

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Thomas Chan for Fun Yuk Chan

v.

Philadelphia Gas Works

:  
:  
:  
:  
:

C-20077488

DOCUMENT  
FOLDER

PREHEARING ORDER

The Commission has scheduled an initial telephonic hearing in this case for Wednesday, June 13, 2007, at 10:00 a.m. **You must be available when I contact you or I will dismiss your case. If you will be at a telephone number that is different than the number on the hearing notice, you must notify me of that telephone number at least five (5) business days before the hearing.**

The parties shall comply with the following requirements:

1. A request for a change of the scheduled hearing date must state the agreement or opposition of other parties, and must be submitted in writing no later than five (5) business days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes of hearing dates must be sent to me and all parties of record. My address is:

David A. Salapa  
Administrative Law Judge  
P.O. Box 3265  
Harrisburg, Pa. 17105-3265  
Telephone: (717) 783-5452  
Fax: (717) 787-0481

**DOCKETED**  
MAY 14 2007

**Changes are granted only in rare situations where good cause exists.**

2. **Commission policy promotes settlements. 52 Pa. Code §5.231(a). The utility will contact the customer at least one week before the scheduled hearing to discuss possible settlement of this case. Even if the parties are unable to settle this case, they may still**

resolve many questions or issues during their discussions. If the parties reach an agreement, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

3. If a party intends to present any documents or exhibits for my consideration, it must send one copy to the other parties and three (3) copies to me at least five (5) business days before the hearing. A party should properly pre-mark exhibits for identification purposes.

4. Although the hearing is being conducted telephonically for the convenience of the parties, it is still a formal proceeding and I will conduct it in accordance with the Commission's Rules of Practice and Procedure.

5. Pursuant to 52 Pa. Code §§1.21 & 1.22, you may represent yourself if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice* represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, must represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall enter their appearance in accordance with the provisions of 52 Pa. Code §1.24(b).

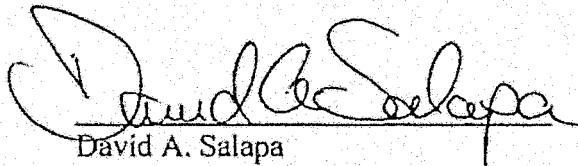
6. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa. Code §5.421. You must submit your written application to me sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days' notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

7. **The Complainant is responsible for payment of current bills pending the resolution of this complaint. Failure to make payments may result in the termination of utility service.**

8. THIS CASE WILL BE DISMISSED IF THE CUSTOMER FAILS TO PARTICIPATE IN THE HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED IN THE COMPLAINT.

9. The Complainant bears the burden of proof and must demonstrate by a preponderance of the evidence that he is entitled to the relief requested in the Complaint.

Date: May 10, 2007

  
David A. Salapa  
Administrative Law Judge

**Philadelphia Gas Works**



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

May 18, 2007

Administrative Law Judge David L. Salapa  
Pennsylvania Public Utility Commission  
Room B-20, North Office Building  
Harrisburg, PA 17105 - 3265

**DOCUMENT  
FOLDER**

RE: Chan Fun Yuk by Thomas Chan v. PGW, C - 20077488

Dear Judge Salapa:

**DOCKETED**  
MAY 22 2007

This is to request that the telephonic hearing in the above captioned matter scheduled for Wednesday, June 13, 2007 at 10:00 a.m., be changed to an in person hearing in at the Philadelphia State office Building.

As this matter involves unauthorized usage and gas theft, PGW is preparing to present the testimony of several witnesses on the analysis of the account financial information, the discovery of the gas usage, and the inspection and testing of the metering apparatus with demonstrative exhibits. The full development of the record in this matter may be best accomplished with direct and cross examination of all witnesses conducted in person rather than by telephone. In my experience, the parties are afforded a better opportunity to present their cases fully and efficiently when such complex issues are explored when all involved are in the same room.

If scheduling at the Philadelphia State Office Building cannot accommodate the June 13, 2007 hearing date, PGW is not opposed to scheduling a later date that accommodates all involved. I have attempted to contact Mr. Chan to obtain his agreement to this request. He has not returned my call.

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

Sincerely,

  
Laureto Farinas

cc: James McNulty, Secretary  
Service List  
Linda Pereira  
Anne Cromley

**RECEIVED**

MAY 18 2007

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

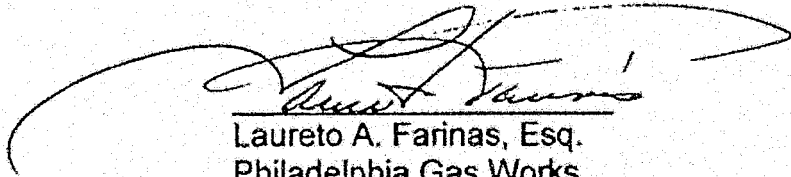
I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY OF THE FOREGOING DOCUMENT UPON THE PARTICIPANTS LISTED BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF 52 PA CODE §1.54 (RELATING TO SERVICE BY A PARTICIPANT).

