

ESTELLA WINGATE : DOCKET NO. C-20077583  
vs. :  
PHILADELPHIA GAS WORKS, :  
Hearing  
Pages 1 through 32

State Office Building  
1400 Spring Garden Street  
Philadelphia, Pennsylvania 19130  
Friday, September 7, 2007  
Commencing at 10:55 a.m.

DOCUMENT  
FOLDER

Angela T. Jones, Administrative Law Judge

APPEARANCES:

LAURETO A. FARINAS, ESQUIRE  
800 West Montgomery Avenue  
Philadelphia, Pennsylvania 19122  
Estella Wingate  
Tyra Jackson

**DOCKETED**  
OCT 25 2007

\* \* \*

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\* \* \*

WITNESS: Estella Wingate

QUESTIONED BY:

PAGE

Judge Jones

4

E X H I B I T S

\* \* \*

NUMBER

DESCRIPTION

MK'D.

(None marked.)

\* \* \*

PROCEEDING

\* \* \*

JUDGE JONES: This is the time and place for the matter of Estella Wingate versus Philadelphia Gas Works at Docket Number C-20077583. I am Administrative Law Judge Angela T. Jones appointed by the Commission to preside over this matter. I note the appearance of Mr. Laureto Farinas, Esquire, representing Philadelphia Gas Works and Estella Wingate representing herself. I note that the parties were in extensive talks to try to come to an accord on this matter and I am told that there was no settlement reached, that that productivity was unsuccessful. Is that correct?

MR. FARINAS: That's correct, your Honor.

MS. WINGATE: That's correct.

JUDGE JONES: I note that the parties continuing to be in dispute I

1 will hear this matter. I would like to  
2 note for the record that, Miss Wingate,  
3 if at any point in this proceeding you  
4 should feel it may be more productive  
5 for you to go back into settlement  
6 negotiations you need to alert me to  
7 that.

8 MS. WINGATE: I will, your Honor.  
9 Okay.

10 JUDGE JONES: Miss Wingate, as this  
11 is your case, I believe there was a  
12 chair there. I need for you to sit in  
13 the witness chair. Please bring all  
14 your materials with you.

15 \* \* \*

16 ESTELLA WINGATE,  
17 after having been first duly sworn, was  
18 examined and testified as follows:

19 \* \* \*

20 JUDGE JONES: Please state your  
21 full name, spelling your last name for  
22 the record.

23 MS. WINGATE: Estella Wingate.  
24 W-I-N-G-A-T-E.

1 JUDGE JONES: Do you own or reside  
2 at 204 South 60th Street?

3 MS. WINGATE: I own 204 South 60th  
4 Street.

5 JUDGE JONES: Do you own or reside  
6 at 211 South 60th Street?

7 MS. WINGATE: I own 211, your  
8 Honor.

9 JUDGE JONES: So you are the  
10 landlord for both of those properties.

11 MS. WINGATE: Yes, I am, your  
12 Honor.

13 JUDGE JONES: And they're both in  
14 Philadelphia, Pennsylvania?

15 MS. WINGATE: Yes, your Honor.

16 JUDGE JONES: Does PGW provide gas  
17 services to those properties?

18 MS. WINGATE: Yes, they do, your  
19 Honor.

20 JUDGE JONES: I have read your  
21 complaint, ma'am. It appears that you  
22 are disputing bills in reference to  
23 both 204 and 211?

24 MS. WINGATE: Yes, your Honor.

1 JUDGE JONES: The discrepancy  
2 began, as far as you're concerned, in  
3 August of 2006; is that correct?

4 MS. WINGATE: Yes, your Honor.

5 JUDGE JONES: Okay. I am willing  
6 to hear your complaint now, ma'am.

7 MS. WINGATE: Your Honor, for 204  
8 I'll start with, I have been back and  
9 forth to the gas company in  
10 Philadelphia in regard to these bills,  
11 and as I stated a few minutes ago to  
12 Miss Jackson, I said I went to 52nd  
13 Street, Chestnut Street Gas Company,  
14 because it was a procedure I had to go  
15 to before I got here. And the  
16 discrepancy was, from Mrs. Bates, one  
17 of the representatives there, she  
18 pulled my account up and said, "Miss  
19 Wingate, you're putting the checks in  
20 one bill." And which I realized then  
21 that's what I was doing. I would take  
22 all three gas bills, put them in one  
23 envelope and make out one check payable  
24 to the gas company, not understanding

