

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Bruce K. Baynes, Jr.,
v.
Philadelphia Gas Works

Docket No.: C-2006959

Further Hearing

Pages 1 - 7

Philadelphia State Office
Building
1400 Spring Garden Street
13th Floor
Philadelphia, PA 19130

ORIGINAL

Monday, May 7, 2007
Commencing at 10:05 a.m.

BEFORE:

HERBERT SMOLEN, Administrative Law Judge

APPEARANCES:

LAURETO FARINAS, Esquire
Philadelphia Gas Works
800 West Montgomery Avenue
Philadelphia, PA 19122
For the Respondent

RECEIVED

MAY 10 2007

DOCUMENT
FOLDER

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

REPORTER: CAROL LYNN HARRIMAN

DOCKETED
MAY 14 2007

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WITNESS

DIRECT

CROSS

REDIRECT

RECROSS

None

P R O C E E D I N G S

JUDGE HERBERT SMOLEN:

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4 This is the matter of Bruce K. Baynes,
5 Jr. versus Philadelphia Gas Works, docket C-20066959.
6 My name is Herbert Smolen, Administrative Law Judge,
7 assigned by the Commission to hear the evidence in
8 this case and to render an initial decision in writing
9 in due course. Let the record show that an appearance
10 has been entered on behalf of the Respondent,
11 Philadelphia Gas Works, by Laureto Farinas, Esquire,
12 who has with him one witness. Let the record also
13 show that no appearance has been entered, as yet, on
14 behalf of the Complainant. The record should also
15 show that under date of March 21, 2007, a hearing
16 notice was sent to the parties setting today, Monday,
17 May 7, 2007 at ten o'clock a.m., as the date and time
18 for the hearing.

19 The record should also show that a prior
20 hearing was scheduled for February 14, 2007, but that
21 hearing was cancelled due to inclement weather
22 conditions and was rescheduled for today, May 7, 2007.
23 In accordance with our customary practice, I'm going
24 to declare a brief recess to afford the Complainant
25 some additional time to arrive at the hearing room or

1 to otherwise communicate with the Office of
2 Administrative Law Judge. So let's stand in brief
3 recess.

4 BRIEF RECESS

5 JUDGE SMOLEN:

6 Let the record show that it's now
7 approximately 10:22, and as yet, no appearance, either
8 in person or by Counsel, has been made on behalf of
9 the Complainant. Let the record show that the
10 Complainant has not communicated with the Office of
11 Administrative Law Judge to explain his absence.
12 Having placed the forgoing on the record, I'll ask Mr.
13 Farinas if he wants to put anything on the record or
14 has any comments.

15 ATTORNEY FARINAS:

16 Yes, Your Honor. At this point, PGW
17 moves that this matter be dismissed with prejudice for
18 lack of prosecution.

19 JUDGE SMOLEN:

20 I will take your motion under advisement
21 and I will deal with it in the initial decision.
22 Anything further?

23 ATTORNEY FARINAS:

24 Nothing further.

25 JUDGE SMOLEN:

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The hearing is adjourned. Thanks very
much for appearing.

* * * * *

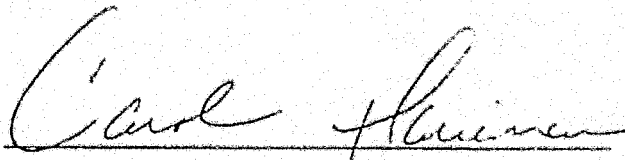
HEARING CONCLUDED AT 10:25 A.M.

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C E R T I F I C A T E

I hereby certify, as the
stenographic reporter, that the foregoing
proceedings were taken stenographically by
me, and thereafter reduced to typewriting
by me or under my direction; and that this
transcript is a true and accurate record
to the best of my ability.



Court Reporter

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