

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

ORIGINAL

Janette Lee Curry v. Philadelphia Gas Works :F-01994525
Billing Dispute/Requests Payment Arrangements:
Initial Hearing. Call of the Docket. :

Pages 1 through 11

Hearing Room One
State Office Building
Philadelphia, Pennsylvania

**DOCUMENT
FOLDER**

Tuesday, February 6, 2007

Met, pursuant to notice, at 2:45 p.m.

BEFORE:

Charles E. Rainey, Jr., Administrative Law Judge

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J.M.

APPEARANCES:

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WITNESS INDEX

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EXHIBITS

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P R O C E E D I N G S

ADMINISTRATIVE LAW JUDGE CHARLES E. RAINEY, JR.:

1 Good afternoon. My name is Charles Rainey, and I am the
2 Administrative Law Judge who has been assigned to this case.
3 This is the case of Janette Lee Curry versus Philadelphia Gas
4 Works at Docket F-01994525. I note the appearance of Janette
5 Lee Curry, who is appearing pro se or in her own behalf, and
6 also the appearance of Lauzeto Farinas, Esquire on behalf of
7 Philadelphia Gas Works.
8
9

10 It's my understanding, Mr. Farinas, that there has
11 been a partial settlement reached in this case and that there is
12 at least one outstanding issue. Why don't you provide further
13 clarification for the record.

14 MR. FARINAS: Thank you, Your Honor. After a
15 lengthy discussion with the Complainant, Ms. Curry, the parties
16 have agreed to the following: First, let me say that this
17 dispute encompasses gas service at three addresses, 5906 Old
18 York Road, 5908 Old York Road, and 301 East Walnut Lane, third
19 Floor.

20 JUDGE RAINEY: What was the second one?

21 MR. FARINAS: 5908 Old York Road.

22 JUDGE RAINEY: Go ahead.

23 MR. FARINAS: As to the gas service for 5908 Old
24 York Road the parties agree as to the balance, \$4,521. Ms. Curry
25 has agreed to pay, enter into a payment arrangement consisting

1 of the payment of the current bill plus \$251 for 14 months.

2 As to 301 East Walnut Lane the balance is
3 currently listed as \$553.29. In our discussion it was
4 understood that of that amount \$292.45 was transferred from
5 5908 Old York Road at some time in the past. PGW has agreed to
6 transfer that amount back and however, report to Ms. Curry on
7 the origin of that transfer. With that transfer of \$292.45 the
8 balance for 301 Walnut Lane is \$257.85. PGW has agreed to
9 credit the amount of \$100, leaving a remaining balance of
10 \$157.81. Ms. Curry, the Complainant, has agreed to pay this
11 amount with her next bill.

12 As to the property, 5906 Old York Road, PGW due to
13 a meter change at some time in the past--

14 JUDGE RAINEY: Are you referring to 5906 or 5908
15 now?

16 MR. FARINAS: 5906--

17 JUDGE RAINEY: Okay.

18 MR. FARINAS: --Old York Road. The first
19 property of which I spoke was 5908.

20 JUDGE RAINEY: The first property you spoke of
21 where you had the outstanding balance of \$4,521, you're stating
22 that was in reference to 5908?

23 MR. FARINAS: 5908, Yes, Your Honor. As there was
24 a change in meter in the past the amount of gas usage at the
25 property is unknown due to the fact that the configuration of

1 the meters at the service address at both the Old York Road
2 addresses are unknown.

3 But with particular urgency, 5906, PGW has
4 requested that Complainant give access to do a rate survey,
5 that is to assess the unit, apartment unit, the nature of the
6 apartment unit, and to do a trace meter search at the property
7 to determine what meters serve what appliances in order to
8 ascertain what is the actual amount of gas usage that should be
9 attributed to the Complainant at that address.

10 That is the final issue, as to what the actual
11 bill for that address, is still unknown. PGW has agreed to turn
12 on service at that address so the tenants will have gas service.
13 But as to the actual amount of the bill, it's still unknown and
14 can't be known until we do an inspection of the meter at the
15 property.

16 JUDGE RAINEY: When does PGW intend to do the
17 investigation?

18 MR. FARINAS: We have agreed to exchange
19 information in order to set up the appointment, but our
20 preference would be sooner rather than later. I'm hearing to
21 have access to do the inspection within the next week if it's
22 agreeable to you to do so, we can do that.

23 JUDGE RAINEY: Is this Ms. Curry?

24 MS. CURRY: Yes.

25 JUDGE RAINEY: Go ahead.

1 MS. CURRY: It would have to be done before the
2 end of this week or after the 18th, because I will be on a
3 seminar from the 10th to the 18th.