1 at that time that it goes through  
2 electronics, and she said whatever  
3 number is picked up on that gas bill at  
4 that time, that's where that money  
5 would be credited to. Because it was  
6 also some checks that were sent and the  
7 number and the date to the gas company  
8 was not accredited to 204. And when  
9 Mr. Leroy, Raymond Leroy, came out to  
10 the property of 204, he came out and I  
11 made --

12 JUDGE JONES: Who is Mr. Leroy?

13 MS. WINGATE: He was one of the  
14 collectors, meter cutoff.

15 MR. FARINAS: He's a representative  
16 of PGW.

17 MS. WINGATE: Yes, of the gas  
18 company. I have his ID number and  
19 everything here. When he came out he  
20 said to me the bill is \$3,000 and I --

21 JUDGE JONES: When did Mr. Leroy  
22 come to your property, 204 South 60th  
23 Street?

24 MS. WINGATE: He was at my property

1 2-26-05.

2 JUDGE JONES: Okay. For what  
3 reason was he there?

4 MS. WINGATE: To cut off the gas.

5 JUDGE JONES: So he was there to  
6 terminate --

7 MS. WINGATE: Discontinue the  
8 services.

9 JUDGE JONES: That was in 1-26-05.

10 MS. WINGATE: Yes.

11 JUDGE JONES: Okay. Proceed.

12 MS. WINGATE: At which time he  
13 stated to me -- we were still disputing  
14 this bill, but Mr. Leroy stated to me  
15 if I didn't pay \$3,004.59 that the gas  
16 would be discontinued. So he told me  
17 if I had some discrepancy in regard to  
18 this bill to come down here to Spring  
19 Garden Street, which I did. 10-5-06 I  
20 came down, I spoke to Mr. Derrick  
21 Thomas, who gave me a direct line to  
22 Harrisburg.

23 JUDGE JONES: Just a moment. You  
24 represented that there was a

1 disconnection or an employee of PGW at  
2 2004 South 60th Street to disconnect.

3 MS. WINGATE: That's 2005, your  
4 Honor.

5 JUDGE JONES: Oh, I'm sorry. 204.  
6 The address is 204 South 60th Street.

7 MS. WINGATE: Yes.

8 JUDGE JONES: On January 26, 2005,  
9 and that there was an excess of \$3,000  
10 due to have the service connected?

11 MS. WINGATE: No. To have the  
12 service to continue if I didn't pay  
13 this month.

14 JUDGE JONES: Then you state in  
15 October of 2005 you came to Spring  
16 Garden and spoke to someone.

17 MS. WINGATE: Right. Derrick  
18 Thomas.

19 JUDGE JONES: I am wondering what  
20 happened in the interim between  
21 January 2005 and October 2005. Was the  
22 service disconnected?

23 MS. WINGATE: No, your Honor.

24 JUDGE JONES: So there was no

1 disconnection in January of 2005.

2 MS. WINGATE: No.

3 JUDGE JONES: So you received  
4 service, you continued to receive  
5 service.

6 MS. WINGATE: Yes, I did.

7 JUDGE JONES: I need to know that.  
8 Okay. You continued to receive  
9 service. Then in October of 2005 you  
10 pursued a complaint with the PUC versus  
11 PGW?

12 MS. WINGATE: Yes.

13 JUDGE JONES: In reference to your  
14 gas service at 204 South 60th Street.  
15 All right. Now we are on the same  
16 page. You can't leave things out,  
17 because I can't assume things.

