

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Alfreda Willis

v.

Philadelphia Gas Works

DOCKETED
SEP 26 2007

C-20077775

PREHEARING ORDER

DOCUMENT
FOLDER

On June 21, 2007, I was assigned as the presiding officer in this case. The purpose of this order is to bring to the attention of the parties certain procedural rules that apply to the participants in this proceeding. This case is scheduled to be heard in an available hearing room on the 13th floor of the Philadelphia State Office Building on Tuesday, October 16, 2007, at 10:00 a.m.

On May 7, 2007, Alfreda Willis ("Willis" or "Complainant") filed a complaint with the Pennsylvania Public Utility Commission ("Commission") against the Philadelphia Gas Works ("PGW" or "Respondent") alleging, among other things, the following: that she moved into 6060 Beechwood Street on March 1, 2006; that the Respondent is holding her responsible for theft of service that occurred when she was living at another address; that she filed an informal complaint with the Commission in September 2006; that the BCS investigator did not accept the proof she provided about her prior address; that the Complainant received mail at her mother's address prior to March 2006; that her mother died in May 2003; that her mother's husband, Charles Scott, had the account put in his name and he is responsible for the theft of gas; that Mr. Scott lived at the property until the beginning of 2006; that the gas service is not on; and that she needs gas service because of her medical conditions. The Complainant wants to have the gas service restored. In addition, she wants to be put on the budget plan.

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On June 13, 2007, the Respondent, through its counsel, filed an Answer. In its Answer, the Respondent admitted that the Complainant's gas service is not on. The Respondent denied that it is charging the Complainant for gas related to theft/unauthorized gas usage at 6060 N. Beechwood Street prior to 2006. The Respondent denied that the Complainant lived at another location during the time in question. The Respondent stated that gas was established by L. Willis in January 1980. On June 14, 1999 the name on the account was changed to Lula Willis Scott. On April 14, 2003, Charles Scott visited the Respondent to have service turned on in his name. On April 27, 2004, the service was placed in Mr. Scott's name and Mr. Scott assumed liability for Mrs. Scott's outstanding balance. The Respondent averred that the service was terminated on July 5, 2005, due to non-payment. The Respondent's records indicate that the account balance was \$2,991.36 in July 2005. The Respondent averred that when it found a tampered meter bypass on August 23, 2005, it removed the meter and charged Mr. Scott. An informal complaint was filed with the Bureau of Consumer Services. In August 2006 when the Respondent found that the service was on it charged Mr. Scott and the Complainant.

The Complainant has the burden of proving that the allegations in the complaint are true. Section 332(a) of the Public Utility Code, 66 Pa. C.S. § 332(a). The Complainant must provide evidence to support her allegation that she was not living at 6060 Beechwood Street during the relevant periods.

It should be noted that the Commission cannot determine that Mr. Scott is responsible for a portion of the bill that the Complainant has received unless Mr. Scott is notified that he can participate in this matter and present evidence on his behalf.

The Pennsylvania Legislature has recently enacted the Responsible Utility Customer Protection Act. 66 Pa. C.S. § 1401 *et seq.* This law provides strict guidelines regarding how the Commission must handle customer complaints. The application of this law may result in the issuance of a less favorable payment arrangement than a customer's current payment arrangement.

The Respondent must submit the applicable account statement, which includes monthly meter readings, usage, billed amounts, payments and balances and the applicable BCS decision(s).

If you wish to offer documents into evidence during the hearing (i.e. letters, bills, canceled checks, receipts, account statements, etc.), please bring a copy for the presiding officer, two (2) copies for the Court Reporter and a copy for each party of record. Please keep a copy for yourself. 52 Pa. Code § 5.409.

If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa. Code § 5.421. You must submit your written application to me sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days' notice to answer or object, and so that you will have enough time to receive the subpoena and serve it. The written subpoena application must be submitted to the presiding officer, the Secretary of the Commission, opposing counsel and the person to be subpoenaed. 52 Pa. Code § 5.421 (a, b).

The Commission's regulations regarding discovery are in 52 Pa. Code § 5.321.

Pursuant to 52 Pa. Code § 1.15(b), requests for postponements or continuance of hearings must be submitted in writing no later than five (5) days prior to the hearing. Requests for postponement or continuance of hearings are to be sent to the presiding officer with copies to the Scheduling Office and the other party of record. The address for the Scheduling Office is P.O. Box 3265, Harrisburg, Pennsylvania 17105-3265.