4 JUDGE RAINEY: Why don't we go off the record.
5 (Whereupon, a discussion was held off the record.)

6 JUDGE RAINEY: Let's go back on the record. There
7 was some discussion with regard to scheduling an investigation
8 in regards to the property at 5906 Old York Road. Is that the
9 correct address, Mr. Farinas?

10 MR. FARINAS: Yes.

11 JUDGE RAINEY: It's my understanding the parties
12 did have some discussion off the record. Was there an agreement
13 Mr. Farinas, with regards to when the investigation would be
14 done?

15 MR. FARINAS: Yes, Your Honor, there was
16 a discussion, but we were talking about particular dates.

17 JUDGE RAINEY: You did not arrive at a date?

18 MS. CURRY: No.

19 MS. CROMLEY: If I can't get it done by this week,
20 you will be back the 18th, that's my understanding, then I could
21 have someone call you on the 19th.

22 JUDGE RAINEY: Why don't you identify yourself.
23 You have not been sworn in. I won't swear you in. Just
24 identify yourself.

25 MS. CROMLEY: Ann Marie Cromley, C-R-O-M-L-E-Y.

1 I am a Senior Customer Review Unit Officer at Philadelphia Gas
2 Works.

3 JUDGE RAINEY: This is what I am inclined to do
4 with regard to this matter. Mr. Farinas, I will ask you to put
5 in writing everything that has been agreed to, and I will also
6 ask you to put in writing the outstanding issue in this case,
7 and what remains to be done in this case.

8 MR. FARINAS: Yes, Your Honor.

9 JUDGE RAINEY: I will then ask the Office of
10 Administrative Law Judge Scheduling Unit to reschedule or to
11 schedule a further hearing in this case, and the further hearing
12 will be scheduled for no sooner than 30 days from today, which
13 I would assume would give the parties enough time to have the
14 investigation completed. Is that correct, Mr. Farinas?

15 MR. FARINAS: Yes, Your Honor, that would be
16 enough time.

17 JUDGE RAINEY: Ms. Curry, that would be enough
18 time to make arrangements to give the company access?

19 MS. CURRY: Yes.

20 JUDGE RAINEY: So, that is what we will do,
21 Mr. Farinas. I'm going to ask you to put the information that
22 I asked for in writing within five days from today, and that
23 document may subsequently be used as an exhibit in this case.
24 So please make the document as clear as possible.

25 MR. FARINAS: Yes, sir.

1 MS. CURRY: Your Honor, will I be made privy to
2 that?

3 JUDGE RAINEY: Yes, we will all receive a copy of
4 that document.

5 MS. CURRY: Thank you.

6 JUDGE RAINEY: Of course, also in the further
7 hearing that we have the parties will be prepared to respond to
8 the results of the investigation. So that Mr. Farinas, I would
9 ask also that subsequent to the investigation that it be placed
10 in writing, the results of the investigation, and that that be
11 provided to myself, as well as to Ms. Curry prior to the next
12 hearing.

13 MR. FARINAS: Yes, Your Honor.

14 JUDGE RAINEY: Then, Ms. Curry, you will be
15 expected to be prepared to respond to the results of that
16 investigation which will appear in writing at the next hearing.

17 MS. CURRY: Thank you.

18 JUDGE RAINEY: Now to the extent that the parties
19 after the investigation is completed are satisfied with the
20 results and are in agreement with regard to the results, or are
21 able to work something out with regard to the remaining issue,
22 then the parties are to so notify -- Mr. Farinas, you are to so
23 notify me in writing that the matter, outstanding matter, has
24 been resolved. And if there is no need for a further hearing,
25 then it will be so noted.

1 So that if the parties are able to resolve the one
2 remaining outstanding issue, then there would be no need for us
3 to come back and have the further hearing. But you will be
4 receiving notice of that further hearing, and that further
5 hearing can be cancelled in the event the parties do settle one
6 outstanding issue.

7 Is there anything else we need to take up this
8 afternoon, Mr. Farinas?

9 MR. FARINAS: No, Your Honor.

10 JUDGE RAINEY: Ms. Curry?

11 MS. CURRY: No.

12 JUDGE RAINEY: I would like to thank the parties.
13 If there is nothing further, then this hearing is adjourned.

14 MR. FARINAS: Thank you.

15 MS. CURRY: Thank you.

16 (Whereupon, at 3:00 p.m. the hearing was
17 adjourned.)

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C E R T I F I C A T E

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