

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: 05/23/07
8. DOCKET NO: C-20077830	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: CRISTIANO, ANTHONY

RESPONDENT/APPLICANT: PHILADELPHIA GAS WORKS

COMP/APP COUNTY: PHILADELPHIA

UTILITY CODE: 125042

ALLEGATION OR SUBJECT

COMPLAINANT STATES THE PAVEMENT NEAR HIS HOME IS DISINTEGRATING AND THE ONLY EXPLANATION THE COMPANY CAN GIVE HIM FOR THE REASON CAUSING THIS IS SALT.

DOCUMENT  
FOLDER

**DOCKETED**  
JUN - 5 2007

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

RECEIVED

MAY 23 2007

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S OFFICE

125042  
Please print or type.

C-20077830

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address:

Name ANTHONY CRISTIANO

Street/P.O. Box 2417 So. 17<sup>th</sup> ST. Apt # \_\_\_\_\_

City PHILA. State PA. Zip 19145

County PHILA.

Area Code/HOME Phone 215-462-5533

Area Code/WORK Phone \_\_\_\_\_

Utility Account Number 7114162603  
(from your bill)

ORIGINAL

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name \_\_\_\_\_

Street/P.O. Box \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: PHILA. GAS WORKS

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

(taxi, moving company, limousine)

TELEPHONE

(local, long distance)

91

4. COMPLAINT (check one)

A. In general, what is your complaint?

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement
- Other.  
(explain)

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

5. RELIEF

What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space.

RESTORE  
THE WAY IT WAS.      RETURNING TO

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company AND your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES

(includes appeals of BCS determinations)

NO

PHONE CONVERSATION ONLY

If you tried to but could not speak to a utility company representative about your complaint, please explain why. *THEY JUST SAID SALT CAUSED*

8. VERIFICATION AND SIGNATURE

*THE PROBLEM*

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification: I *Anthony Cristiano*, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

*Anthony Cristiano*  
(Signature)

*19 MAY 07*  
(Date)

## A. COMPLAINT; DISINTEGRATING PAVEMENT

### B. FACTS OF COMPLAINT

JULY - AUG 06 ON THE 2400 BLOCK 5017<sup>TH</sup> - EAST SIDE PAVEMENTS WERE OPENED UP TO LAY IN A NEW GAS LINE. ON SEPT 20-01 THE REST OF THE PAVEMENT WAS TO BE UP AND A NEW PAVEMENT LAID. LATER THE NEW PAVEMENT BEGAN TO DISINTEGRATE (ABOUT 40% OF THE PAVEMENT IS DISINTEGRATING AND CRACKING). THIS IS NOT UNIQUE ANY OF OTHER PAVEMENTS OF THE AREA LAID CONCRETE EXPERIENCING THE SAME THING.

I CALLED THE GAS CO AND THEY SUGGESTED I CALL RISK MANAGEMENT. I WAS TOLD THAT CAUSED THE PROBLEM I NEVER USED SALT ON THE PAVEMENT. I TRIED TO GET AN AUDIENCE TO ESTABLISH A DIRECTOR. I WAS DENIED

A PERSONAL VIEWING OF THE PAVING WILL SHOW THE PROBLEM IS POOR MIX AND QUESTIONABLE WORKMANSHIP



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

IN REPLY PLEASE  
REFER TO OUR FILE

DATE SERVED: June 5, 2007

C-20077830

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 ANTHONY CRISTIANO. 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.

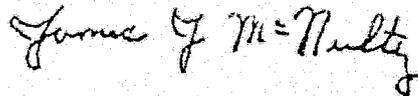
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

June 5, 2007

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: June 5, 2007

ANTHONY CRISTIANO  
Complainant

v.

PHILADELPHIA GAS WORKS  
Respondent

Complaint Docket  
No: C-20077830

DOCUMENT  
FOLDER

DOCKETED  
JUN - 5 2007

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FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

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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).

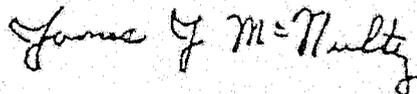
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. 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**  
800 West Montgomery Avenue, Philadelphia, PA 19122



Mary M. Chan, Paralegal  
Legal Department  
Direct Dial: (215) 684-8830  
Fax: (215) 684-6798  
E-mail: [mary.chan@pgworks.com](mailto:mary.chan@pgworks.com)

June 25, 2007

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

**ORIGINAL**

**RE: Anthony Cristiano vs. PGW, Docket No. C-20077830**

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 M. Chan", is written over the typed name.

Mary M. Chan

**DOCKETED**  
JUN 26 2007

Enclosure

cc: Anthony Cristiano  
Anne Cromley  
Linda Pereira

**RECEIVED**  
JUN 25 2007  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**DOCUMENT  
FOLDER**

BA

118

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

Anthony Cristiano

v.