All witnesses should be prepared to testify during the October 16, 2007 hearing.

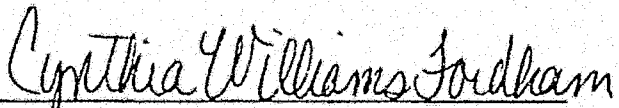
ORDER

THEREFORE,

IT IS ORDERED:

That the parties shall comply with the procedural rules and regulations discussed herein.

Date: September 19, 2007


Cynthia Williams Fordham
Cynthia Williams Fordham
Administrative Law Judge

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	C-20077775		YES	NO
Case Name:	Alfreda Willis v. Philadelphia Gas Works	Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Hearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Testimony Taken:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Transcript Due:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location:	Philadelphia, PA	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date:	October 16, 2007	Estimated Add'l Days:		
ALJ:	Cynthia W. Fordham	RECORD CLOSED:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Precision Reporting	DATE:	10/16/07	
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:	Settlement reached; certificate of satisfaction to be filed.	

DOCUMENT FOLDER

RECEIVED

OCT 17 2007

PA PUBLIC DEFENDER'S OFFICE
SECRETARY'S BUREAU

PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?
Laureto Farinas, Esq. 215-684-6982	800 W. Montgomery Avenue Philadelphia, PA 19122 laureto.farinas@pqworks.com	PHILADELPHIA GAS WORKS FAX # 215-684-6798
Telephone:	E-mail Address:	Fax Number:
Alfreda Willis 6040 Beechwood St. Phila., Pa. 19138	6040 Beechwood St. Phila. Pa 19138	self
Telephone: 215-290-8257	E-mail Address:	Fax Number:
	City State Zip	
Telephone:	E-mail Address:	Fax Number:

Check this box if additional parties or attendees appear on back of form.

Nancy Buttol
Reporter's Signature

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.

Philadelphia Gas Works



ORIGINAL

800 West Montgomery Avenue, Philadelphia, PA 19122
Laureto A. Farinas, Senior Attorney
Legal Department
Direct Dial 215-684-6982
FAX 215-684-6798
E-mail: laureto.farinas@pgworks.com

October 17, 2007

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

RE: Alfreda Willis v. PGW, Docket No. C - 20077775

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.24(b), the Philadelphia Gas Works (PGW) certifies that the above referenced Complaint has been satisfied. PGW and the Complainant have discussed the issues raised in the complaint and reached a settlement. With this discussion and settlement, the Complainant has indicated that she is satisfied with the resolution of this complaint. Therefore, Commission action is no longer necessary in this matter.

By copy of this letter, I am notifying the Complainant of her right to object to any part of this settlement, in writing to the Public Utility Commission within ten (10) days of the date of this letter.

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

Sincerely,

Laureto Farinas

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OCT 18 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE 411

cc: Alfreda Willis (Regular Mail)
Administrative Law Judge Cynthia W. Fordham (via FAX)
Stacy Nolan, Hearing Scheduler (via FAX)
Linda Pereira (PGW Mail)
Anne Marie Cromley (PGW Mail)

DOCKETED
OCT 22 2007

30A

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: October 19, 2007
SUBJECT: C-20077775
Alfreda Willis v. Philadelphia Gas Works
TO: Wanda Zeiders
Docket Management
FROM: Ona Lester, ALJ Support Staff
Office of Administrative Law Judge

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On October 18, 2007, a Certificate of Satisfaction was filed in the above-captioned proceeding. If no objection is filed to this certificate within 10 days of the filing, this proceeding will be closed.

All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

Attachment

pc: ALJ Cynthia W. Fordham
Beth Plantz
Case File

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OCT 26 2007

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

IN REPLY PLEASE
REFER TO OUR FILE

November 7, 2007

C-20077775

ALFREDA WILLIS
6060 NORTH BEECHWOOD STREET
PHILADELPHIA PA 19138

ALFREDA WILLIS
v.
PHILADELPHIA GAS WORKS

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TO WHOM IT MAY CONCERN:

Please be advised that the Commission has marked closed the above-entitled proceeding.

Very truly yours,

James J. McNulty
Secretary

cc: All parties of Record

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BA