18 MS. WINGATE: I'm sorry. They  
19 hadn't taken this bill off my previous  
20 gas bill.

21 JUDGE JONES: What bill, the 3,000?

22 MS. WINGATE: Yes, \$3,004.59 was  
23 not taken from the bill. I continued  
24 to get this on the balance gas bill.

1 JUDGE JONES: Why do you think it  
2 should be removed?

3 MS. WINGATE: Because I paid the  
4 check for the amount of \$3,004.

5 JUDGE JONES: When were you going  
6 to tell me?

7 MS. WINGATE: I paid that check  
8 1-26-05 to Raymond Leroy, who was a  
9 collector from the gas company.

10 JUDGE JONES: Do you have a copy of  
11 that check?

12 MS. WINGATE: Yes. It's also one  
13 in your package there.

14 JUDGE JONES: Then you need to  
15 refer to it. Do you have a copy for  
16 Mr. Farinas?

17 MS. WINGATE: I believe I sent it  
18 to you.

19 JUDGE JONES: We are going to mark  
20 this Wingate Exhibit 1. For the  
21 record, the Complainant has handed me  
22 an exhibit which we have identified as  
23 Wingate Exhibit Number 1. The Exhibit  
24 consists of two pages. The first page

1 is a copy of a check dated 1-26-2005 to  
2 PGW. The second page is what is  
3 probably the back of the check, that  
4 has Fleet and other printings on the  
5 back, dated 1-27-2005 and 1-28-2005.  
6 The Exhibit is marked for  
7 identification purposes only. You may  
8 proceed.

9 MS. WINGATE: At which time I spoke  
10 with Mr. Derrick Thomas here at the  
11 PUC.

12 JUDGE JONES: Now we are back to  
13 October 5th.

14 MS. WINGATE: October 5th. And he  
15 gave me a direct line to Harrisburg. I  
16 spoke to a Jerry. I asked him for his  
17 last name at the time in regards to PGW  
18 and he said just say I'm Jerry.  
19 Nevertheless, he said to me, "Looking  
20 at your bill" -- he quoted to me --  
21 "Looking at your bills, Miss Wingate,  
22 looked like you pretty well kept up  
23 with your bills." I said this wasn't  
24 credited to my account, 3,004, before

1 they sent me another bill, and when  
2 they sent another bill out to me this  
3 came back with the bill. In other  
4 words, it increased my bill, saying I  
5 owe 6,000 and something to that effect.  
6 From there they told me I have to file  
7 a complaint, because he said he  
8 couldn't do anything else about it from  
9 on the phone from Harrisburg.

10 JUDGE JONES: Let me understand  
11 your testimony. On February 2006 you  
12 presented a check to the PGW employee  
13 that came to 204 South 60th Street to  
14 disconnect your service.

15 MS. WINGATE: Yes, your Honor.

16 JUDGE JONES: So the check was not  
17 mailed. It was presented to this  
18 individual, correct?

19 MS. WINGATE: Yes, your Honor.

20 JUDGE JONES: Then in October of  
21 2005 you were disputing the fact that  
22 the 3,000 -- in excess of \$3,000 was  
23 still on the bill for the property at  
24 204 South 60th Street?

1 MS. WINGATE: Yes, your Honor.  
2 Here you go (indicating).

3 JUDGE JONES: This is the  
4 collector's name, number and telephone,  
5 and that was the copy of the check we  
6 are disputing now. You need to make  
7 sure Mr. Farinas has a copy.

8 Let the record reflect that I have  
9 what is entitled at the top PGW  
10 Commercial Post Termination Notice and  
11 approximately a third of the way down a  
12 copy of -- it looks like a receipt from  
13 PGW Number 346554. We'll mark this as  
14 Wingate Exhibit Number 2. Let the  
15 record also reflect that I have what  
16 will be identified as Wingate Exhibit  
17 Number 3, which is a PGW Gas Works  
18 bill, monthly statement, from 1-7-2005  
19 through 2-7-2005.

20 Miss Wingate, let me say this  
21 document is two pages. The second page  
22 is what we have already identified as  
23 Wingate Exhibit Number 1, so we'll not  
24 be including the second page.