Philadelphia Gas Works

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:  
:  
:  
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Docket No. C - 20077830

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 - B) Admitted in part; denied in part. PGW admits that its contractor the Danella Construction Corporation performed paving work at 2417 S. 17<sup>th</sup> Street, Philadelphia, Pennsylvania (Service Address) that was occasioned by the replacement/installation of a new gas line on the 2400 block of South 17<sup>th</sup> in August 2006. PGW lacks sufficient to determine the truth of the averment that the paved sidewalk is disintegrating due to the actions of PGW or its contractor. Therefore, PGW denies the averment. By way of further averment, PGW's investigation indicates that the condition of the sidewalk is the result of the use of rock salt during the winter months, as shown on the PGW contact records, which are attached hereto as Exhibit "A."

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.

DOCKETED  
JUN 26 2007

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JUN 25 2007

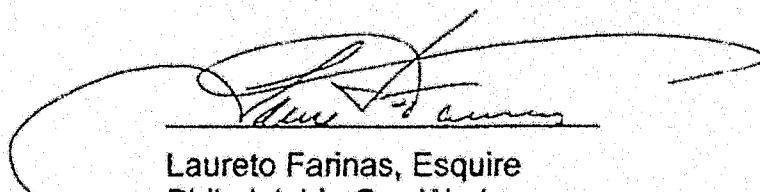
DOCUMENT  
FOLDER

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Wherefore, PGW respectfully requests that this Commission find against the Complainant, and dismiss the complaint.

Respectfully submitted,

June 25, 2007

A handwritten signature in black ink, appearing to read 'Laureto Farinas', is written over a horizontal line. The signature is stylized and includes a large, sweeping flourish that extends to the left and then curves back under the line.

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

**EXHIBIT A**

**RECEIVED**

JUN 25 2007

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Contacts for Account: Cristiano, Anthony



Account 0071 1416 2603

Cristiano, Anthony

Transaction History

Full Comments



Date	Type	Comment	Person
05/08/2007	CRU	PLC Formal Docket # C20077830 filed on 5/5/2007 12:00:00 AM	
04/04/2007	MISC	called cust back and advised him of out come. cust not happy. gave the cust the phone # to ask right	Cristiano, Anthony
04/04/2007	DIST	spoke to Pat Brady who said that he and several of his supervisors have gone out to this block and informed several cust that we will not be replacing any of the sidewalks. the damage that the customers are speaking about is due the use of ROCK SALT that was used and that the city used when they salted the street.	Cristiano, Anthony
03/23/2007	SERV	537	Cristiano, Anthony
01/01/2007	TD	inside leak	Cristiano, Anthony
03/03/2006	SERV	Rebuild Meter Set. 08/03/2006, 1200 - 1600 rebuild	Cristiano, Anthony
08/13/2005	AGNT	RESTORE S/C DISCOUNT AND REBILL ACCT	Cristiano, Anthony
05/13/2005	BILL	cust called regarding senior citizen scount	Cristiano, Anthony
05/31/2005	BILL	closed inerror, forgot s/cf dis	Cristiano, Anthony
05/26/2005	SERV	ACCT WAS FINALIZED IN ERROR 4-1-05///REINSTATED CUST AND BILLED ACCT	Cristiano, Anthony
01/17/2002	SER2	Scheduled SID on H/H, for today. C/ is senior citizen, no heat. Aware of charge, no PLP. Verified phone number.	Cristiano, Anthony
01/03/2001	TD	Trouble Order 50889568 added for account 7114162603	Cristiano, Anthony
01/06/2000	TD	Trouble Order 29742995 added for account 7114162603	Cristiano, Anthony

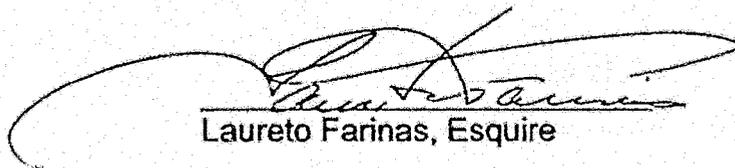
Change Customer Contact

Launch Related Transaction

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. I make this verification subject to the penalties of 18 Pa. C.S. §4904, concerning false statements to authorities.

Dated: June 25, 2007

  
Laureto Farinas, Esquire

RECEIVED  
JUN 25 2007  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

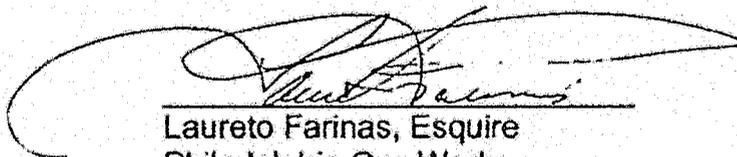
I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY OF THE FOREGOING DOCUMENT UPON THE PARTICIPANTS LISTED BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF 52 PA CODE §1.54 (RELATING TO SERVICE BY A PARTICIPANT).

Service List:

For Complainant:

*Mr. Anthony Cristiano*  
2417 S. 17<sup>th</sup> Street  
Philadelphia, PA 19145

Dated: June 25, 2007



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

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JUN 25 2007

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU