

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00 :  
2. BUREAU: ALJ :  
3. SECTION(S): : 4. PUBLIC MEETING DATE:  
5. APPROVED BY: : 00/00/00  
DIRECTOR:  
SUPERVISOR:  
6. PERSON IN CHARGE: : 7. DATE FILED: 07/14/03  
8. DOCKET NO: F-01156465 : 9. EFFECTIVE DATE: 00/00/00

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PARTY/COMPLAINANT: WILLIAMS, DELLA

RESPONDENT/APPLICANT: PHILADELPHIA GAS WORKS

COMP/APP COUNTY: PHILADELPHIA

UTILITY CODE: 125042

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ALLEGATION OR SUBJECT

COMPLAINANT STATES HER COMPLAINT IS THAT SHE NEVER RECEIVED HER CHECK AND IT HAS BEEN TWO YEARS NOW.

DOCUMENT  
FOLDER

**DOCKETED**  
AUG 15 2003

FORMAL COMPLAINT FORM  
Pennsylvania Public Utility Commission

Please Print:

F-01156465 BCS 1156465  
7/22/03

1. Your Name, Mailing Address and Telephone Number

Name Della Williams  
Street/P.O. Box 5909 Warrington Ave Apt.# 1105E  
City Philadelphia State PA Zip 19143  
County Phila Home Telephone-Area Code 215 729-2279  
Work Telephone-Area Code 215 729-2279

ORIGINAL

2. Name of Company your complaint concerns:

Phila Gas Works  
PG & Public Utility  
Commission

3. What is your complaint?

In whom it may concern I never  
receive my check it has been stopped  
and I called several times and made many  
complaints. So here is the letter I forgot  
to give you. I am still waiting  
patiently my check I  
been waiting for ever since  
2001 and I still waiting

Thank you, Della Williams

7/28/03

(If you need more space, use additional paper and attach to this form).

(-over-)

4. What do you want the Public Utility Commission to do about your complaint?

Please give me my check please  
I have waiting for it a long time  
and not receive it as of yet.

Thank you  
Miss Williams

(If you need more space, use additional paper and attach to this form.)

5. You must sign and date your complaint below.

The information I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.

Debra Williams  
Original Signature of complaining person

7/8/03  
Date

6. If you are represented by a lawyer you must provide your lawyer's name, address and telephone number.

Lawyer's Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone Number-Area Code ( ) \_\_\_\_\_

SECRETARY'S BUREAU

2003 AUG 11 AM 9:51

RECEIVED

SECRETARY'S BUREAU  
2003 JUL 14 AM 9:50

147

FORMAL COMPLAINT FORM  
Pennsylvania Public Utility Commission

RECEIVED  
BUREAU  
MAY 11 11 19 50

Please Print:

1. Your Name, Mailing Address and Telephone Number.

Name Della Williams  
Street/P.O. Box 5909 Warrington Ave Apt.# house  
City Philm State Pa Zip 19142  
County \_\_\_\_\_ Home Telephone-Area Code 215 277-6094  
Work Telephone-Area Code 215 729-2279  
Home

2. Name of Company your complaint concerns: Pennsylvania Public Utility Commission

3. What is your complaint?  
I been wanting for <sup>that</sup> to express for  
the check send me my check please  
thank you, Della Williams

(If you need more space, use additional paper and attach to this form).

(-over-)

4. What do you want the Public Utility Commission to do about your complaint?

*to send me my check please  
I did not  
never receive it.*

*Thank you*

*Bella Williams*

(If you need more space, use additional paper and attach to this form.)

5. You must sign and date your complaint below.

The information I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.

*Bella Williams*  
Original Signature of complaining person

*7/25/03*  
Date

6. If you are represented by a lawyer you must provide your lawyer's name, address and telephone number.

Lawyer's Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone Number-Area Code ( \_\_\_\_\_ ) \_\_\_\_\_

**NOTIFICATION OF INTENT TO APPEAL**  
(Request for Formal Complaint Forms)

Notice to Customer:

If you sign and return this form you are notifying the Public Utility Commission that you intend to appeal this informal complaint decision. Do not return this form unless you want to appeal this decision.