1 MS. WINGATE: Okay. I just wanted  
2 you to have his name and ID.

3 JUDGE JONES: As far as the first  
4 page, the writings that are below what  
5 says Questions Or Complaints About Your  
6 Bill, I cannot authenticate those  
7 writings. I do not know when they were  
8 written, I do not know the truth of the  
9 writings, so I cannot -- because I  
10 cannot authenticate them I cannot  
11 accept them as evidence. I can accept  
12 everything above that fine print except  
13 for the writings that are on there. Do  
14 you understand that?

15 MS. WINGATE: I understand, your  
16 Honor. But I just documented stuff  
17 down. But everything on there, your  
18 Honor, it's true. Because it was the  
19 day they were out I was just  
20 documenting numbers and the dates and  
21 names and everything on those papers.  
22 I can understand what you say. I just  
23 didn't take that and put it on at the  
24 last minute. I put that on the date

1 they were there with me.

2 JUDGE JONES: Mr. Farinas, are you  
3 objecting to the writings on what's  
4 marked as Exhibit Number 3?

5 MR. FARINAS: Judge, yes. The  
6 information contained on them is the  
7 bill. PGW can corroborate the billing  
8 with our own exhibits. I don't see any  
9 probative value. These are just  
10 scribblings. And if your Honor won't  
11 pay attention to them I won't object to  
12 either.

13 JUDGE JONES: Miss Wingate, I just  
14 want to make sure you understand me. I  
15 don't know when you wrote these things.  
16 I cannot authenticate when you wrote  
17 these things. And I have to make sure  
18 what I have in front of me are things  
19 that are authenticated and valid. I  
20 have no problem with the actual bill,  
21 but your writings I do have a problem.  
22 So what I am taking into evidence is  
23 the actual bill. That has been  
24 identified as Wingate Exhibit Number 3.

1 You may continue, Miss Wingate.

2 MS. WINGATE: I requested a  
3 printout of my gas bill from 204. Did  
4 I give you a copy of that, your Honor?

5 JUDGE JONES: Gas bill?

6 MS. WINGATE: A printout from the  
7 gas company for 204.

8 JUDGE JONES: I believe PGW is  
9 presenting something similar to this.

10 MR. FARINAS: I will be presenting  
11 PGW Exhibit 1 as all the information  
12 from 204.

13 JUDGE JONES: Let the record  
14 reflect that Miss Wingate has provided  
15 an Exhibit at the top states bills from  
16 1 1-2004 to 10-26-2004 for a customer  
17 address 204 South 60th Street, Second  
18 Floor, Philadelphia, Pennsylvania.  
19 We'll identify this as Wingate Exhibit  
20 Number 4. Again, Miss Wingate, I have  
21 no problem with the actual document,  
22 but your writings on the document I  
23 cannot authenticate.

24 MS. WINGATE: I can understand

1 that, your Honor.

2 JUDGE JONES: So I will be taking  
3 into consideration the document without  
4 the writings.

5 MS. WINGATE: Yes.

6 JUDGE JONES: So you have provided  
7 me exhibits Wingate 1 through 4 and we  
8 are discussing the property at 204  
9 South 60th Street and we are in the  
10 time line at October of 2005.

11 MS. WINGATE: Yes.

12 JUDGE JONES: Let me make sure I  
13 understand something, because I did  
14 notice this discrepancy before even  
15 though I have not admitted these  
16 exhibits into the record. The account  
17 is for Estella Herring, not Estella  
18 Wingate.

19 MS. WINGATE: Yes, your Honor.

20 JUDGE JONES: That is you.

21 MS. WINGATE: Yes, your Honor.

22 That's my maiden name, your Honor.  
23 Like I said, basically that was the  
24 checks I was sending to the gas company

1 at 52nd and Chestnut Street. You'll  
2 notice on the side of some of the  
3 checks you'll see 204, 211, the places  
4 where the one check was mailed. And I  
5 said that discrepancy is cleared up  
6 with me because Miss Bates did explain  
7 that the bills go through electronics  
8 and I was just putting down the address  
9 on the checks, but the bills were paid  
10 on that one check. That's why I would  
11 always put 211, 204 for whichever bill  
12 they were for. I didn't realize they  
13 was being --

14 JUDGE JONES: Okay. Miss Wingate,  
15 I understand that this is not what you  
16 do, but I need to have some order so I  
17 know what you're talking about. You  
18 have provided me a copy of three checks  
19 and the top of a fourth check. First  
20 check is 1097, 2nd check is 1075, the  
21 third check is 1122, and the portion of  
22 the fourth check is 1222. They are all  
23 payable to PGW. The dates are March  
24 1st, 2003, April 26th, 2004, June 6th,

1                   2003, and the portion of the check is  
2                   July 25th, 2003. My question is, is  
3                   this the document that you want me to  
4                   look at?

5                   MS. WINGATE: All of them, your  
6                   Honor.

7                   JUDGE JONES: My question is, why  
8                   do you want me to look at this document  
9                   when you're saying the discrepancy  
10                  occurred for January 2005?

11                  MS. WINGATE: Because the gas  
12                  company was stating that I was behind  
13                  and this was why the gas bill for 204  
14                  came to 3,004. But I was giving you  
15                  this to show you that they were paid.  
16                  And as I stated, I went to 52nd Street  
17                  and Miss Bates explained to me I  
18                  couldn't just put the addresses on the  
19                  checks, I had to put the account  
20                  numbers.

21                  JUDGE JONES: So you're providing  
22                  me as support of your testimony that  
23                  you are paying one check for both  
24                  properties?

1 MS. WINGATE: Yes.

2 JUDGE JONES: As early as March  
3 1st, 2003.

4 MS. WINGATE: Yes, your Honor.

5 JUDGE JONES: All right. We'll  
6 mark what I have previously described  
7 as Wingate Exhibit Number 5, that  
8 consists of three checks as well as a  
9 portion of a fourth check, as I have  
10 previously described, consisting of  
11 let's make it two pages. The second  
12 page will be a check by itself, check  
13 number 2082, dated September 20th,  
14 2003, made out to PGW in the amount of  
15 \$75.23. So the first page has three  
16 full checks, a portion of a fourth  
17 check and the second page has one  
18 check. That is what is identified as  
19 Wingate Exhibit Number 5.

20 We are off the record.

21 \* \* \*

22 (Whereupon, a brief off-the-record  
23 discussion was held.)

24 \* \* \*

1 JUDGE JONES: We had an  
2 off-the-record discussion with Miss  
3 Wingate and Counsel for PGW present.  
4 And Miss Wingate admitted there is no  
5 dispute with the bills that were  
6 credited, her payments that were a  
7 credit for the address 204 South 60th  
8 Street in 2003 and in 2004. Miss  
9 Wingate also has stated off the record,  
10 which is why we are putting it on the  
11 record, that she was fully accredited  
12 in excess of a \$3,000 payment in  
13 January of 2005. That is not disputed  
14 in this proceeding. However, Miss  
15 Wingate is still disputing that she was  
16 billed for in excess of \$3,000 and  
17 continued to see that on her bill after  
18 the payment in January of 2005 and  
19 brought a dispute in reference to that  
20 in October of 2005.

21 So my question is, you know that  
22 you were accredited for the \$3,000 but  
23 you were still seeing the \$3,000 due on  
24 your bill for 204 60th Street?

1 MS. WINGATE: That's right, your  
2 Honor.

3 JUDGE JONES: All right. You may  
4 proceed with your testimony.

5 MS. WINGATE: I was told to come  
6 and speak with the gentleman here,  
7 which I did speak to Mr. Derrick  
8 Thomas, and he put me through to  
9 Harrisburg, as I stated, and I spoke  
10 with a Jerry and he went over the  
11 copies of my gas bill in regards to the  
12 204. And he said, "I see you've been  
13 kind of faithful paying your gas bill."  
14 He stated to me they could have put  
15 this from anybody's gas bill and put  
16 it --

17 MR. FARINAS: Your Honor, I object  
18 to this. It's hearsay.

19 JUDGE JONES: Miss Wingate,  
20 unfortunately for you, just like I  
21 cannot authenticate the handwriting you  
22 have, I can't authenticate something  
23 that somebody else said. If you want  
24 to have that as evidence you have to

1 bring that person in, they have to be  
2 sworn and they have to say under oath,  
3 "I said" and then the Company has a  
4 chance to cross examine them to make  
5 sure what they said was valid at the  
6 time they said it. Because that person  
7 isn't here the Company does not have  
8 that opportunity. That's why  
9 Mr. Farinas is objecting.

10 MS. WINGATE: Okay, your Honor.  
11 That was the final conclusion of the  
12 discrepancy of the bill and that's when  
13 I filed the complaint and then the  
14 hearing.

15 JUDGE JONES: This complaint that's  
16 before me today.

17 MS. WINGATE: Yes, your Honor.

18 JUDGE JONES: So you are disputing  
19 whether --

20 MS. WINGATE: The present gas bill.

21 JUDGE JONES: 204 South 60th Street  
22 has \$3,000 -- in excess of \$3,000 due  
23 that you've already paid.

24 MS. WINGATE: Well, they added it

1                    onto -- the bill I was told today was  
2                    \$6,000 and I know that's not true.

3                    JUDGE JONES: In reference to the  
4                    property at 204.

5                    MS. WINGATE: 204.

6                    JUDGE JONES: So you're disputing  
7                    the outstanding balance for 204?

8                    MS. WINGATE: Yes, your Honor.

9                    JUDGE JONES: And you're disputing  
10                   whether -- let's go with you're  
11                   disputing the outstanding balance for  
12                   204.

13                   MS. WINGATE: Yes.

14                   JUDGE JONES: Are you finished with  
15                   204?

16                   MS. WINGATE: Yes, I am, your  
17                   Honor.

18                   JUDGE JONES: We have before me  
19                   Wingate Exhibit Number 1, Number 2,  
20                   Number 3, Number 4, Number 5 we decided  
21                   we'll not be considering to admit into  
22                   evidence, and Wingate Number 6, which  
23                   have been identified for the record.  
24                   Is it your desire to have these

1 exhibits admitted into the record, Miss  
2 Wingate?

3 MS. WINGATE: Yes, your Honor.

4 MR. FARINAS: Exhibits 1 through 4,  
5 no objection.

6 JUDGE JONES: That leaves Exhibit  
7 Number 6.

8 MR. FARINAS: Exhibit Number 6 as  
9 well, no objection.

10 JUDGE JONES: Exhibits 1 through 4  
11 and 6 are admitted. Miss Wingate needs  
12 to provide the court reporter with  
13 exhibits 3, 4 and 6. Okay. Miss  
14 Wingate, I'm ready to hear your  
15 complaint in reference to the property  
16 at 211.

17 MS. WINGATE: I hope this will be a  
18 little easier for you.

19 JUDGE JONES: I hope so too.

20 MS. WINGATE: On 6-14-06 Mr. King  
21 from PGW, who came out representing the  
22 meters of being installed in the  
23 buildings, stated to me that he came to  
24 put a new meter in 211 South 60th

1 Street, at which time I stated to  
2 Mr. King, he said he was from the  
3 section where you put the meters, I  
4 don't know what you would address them  
5 as, but he installed the meters.  
6 Mr. King stated, which I have the  
7 information here, you should have the  
8 original copy.

9 JUDGE JONES: I have a copy, not  
10 the original. Let's go off the record.

11 \* \* \*

12 (Whereupon, a brief off-the-record  
13 discussion was held.)

14 \* \* \*

15 JUDGE JONES: We are back on the  
16 record. Let the record reflect that  
17 after consideration of some testimony  
18 regarding 211 South 60th Street Miss  
19 Wingate decided to alert this Court  
20 that she was interested in pursuing  
21 settlement negotiations, so we went off  
22 the record and allowed the parties to  
23 in fact proceed with said negotiations.

24 I am anxiously awaiting the results

1 of those negotiations.

2 MR. FARINAS: Thank you, your  
3 Honor. Miss Wingate has graciously  
4 agreed to settle this matter with PGW.  
5 The terms of the settlement are as  
6 follows: For the service address of  
7 204 South 60th Street, the Christian  
8 Light and Educational Center, the  
9 balance is \$6,580.39. PGW will waive  
10 late payment charges in the amount of  
11 \$736.91, leaving a remaining balance of  
12 \$5,843.48.

13 MS. WINGATE: \$5,004 --

14 JUDGE JONES: Let's get that figure  
15 again.

16 MR. FARINAS: That's \$5,843.48. On  
17 this account Miss Wingate has agreed on  
18 behalf of the Christian Light  
19 Educational Enter to pay her current  
20 bill plus \$487 per month toward arrears  
21 for 12 months. As to the facility at  
22 211 South 60th Street the outstanding  
23 balance is \$1,691.88. PGW will waive  
24 late payment charges in the amount of

1 \$25, leaving a balance of \$1,666.88.  
2 Miss Wingate has agreed to pay the  
3 amount of her current bill plus \$278  
4 per month for six months.

5 JUDGE JONES: That ends?

6 MR. FARINAS: That's the terms of  
7 settlement.

8 JUDGE JONES: Thank you. Miss  
9 Wingate, you have heard Mr. Farinas'  
10 rendition of the summary of what he  
11 purports to be a settlement between  
12 yourself and PGW. Was his summary  
13 accurate?

14 MS. WINGATE: Yes, it was, your  
15 Honor.

16 JUDGE JONES: To the best of your  
17 ability. And do you agree to those  
18 terms?

19 MS. WINGATE: Yes, your Honor.

20 JUDGE JONES: Miss Wingate, I'm not  
21 sure that Mr. Farinas explained to you,  
22 but it is my custom to explain to all  
23 that appear before me the process after  
24 you leave here. Even though you have

1 on the record agreed to this settlement  
2 the process is that you will get it in  
3 writing. And there will be information  
4 with that documentation that will say  
5 to you if you do not agree with what is  
6 presented to you in writing you must  
7 notify the Commission as well as PGW  
8 within 10 days. If you do not do that  
9 the Commission will consider this  
10 matter closed. So we do give you  
11 another attempt, because you may have  
12 thought you heard something that you  
13 did not hear and when it's in writing  
14 there is no room for doubt. So the  
15 process is if we do not hear from you  
16 we will assume that everything is  
17 accurate and correct and you've  
18 continued to agree with what you have  
19 purported to on the record. You  
20 understand that, Miss Wingate?

21 MS. WINGATE: Yes, your Honor.

22 JUDGE JONES: Very well. I am  
23 happy that the parties decided to come  
24 to some type of an agreement. It was

1 my pleasure to work with you to get to  
2 this point. I hope there will be no  
3 other discrepancies in the future.  
4 Thank you. Anything else that the  
5 parties wish to bring before me today?

6 MR. FARINAS: Nothing further, your  
7 Honor.

8 MS. WINGATE: No, your Honor.

9 JUDGE JONES: Thank you. We are  
10 adjourned.

11 \* \* \*

12 (Witness excused.)

13 \* \* \*

14 (Whereupon, the Hearing concluded  
15 at 12:50 p.m.)

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## C E R T I F I C A T I O N

I, Karen A. Stevens, a Court Reporter and Notary Public, do hereby certify the foregoing to be a true and accurate transcript of the proceedings in this matter, as transcribed from the stenographic notes taken by me.

*Karen Stevens*

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Karen A. Stevens  
Court Reporter  
Notary Public

(The foregoing certification of this transcript does not apply to any reproduction of the same by any means, unless under the direct control and/or supervision of the certifying reporter.)