's income or size. Adjustments to a Participant's bill will be made anytime there is a change in income or family size.

13.1.B.4. When eligible, a Participant must apply for and assign at least one energy assistance grant to PGW annually.

13.1.B.5. Participants must take the necessary actions to participate in the Conservation Works Program (CWP) or other conservation programs and to abide by established consumption limits.

13.1.B.6. A Participant must allow access to their property for meter readings or for the installation of an AMR. Failure to allow access for four consecutive months will result in dismissal from CRP.

13.1.B.7. A Participant shall be responsible for seeking assistance and guidance from PGW, including budget counseling, in the event that the Participant is unable to meet the above responsibilities.

13.1.C Applicable Rates. A Participant's CRP Payments will be based upon the Participant's family size and gross household income. A Participant will pay a percentage of his/her gross household income depending on where that Participant falls within the Federal Poverty Guidelines (FPL). Rates are calculated under rate schedule GS, including riders.

13.1.C.1. For payment purposes CRP Participants will be defined as follows:

13.1.C.1.a. Group A: Participants whose gross household income has been verified as being from 0 – 50% of FPL.

13.1.C.1.b. Group B: Participants whose gross household income has been verified as being from 51 – 100% of FPL.

13.1.C.1.c. Group C: Participants whose gross household income has been verified as being from 101 – 150% of FPL.

13.1.C.2 A CRP Participant will be responsible for paying the following rates for service or \$18 per month, whichever is greater:

13.1.C.2.a Group A: 8% of gross income

13.1.C.2.b. Group B: 9% of gross income (not to exceed 10% of gross income).

13.1.C.2.c. Group C: 10% of gross income

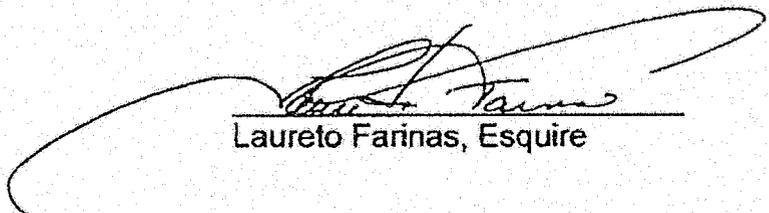
13.1.D. Arrearages - Participants making regular monthly Customer Responsibility Payments will earn forgiveness on their pre-program arrearages. The amount of and criteria applicable to arrearage forgiveness shall be consistent with applicable Commission Orders. Participants choosing an NGS are responsible for all outstanding balances owed to PGW.

13.2. CONSERVATION WORKS PROGRAM (CWP). PGW shall establish fair, effective and efficient Gas usage reduction programs for low-income Customers. Such programs are intended to maintain affordable Gas Service and to reduce uncollectible accounts and the collection and termination expenses of PGW by enabling low income Customers to conserve energy and reduce their Gas usage.

VERIFICATION

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

Dated: October 17, 2006


Laureto Farinas, Esquire

RECEIVED

OCT 17 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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 52 PA CODE §1.54 (RELATING TO SERVICE BY A PARTICIPANT).

Service List:

For Complainant:

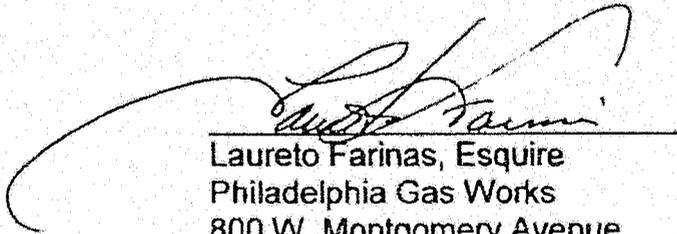
*Joseph & Karen Fuce
4547 Old York Road, Apt. 2
Philadelphia, PA 19140*

Dated: October 17, 2006

RECEIVED

OCT 17 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



Laureto Farinas, Esquire
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122
(215) 684-6982



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
October 23, 2006

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20066831

(SEE ATTACHED LIST)

Joseph & Karen Fuce v. Philadelphia Gas Works

Breach of Agreement / Billing Dispute

Hearing Notice

This is to inform you that a hearing on the above-captioned case will be held as follows:

**DOCUMENT
FOLDER**

Type: Initial Hearing

Date: Thursday, December 7, 2006

Time: 10:00 a.m.

Location: In an available hearing room
Philadelphia State Office Building
Broad and Spring Garden Streets
Philadelphia, PA 19130

Presiding: Administrative Law Judge 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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Attention: You may lose the case if you do not come to this hearing and present facts on the issues raised.

If you intend to file exhibits, 2 copies of all hearing exhibits to be presented into evidence must be submitted to the reporter. An additional copy must be furnished to the Presiding Officer. A copy must also be provided to each party of record.

Individuals representing themselves do not need to be represented by an attorney. All others (corporation, partnership, association, trust or governmental agency or subdivision) must be represented by an attorney. An attorney representing you should file a Notice of Appearance before the scheduled hearing date.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: 717-787-1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5938

pc: Judge Jones
Stacy Nolan, Scheduling Officer
Beth Plantz
Docket Section
Calendar File