If you want to appeal this decision, you must return this Notification of Intent to Appeal form within twenty days of this date: June 3, 2003. The Commission will send you formal complaint forms.

You must comply with the terms of this decision until the Public Utility Commission completes the formal complaint process. You must make all of the required payments, or the utility company may pursue the termination of your service.

Thank You.  
Pennsylvania Public Utility Commission

**Yes, I want to appeal the decision of the Bureau of Consumer Services. Please send formal complaint forms to me at the following address:**

Customer name and address: Ms. Della D. Williams  
5909 Warrington Avenue  
Philadelphia, PA. 19122

(Please correct any mistakes.)

215-729-2227  
(Area Code) Telephone Number

Della Williams  
Signature

Mail this completed form to: SECRETARY  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P. O. BOX 3265  
HARRISBURG, PA 17105-3265

**FOR OFFICE USE ONLY**

BCS Number: 1156465  
Company: Philadelphia Gas Works

Date of mailing: June 3, 2003

SECRETARY'S BUREAU  
2003 JUN 11 AM 9:17  
RECEIVED  
28



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

June 3, 2003

BCS No: 1156465

Ms. Della D. Williams  
5909 Warrington Avenue  
Philadelphia, PA. 19143

Dear Ms. Williams:

The Bureau of Consumer Services (BCS) has completed its investigation into your informal complaint. Attached is the decision resulting from that investigation. A copy of this decision has also been sent to your utility company. This decision is binding on all parties, and unless it is appealed will become final 20 days after the date of this letter.

If you do not agree with any part of this decision you may appeal it by filing a formal complaint. You can do this by completing the attached Request for Formal Complaint Forms. Return this form to the Public Utility Commission, and the formal complaint forms will be mailed to you. If you wish to appeal, you must return this form to the Public Utility Commission by the date shown on the form. Your complaint will be assigned to an Administrative Law Judge, and a hearing date will be assigned.

You do not need a lawyer to file an appeal.

You must make all of the payments required by this decision. If you do not make these payments the utility company is permitted to terminate your utility service.

If you have any questions about the terms and conditions of this decision or about the Public Utility Commission's appeal procedures you may call me directly at (215) 644-0692.

Sincerely,

A handwritten signature in black ink, appearing to read 'Derrick Thomas', written over a horizontal line.

Mr. Derrick Thomas  
Utility Complaint Investigator

Philadelphia Gas Works

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Ms. Della D. Williams  
5909 Warrington Avenue  
Philadelphia, PA. 19143

Philadelphia Gas Works  
v. 800 W. Montgomery Avenue  
Philadelphia, PA. 19122

Case Number: 1156465

Account Number: 1119922510

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**Decision on Informal Complaint by the Bureau of Consumer Services:**

**Statement of Complaint:**

The customer states that she requested her refund check from PGW and PGW stated that they were going to mail out the customer's refund check. The customer also states that she should have received the refund check by January 28, 2001. The customer further states that she never received her refund check.

**Investigation By Staff Of The Bureau Of Consumer Services Revealed:**

The gas service at 5909 Warrington Avenue was established in Della D. Williams' name on September 27, 1996.

On April 10, 1996 PGW installed an AMR (automatic meter reading device) at 5909 Warrington Avenue.

The customer's bills at 5909 Warrington Avenue are based on actual meter readings.

According to PGW's records the customer rents the property at 5909 Warrington Avenue from the Philadelphia Housing Authority under the PHA vendors heating program. Under this program the customer receives a heating allowance to use towards her gas account. When that allowance exceeds the actual consumption for the month the account creates a credit balance which a refund may be requested by the customer. The refund process must be approved with a written notification from the Philadelphia Housing Authority manager or by a telephone contact with PGW's collection department or through a PGW's district office.

PGW's records also indicate that the customer was sent refund checks on the following dates: July 10, 1997 \$208.70, September 17, 1997 \$324.50, October 2, 1997 \$138.32, August 12, 1998 \$468.67, September 4, 1998 \$176.78, October 5, 1998 \$381.48, January 6, 1999 \$78.62, May 7, 1999 \$231.56, August 13, 1999 \$242.98, March 10, 2000 \$674.65, July 12, 2000 \$202.23, August 21, 2000 \$364.07, September 22, 2000 \$364.07, October 16, 2001 \$417.08, July 12, 2002 \$180.30, September 4, 2002 \$338.63, November 7, 2002 \$243.60. See attached transaction statement.

As of the date of this decision the customer has a credited balance of \$221.60.

Based On These Findings, The Bureau Of Consumer Services Concludes:

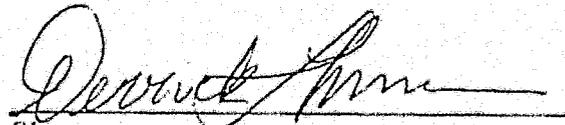
The customer's bills are correct as rendered.

**Therefore It Is Decided:**

The customer may request a refund of her credit balance of \$221.60 after she receives approval from her PHA manager.

The informal complaint of Della D. Williams is dismissed.

Date June 3, 2003

A handwritten signature in cursive script, appearing to read "Derrick Thomas", written over a horizontal line.

Signature

Mr. Derrick Thomas  
Utility Complaint Investigator  
Bureau of Consumer Services  
PA Public Utility Commission



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

8/6/03  
~~7/22/03~~

IN REPLY PLEASE  
REFER TO OUR FILE

JULY 2, 2003

BCS 1156465

MS. DELLA D. WILLIAMS  
5909 WARRINGTON AVENUE  
PHILADELPHIA PA 19122

Dear Sir/Madam:

We have received your request to appeal the decision of the Bureau of Consumer Services.

We have enclosed one complaint form for you to complete. Please read carefully the instructions to help you complete the form.

**\*\* Please make sure you sign the form. We must receive your original signature in order for us to process your complaint. Your form will be returned to you if an original signature is not received.**

Return the form to us on or before JULY 22, 2003 to the address listed below:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**While you wait for us to reach a decision on your complaint, you must pay all undisputed bills (ones that are not a part of your complaint). As long as you pay all undisputed bills and return these formal complaint forms to us on time, the company is not permitted to terminate your service.**

**Commission Procedures for Formal Complaints**

- We send a copy of this letter to the company so they know you are appealing the Bureau of Consumer Services' decision;
- We also send the company a copy of your completed formal complaint forms. Once they receive it, they have 20 days to send us an answer to your complaint. The company will send you a copy of their answer.
- Once we receive all the paperwork, we usually will schedule your hearing before an Administrative Law Judge.

- We will notify both you and the company by mail when the hearing date is set.
- If you cannot travel to your hearing, you can request that the hearing be held by phone. This is called a telephonic hearing. If we can, we will schedule a telephonic hearing for you.
- We will most likely schedule your hearing sometime within three months after you file your complaint forms. If you know of certain dates when you will not be available for a hearing, let us know when you file your forms. We will try to work around your schedule.
- If you cannot attend the hearing on the scheduled date, you must request a different time or date. You should request the change at least 5 days before your hearing by writing to:

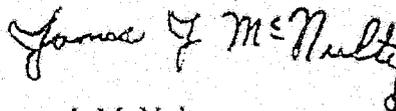
Office of Administrative Law Judge  
Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**YOU SHOULD INCLUDE YOUR DAYTIME TELEPHONE NUMBER IN YOUR LETTER. DEPENDING ON YOUR REASON FOR NOT BEING ABLE TO ATTEND THE SCHEDULED HEARING, YOUR REQUEST TO CHANGE THE HEARING MAY OR MAY NOT BE APPROVED. WE WILL LET YOU KNOW OUR DECISION ON YOUR REQUEST FOR CHANGING THE HEARING DATE BEFORE THE DATE OF THE HEARING.**

**YOU MUST ATTEND SCHEDULED HEARINGS IN PERSON OR BY PHONE. IF YOU DO NOT ATTEND, YOUR COMPLAINT MAY BE DISMISSED (THROWN OUT).**

If you have any questions about the complaint process, please call the Bureau of Consumer Services, toll free, at 1-800-782-1110.

Very truly yours,



James J. McNulty  
Secretary

jih

CC: PHILADELPHIA GAS WORKS

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: AUGUST 18, 2003

DELLA WILLIAMS  
Complainant

VS.

PHILADELPHIA GAS WORKS  
Respondent

Complaint Docket  
No: F-01156465

DOCUMENT  
FOLDER

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PHILADELPHIA GAS WORKS

DOCKETED  
AUG 15 2003

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

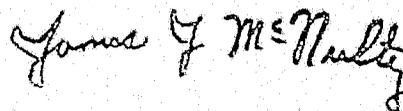
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, an answer (original and three copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after a hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.



James J. McNulty  
Secretary

(SEAL)

Certified Mail  
Return Receipt Requested

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

DATE SERVED: AUGUST 18, 2003

F-01156465

LAURETO FARINAS ESQUIRE  
PHILADELPHIA GAS WORKS  
800 W MONTGOMERY AVE  
PHILADELPHIA PA 19122-2898

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by DELLA WILLIAMS. To defend yourself against the claims stated in the following pages, you must act within twenty (20) days by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS, THE CASE MAY GO FORWARD IN YOUR ABSENCE AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

CUSTOMER OF A UTILITY

A payment schedule may be prescribed or a termination of utility services may be authorized. You may lose money or property or other rights important to you.

COMPANY/UTILITY

An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

DOCUMENT  
FOLDER

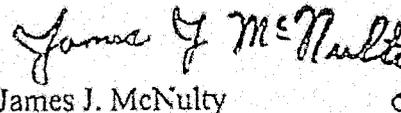
AUGUST 18, 2003

Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help:

Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375

Very truly yours,



James J. McNulty  
Secretary

JH

**Philadelphia Gas Works**  
Legal Department



800 W. Montgomery Avenue, Philadelphia, PA 19122  
Fax: (215) 684-6798

**ORIGINAL**

**DOCUMENT  
FOLDER**

Hector Ferrer  
Legal Assistant  
Direct Dial: 215-684-6533  
E-mail: hector.ferrer@pgworks.com

**RECEIVED**

SEP 08 2003

September 8, 2003

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

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

RE: Della Williams v. Philadelphia Gas Works, Docket No. F - 01156465

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.61, the Philadelphia Gas Works ("PGW") hereby files the original and three (3) copies of its Answer to the Complaint.

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

Sincerely,  
*Hector Ferrer*

Enclosures

cc: Della Williams  
Jack Irizzary  
Laureto Farinas, Esq

ORIGINAL

RECEIVED

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SEP 08 2003

Della Williams

v.

Philadelphia Gas Works

:  
:  
:  
:  
:

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Docket No. F - 01156465

Answer of Philadelphia Gas Works

Pursuant to 52 Pa. Code §5.61, the Philadelphia Gas Works ("PGW") hereby answers the Complaint filed in the above captioned matter. PGW hereby avers the following

1. Admitted
2. Admitted.
3. Denied. PGW emphatically denies the averment in Paragraph 3 of the Complaint concerning the provision of a refund check. To the contrary, PGW issued the refund check to the Complainant in the amount of \$364.07 on August 22, 2000. This refund check was endorsed and cashed on or about August 28, 2000, as shown on the attached copy of the cancelled check, which attached hereto as Exhibit "A".

