

AA.00019.00000 (40/40)

CAPTION SHEET

SE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00 :
- 2. BUREAU: ALJ :
- 3. SECTION(S): :
- 5. APPROVED BY: :
- DIRECTOR: :
- SUPERVISOR: :
- 6. PERSON IN CHARGE: :
- 8. DOCKET NO: F-01039065 :
- 4. PUBLIC MEETING DATE: 00/00/00 :
- 7. DATE FILED: 07/19/02 :
- 9. EFFECTIVE DATE: 00/00/00 :

PARTY/COMPLAINANT: ROBINSON, CYNTHIA  
 RESPONDENT/APPLICANT: PHILADELPHIA GAS WORKS  
 COME/APP COUNTY: PHILADELPHIA UTILITY CODE: 125042

ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT PGW PUT IN AUTOMATIC METERS IN 1988 BUT NEVER READ THEM AUTOMATICALLY, SO SHE ALWAYS CALLED IN HER METER READING AND PAID MONTHLY. PGW PRICES DOUBLED AND THEY ARE TRYING TO ADD CHARGES TO HER BILL, WHICH SHE WANTS TO BE DROPPED.

DOCUMENT  
 FOLDER  
**DOCKETED**  
 JUL 23 2002

BCS 1039065  
7-22-02

**ORIGINAL**

**FORMAL COMPLAINT FORM**  
Pennsylvania Public Utility Commission

**RECEIVED**

Please Print:

F - 01039065  
125042

JUL 19 2002

1. Your Name, Mailing Address and Telephone Number.

Name Cynthia Robinson  
Street/P.O. Box 5983 N. Gal St. Apt.# \_\_\_\_\_  
City Phila State PA Zip 19141  
County Phila Home Telephone-Area Code (215) 549-7181  
Work Telephone-Area Code ( ) \_\_\_\_\_

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

2. Name of Company your complaint concerns: Phila Gas Works

3. What is your complaint?

I received a notice from the Phila Gas works in July 2001 saying they were coming in my area to change all the old gas meters to automatic meter readers. When the man came to change the meter I told him the meters in my area was changed in March 1988 to automatic meters, but PGW never read them automatically. He checked the tag on the meter and his records and said I was correct, but they would still

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

(-over-)

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have to change the meter and bill me for the previous years. When the automatic meters were installed in 1988 I called continuously asking why they weren't being automatically read, because I continued to get estimated bills. They would tell me the automatic system wasn't operating at this time. I would call in my readings so I could pay my exact bill each month. I paid all my monthly bills in full for the past twenty years, until PGW's prices more than doubled and these charges were added to my account from the first automatic meter.

This type of service provided by PGW conveys illegal and unethical practices. Because of their inconsistency in checking all meters which resulted in some customers being charged and not others, PGW should have Rules of conduct that applies to all customers. This type of service should not be allowed to continue.

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

I want the PUC to have PGW drop all the charges against me resulting from the original automatic meter because PGW didn't provide consistency in their method of service to me, their customer.

(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.

Cynthia Robinson  
Original Signature of complaining person

7/18/02  
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) **RECEIVED**

*Timely*

Notice to Customer:

2002 JUL -1 AM 9:42

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.

SECRETARY'S OFFICE

If you want to appeal this decision, you must return this Notification of Intent to Appeal form within twenty days of this date: June 21, 2002. 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:  
(Please correct any mistakes.)

CYNTHIA E ROBINSON  
5983 N OPAL ST  
PHILADELPHIA PA 19141

215-549-7181  
(Area Code) Telephone Number

*Cynthia E. Robinson*  
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: 1039065	Date of mailing: June 21, 2002
Company: PHILADELPHIA GAS WORKS	

REVISED 11/97

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

7-22-02

IN REPLY PLEASE  
REFER TO OUR FILE

July 1, 2002

BCS 1039065

CYNTHIA E ROBINSON  
5983 N OPAL ST  
PHILADELPHIA PA 19141

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, 2002 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:

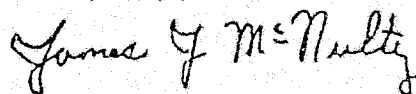
Office of Administrative Law Judge  
Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**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

KSB

CC. PHILADELPHIA GAS WORKS

DATE SERVED: JULY 23, 2002

CYNTHIA ROBINSON  
Complainant

VS.

PHILADELPHIA GAS WORKS  
Respondent

Complaint Docket  
No: F-01039065

DOCUMENT  
FOLDER

**DOCKETED**  
JUL 23 2002

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FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

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TO: PHILADELPHIA GAS WORKS

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,

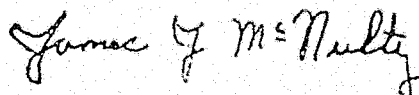
1 You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17120, an answer (original and two copies), in writing, under oath, which, as required 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: JULY 23, 2002

F-01039065

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

DOCUMENT  
FOLDER

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by CYNTHIA ROBINSON. 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.

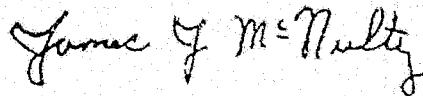
JULY 23, 2002

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,

A handwritten signature in cursive script that reads "James J. McNulty".

James J. McNulty  
Secretary

dbb

**Philadelphia Gas Works**



800 W. Montgomery Avenue, Philadelphia PA 19122  
Telephone: (215) 236-0500

Laureto A. Farinas  
Senior Attorney  
Legal Department  
Direct Dial: 215-684-6982  
FAX: 215-684-6798  
E-mail: laureto.farinas@pgworks.com

**ORIGINAL**

**RECEIVED**

SRB

AUG 16 2002

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

August 16, 2002

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

Re: Cynthia E. Robinson v. PGW, Docket No. F - 01039065

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 in the above captioned matter.

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

Sincerely,

Enclosures

cc Cynthia Robinson  
Zayda Santiago

**DOCUMENT**

*El*

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

Cynthia E. Robinson

v.

Philadelphia Gas Works

Docket No. F - 20028129

Answer Of Philadelphia Gas Works

**DOCKETED**  
AUG 21 2002

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:

**RECEIVED**

1. Admitted.

2. Admitted.

3. Denied in part. PGW denies that averments contained in Paragraph 3 of the Complainant concerning the presence of an automatic meter reading device ("AMR") at the service address located at 5983 N. Opal Street ("Opal Service Address") in 1998. The Complainant is also the Customer of Record at a rental property located at 1733 N. 23<sup>rd</sup> Street ("23<sup>rd</sup> Street Service Address") PGW records show that a new meter was installed at the Opal Service Address on 3/25/88 but that meter was not equipped with an AMR. The meter at the Opal Service Address was read on 9/3/96 at index 8557. It was next read on 7/16/01 at index 3608 when an AMR was installed. After adjustment for the correct applications of rates, the Complainant received a bill for previously unbilled usage in the amount of \$2,360.03.

AUG 16 2002

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

The Complainant's total current balance is \$5,466.08 (\$2,542.00 from the Opal Service Address and \$2,924.08 for the 23<sup>rd</sup> Street Service Address)

A decision of the Bureau of Consumer Services ("BCS") dated 6/21/02, which is attached hereto as Exhibit "A", confirmed the accuracy of the bill. It provided relief for the Complainant in the form of a credit in the amount of \$472.00 for the

**DOCUMENT**

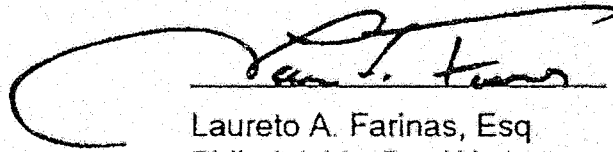
period of estimated bills and a waiver of late payment charges on the account in the amount of \$449.41.

4. Denied. The averment in Paragraph 4 of the Complaint is a request 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 PGW in this matter.

Respectfully submitted,

August 16, 2002



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

# EXHIBIT A

RECEIVED

AUG 16 2002

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

CYNTHIA E ROBINSON      PHILADELPHIA GAS WORKS  
5983 N OPAL ST v.  
PHILADELPHIA PA 19141

BCS No: 1039065

Account Number: 9114313645

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**Decision On Informal Complaint By The Bureau Of Consumer Services:**

**Statement Of Complaint:**

A summary of the customer's complaint is as follows:

The customer states her bills are too high. PGW is making her pay \$4918.00 from 1988 because of estimated bills.

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

1. That this account has two service addresses. The one at 1733 N 23rd St is a rental property. The 23rd St property's gas usage is based on actual meter reads.
2. That the Philadelphia Gas Works estimated the bills from 9/3/96 to 7/16/01 at 5983 N Opal St.
3. That when PGW read the meter on 7/16/01 the customer received a make-up bill in the amount of \$3302.55. The make-up bill was then re-billed using the rates in affect when the gas was used resulting in a make-up bill in the amount of \$2360.03. This make-up bill adjusted for under-estimated meter readings dating back to September 3, 1996.
4. That the customer's total account balance for both service addresses is in the amount of \$6306.09 as of June 21, 2002.

**Based On These Findings, The Bureau of Consumer Services Concludes:**

PGW failed to get either an actual reading of the meter or obtain a reading from the automatic meter reading device (AMR) for an extended period of time. As a result, all bills issued during that extended timeframe were estimated. Because of PGW's failure to obtain actual meter readings, the customer was unable to judiciously manage gas consumption and exercise conservation measures, as necessary. The customer, therefore, is entitled to a reduction in the re-billed amount which is intended to compensate for this problem that, again, was caused by PGW's failure to obtain an actual meter reading for an extended period of time. Additionally, it is noted that PGW's tariff requires that it get an actual meter reading every six (6) months.

**Therefore It Is Decided:**

1. That the Philadelphia Gas Works must credit the customer's account in the amount of \$472.00 for the Opal St service address.
2. That the Philadelphia Gas Works will waive all late payment charges that were charged to the customer from July 16, 2001 to the present for the Opal St address.

3. That the customer must pay the monthly budget amount of \$240.00, which is subject to change, plus \$80.00 toward the past due balance by the due date each month beginning with the August 2002 due date.

4. That the customer must make these payments each month until the account is paid in full.

5. That the company will not charge late payment fees to your account as long as you pay according to this decision. However, the company may apply late payment fees if you do not pay on time or you do not keep this agreement.

June 21, 2002  
Date

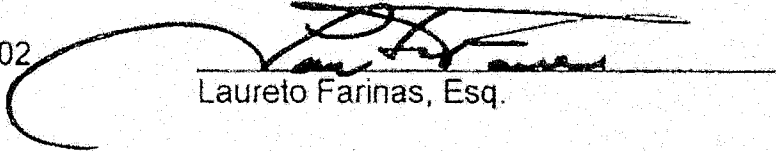
\_\_\_\_\_  
Signature

ISAAC R DUNSTAN  
Utility Complaint Investigator  
Bureau of Consumer Services  
PA Public Utility Commission

VERIFICATION

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

Date: August 16, 2002

  
Laureto Farinas, Esq.

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).

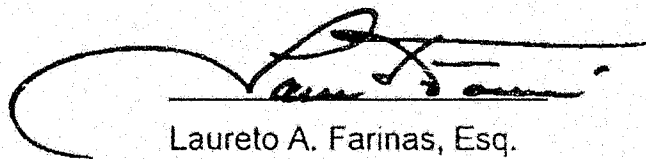
Service List:

For Complainant:

Cynthia E. Robinson  
5983 N. Opal Street  
Philadelphia, PA 19141

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

August 16 2002



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

RECEIVED

AUG 16 2002

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge  
P.O. Box 3265, Harrisburg, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

September 27, 2002

In Re: F-01039065

(See attached list)

Cynthia Robinson v. Philadelphia Gas Works

Billing dispute.

Hearing Notice

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

Type: Initial hearing

Date: Wednesday, January 15, 2003

Time: 10:00 a.m.

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

Presiding: Administrative Law Judge Charles E Rainey, Jr.  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone: (215) 560-2105  
Fax: (215) 560-3133

**DOCKETED**  
OCT 01 2002

DOCUMENT  
FOLDER

Attention: You may lose the case if you do not come to this hearing and present facts on the issues raised.

If you intend to file exhibits, 2 copies of all hearing exhibits to be presented into evidence must be submitted to the reporter. An additional copy must be furnished to the Presiding Officer. A copy must also be provided to each party of record.

Except for those individuals representing themselves, the Commission's rules require that all parties have an attorney; therefore, you should have an attorney of your choice file an entry of appearance before the scheduled hearing.

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:

- Scheduling Office: (717) 787-1399.
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.

pc: Judge Rainey  
Judy Weaver, Scheduling Officer  
Beth Plantz  
Docket Section  
Calendar File