Service List:

For Complainant:

Mr. Thomas Chan for Fun Yuk Chan  
1413 Apple Blossom Way  
Philadelphia, PA 19111

May 18, 2007



Laureto A. Farinas, Esq.  
Philadelphia Gas Works  
800 W. Montgomery Avenue  
Philadelphia, PA 19122



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
May 22, 2007

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: C-20077488

(SEE LETTER DATED 5/7/07)

Chan Fun Yuk by Thomas Chan v. Philadelphia Gas Works  
Billing dispute.

Hearing Cancellation/Reschedule/Judge Change Notice

This is to inform you that the Initial Telephonic Hearing on the above-captioned case previously scheduled for June 13, 2007 has been canceled. The Administrative Law Judge in the above captioned case has been changed from Administrative Law Judge David A. Salapa to Administrative Law Judge Marlane R. Chestnut.

The hearing has been rescheduled as follows:

Type: Initial Hearing  
Date: Friday, June 22, 2007  
Time: 10:00 a.m.  
Location: In an available hearing room  
13th Floor  
Philadelphia State Office Building  
Broad and Spring Garden Streets  
Philadelphia, PA 19130

DOCUMENT  
FOLDER

**DOCKETED**  
MAY 29 2007

Presiding:        Administrative Law Judge Marlane R. Chestnut  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone:        215.560.2105  
Fax:                215.560.3133

Please mark your records accordingly.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: 717.787.1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1.800.654.5988

pc: Judge Chestnut  
Dawn Reitenbach  
Beth Plantz  
Docket Section  
Calendar File



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
June 14, 2007

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: C-20077488

(SEE LETTER OF 5-22-07)

Chan Fun Yuk by Thomas Chan v. Philadelphia Gas Works

Billing Dispute

Hearing Change Notice

JUDGE CHANGE  
and  
TIME CHANGE

DOCUMENT  
FOLDER

This is to inform you that the Administrative Law Judge in the above captioned case has been changed from Administrative Law Judge Marlane R. Chestnut to Administrative Law Judge Herbert Smolen.

This is to inform you that a hearing on the above-captioned case will be held as follows:

Type: Initial In-Person Hearing

Date: Friday, June 22, 2007

Time: 1:30 p. m.

Location: In an available hearing room  
Philadelphia State Office Building  
Broad and Spring Garden Streets  
Philadelphia, PA 19130

Presiding: Administrative Law Judge Herbert Smolen  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone: 215.560.2105  
Fax: 215.560.3133

DOCKETED  
JUN 18 2007

Please change your records accordingly.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: 717.787.1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired:  
1.800.654.5988

pc: Judge Smolen  
Ona Lester  
Beth Plantz  
Docket Section  
Calendar File



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
June 19, 2007

IN REPLY PLEASE  
REFER TO OJR FILE

In Re: C-20077488

(SEE ATTACHED LIST)

Chan Fun Yuk by Thomas Chan v. Philadelphia Gas Works

Billing dispute.

Hearing Cancellation/Reschedule Notice

This is to inform you that the Initial Hearing on the above-captioned case previously scheduled for June 22, 2007 has been canceled.

The hearing has been rescheduled as follows:

Type: Initial Hearing

Date: Tuesday, August 28, 2007

Time: 10:00 a.m.

Location: In an available hearing room  
13th Floor  
Philadelphia State Office Building  
Broad and Spring Garden Streets  
Philadelphia, PA 19130

Presiding: Administrative Law Judge Herbert Smolen  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone: 215.560.2105  
Fax: 215.560.3133

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JUN 22 2007

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Please mark your records accordingly.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: 717.787.1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired:  
1.800.654.5988

# OALJ Hearing Report

*Please Check Those Blocks Which Apply*

Docket No.:	C-20077488		YES	NO
Case Name:	Chan Fun Yuk by Thomas Chan v. Philadelphia Gas Works	Prehearing Held:	<input type="checkbox"/>	<input type="checkbox"/>
		Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Testimony Taken:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Location:	Philadelphia	Hearing Concluded: <i>X</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Further Hearing Needed:	<input type="checkbox"/>	<input type="checkbox"/>
Date:	June 22, 2007	Estimated Add'l Days:		
ALJ:	Herbert Smolen	RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Sargents Court Reporting	DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS: <i>X HEARING CONT'D TO 8/28/07</i>		

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JUL 3 2007

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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

Name and Telephone Number	Address	Who are you representing?
	City      State      Zip	
Telephone:	E-mail Address:	Fax Number:
	City      State      Zip	
Telephone:	E-mail Address:	Fax Number:
	City      State      Zip	DOCUMENT FOLDER
Telephone:	E-mail Address:	Fax Number:

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

\_\_\_\_\_  
Reporter's Signature

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

  
**COZEN  
O'CONNOR**  
ATTORNEYS

A PROFESSIONAL CORPORATION

SUITE 1400 CHASE MANHATTAN CENTRE 1201 NORTH MARKET STREET WILMINGTON, DE 19801  
302.295.2000 888.207.2440 302.295.2013 FAX www.cozen.com

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JUN 19 2007

Public Utility Commission  
Philadelphia Office  
Administrative Law Judge

June 18, 2007

John T. Carroll, III  
Direct Phone 302.295.2028  
Direct Fax 302.295.2013  
jcarroll@cozen.com

**VIA FACSIMILE AND US MAIL**

Administrative Law Judge Marlane R. Chestnut  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130

**Re: Chan Fun Yuk by Thomas Chan v. Philadelphia Gas Works  
No. C-20077488  
Subject Matter: Request for Continuance of Hearing Scheduled for 6/22/07**

Dear Judge Chestnut:

The instant letter is being sent to request that the hearing scheduled for Friday, June 22, 2007 at 10:00 a.m. in the above captioned matter be continued until an August or September listing. I have only recently been retained by Thomas Chan in this matter and have a conflict in my schedule Friday, June 22, 2007. In addition, the parties are currently conducting settlement discussions and are scheduling a settlement conference to seriously pursue same. I have spoken with opposing counsel for PGW, Laureto Farinas, Esquire, and he has consented to the requested continuance given these circumstances.

We appreciate your consideration and should you need any additional information, please do not hesitate in contacting me at my direct dial number set forth above. Thanks again for your attention to this matter.

Very truly yours,

COZEN O'CONNOR

By:  John T. Carroll, III

JTC:pag

cc: Laureto Farinas, Esquire (via e-mail and regular mail)

**RECEIVED**

JUL 3 2007

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**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

August 27, 2007

RECEIVED

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

DOCUMENT  
FOLDER

AUG 27 2007

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

RE: Chan Fun Yuk v. PGW, Docket No. C - 20077488

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 he is satisfied with the resolution of this complaint.

Therefore, the telephonic hearing in this matter scheduled for August 28, 2007, at 10:00 a.m. is no longer necessary.

By copy of this letter, I am notifying the Complainant of his 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,

A handwritten signature in black ink, appearing to read "Laureto Farinas", is written over a large, stylized flourish.

Laureto Farinas

BTL

cc: Thomas Chan (Regular Mail)  
John T. Carroll, III, Esq. (Regular Mail)  
Administrative Law Judge Herbert Smolen (via FAX)  
Stacy Nolan, Hearing Scheduler (via FAX)  
Linda Pereira (PGW Mail)  
Anne Marie Cromley (PGW Mail)

DOCKETED  
AUG 31 2007

116

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

DATE: August 27, 2007  
SUBJECT: C-20077488  
Chan Fun Yuk v. PGW  
TO: Wanda Zeiders  
Docket Management  
FROM: Dawn M. Reitenbach, ALJ Support Staff  
Office of Administrative Law Judge

DOCUMENT  
FOLDER

On August 27, 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 Herbert Smolen  
Beth Plantz  
Case File

**DOCKETED**  
SEP 06 2007

BTL

**OALJ Hearing Report**

Please check those blocks which apply

Docket No.:	C-20077488		YES	NO
		Prehearing Held:	<input type="checkbox"/>	<input type="checkbox"/>
Case Name:	Chan Fun Yuk by Thomas Chan v. Philadelphia	Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gas Works		Testimony Taken:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Hearing Concluded: <del>X</del>	<input type="checkbox"/>	<input type="checkbox"/>
Location:	Philadelphia	Further Hearing Needed:	<input type="checkbox"/>	<input type="checkbox"/>
		Estimated Add'l Days:		
Date:	August 28, 2007			
		RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>
ALJ.	Herbert Smolen	DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Precision Reporting	DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:	<del>X</del> HEARING CANCELLED CERT/SATIS FILED	

**DOCUMENT  
FOLDER**

**RECEIVED**

SEP 17 2007  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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

Name and Telephone Number	Address			Who are you representing?
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	<b>BTL</b>
Telephone:	E-mail Address:			
	City	State	Zip	
Telephone:	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.

\_\_\_\_\_  
Reporter's Signature



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

IN REPLY PLEASE  
REFER TO OUR FILE

September 28, 2007

C-20077488

THOMAS CHAN  
1413 APPLE BLOSSOM WAY  
PHILADELPHIA PA 19111

**DOCKETED**  
SEP 26 2007

THOMAS CHAN  
v.  
PHILADELPHIA GAS WORKS

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

nvl

**DOCUMENT  
FOLDER**

**BTL**