DOCUMENT  
FOLDER

DOCKETED

SEP 11 2003

According to PGW records the Complainant lives at 5909 Warrington Avenue, Philadelphia. This service address is a Philadelphia Housing Authority ("PHA") property. The Complainant's account is classified as a "V2" or vendor's account, where the PHA tenant will pay for all rent and PHA pays the tenant's utility bills ("Housing Vendors Heating Program"). Under the Housing Vendors Heating Program, payments are made towards the customer's account and once the current charges are paid and a credit exists on the account, the may request a refund for the accumulated credits.

In response to two informal complaints filed with the Bureau of Consumer Services ("BCS"), the BCS, by decision dated June 3, 2003, found that the refunds in question of \$364.07 (CHK # 72005693) and \$417.08 (CHK# 72009834) were refunded and cashed by the Complainant. The decided this notwithstanding the fact that the Complainant executed an affidavit on May 30,

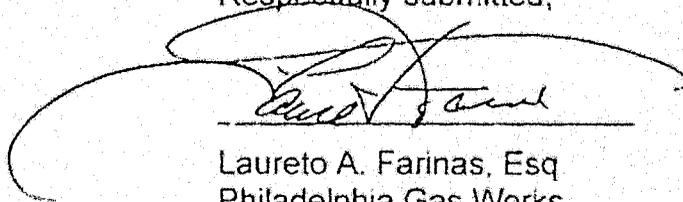
20001 that her signature had been forged so an affidavit was sent to her to further investigate.

4. Denied. The averments in Paragraph 4 of the Complaint are requests for relief to which no response is required. PGW therefore denies the averments in Paragraph 4.

Wherefore, PGW respectfully requests that this Commission find against the Complainant and for the Respondent, PGW in this matter.

September 8, 2003

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Laureto A. Farinas", is written over a horizontal line. The signature is stylized and includes a large, sweeping flourish that extends to the left and loops back under the line.

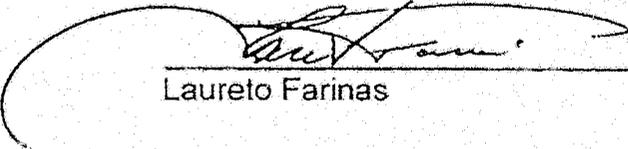
Laureto A. Farinas, Esq  
Philadelphia Gas Works  
800 W. Montgomery Avenue  
Philadelphia, PA 19122  
215-684-6982

# EXHIBIT A

VERIFICATION

I, Laureto Farinas, hereby declare that I am counsel to the Philadelphia Gas Works; and that as such, I am authorized to make this verification on its behalf, that the facts set forth in the foregoing Answer are true to the best of my knowledge, information and belief, and that I expect to be able to prove these at a hearing held in this matter. I make this verification subject to the penalties of 18 Pa C.S. §4904, pertaining to false statements to authorities.

Date: September 8, 2003



Laureto Farinas

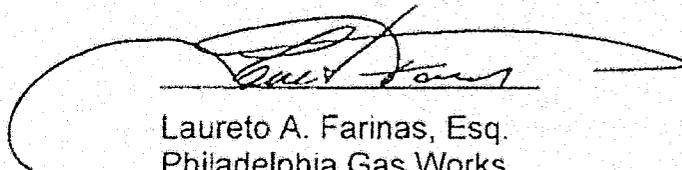
CERTIFICATE OF SERVICE

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 §1 54 (RELATING TO SERVICE BY A PARTICIPANT).

For Complainant:

Ms Della Williams  
5909 Warrington Avenue  
Philadelphia, PA 19143

September 8, 2003

A handwritten signature in black ink, appearing to read 'Laureto A. Farinas', is written over a horizontal line. The signature is stylized and includes a large, sweeping flourish that extends to the left and then curves back under the line.

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