

ORIGINAL

COMMONWEALTH OF PENNSYLVANIA

PUBLIC UTILITY COMMISSION

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Yavonda Mandy v. Philadelphia Gas Works. :
 Requests payment arrangements. : Docket No.
 : C-20077259
 Initial Hearing. :
 -----X

Pages 1 through 8

Hearing Room 1301
State Office Building
Broad and Spring Garden Streets
Philadelphia, Pennsylvania

**DOCUMENT
FOLDER**

Tuesday, April 3, 2007

Met, pursuant to notice, at 9:34 a.m.

BEFORE:

CYNTHIA W. FORDHAM, Administrative Law Judge

APPEARANCES:

YAVONDA MANDY
4911 Penn Street
Philadelphia, Pennsylvania 19124
(Pro Se)

LAURETO FARINAS, Esquire
800 West Montgomery Avenue
Philadelphia, Pennsylvania 19122
(For Philadelphia Gas Works)

Y.M.
 2007 MAY 23 PM 9:19
 SECTION 709 (b)(1)

DOCKETED
MAY 23 2007

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WITNESS INDEX

WITNESSES

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(None)

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EXHIBIT INDEX

<u>NUMBER</u>	<u>FOR IDENTIFICATION</u>	<u>IN EVIDENCE</u>
(None)	--	--

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FORM 1

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P R O C E E D I N G S

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2 ADMINISTRATIVE LAW JUDGE CYNTHIA W. FORDHAM: Good
3 morning. I am Administrative Law Judge Cynthia Williams Fordham and
4 this is the time and place for a hearing in the matter of Yavonda Mandy
5 versus Philadelphia Gas Works at Docket C-20077259.

6 I will note for the record the appearance of Laureto Farinas,
7 Esquire, for Philadelphia Gas Works. The Complainant has not appeared
8 and it is now 9:35 at this time. This case was scheduled as one of the Call
9 of the Docket cases scheduled for 9:30 a.m., by hearing notice dated
10 February 2, 2007.

11 The Complainant and the Respondent were told to arrive at the
12 hearing room no later than 9:15 and wait for the case to be called. The
13 other cases that were scheduled for this time has been settled and this is
14 the only one remaining for this morning. Since the Complainant was
15 scheduled to be here by 9:15, basically, we have waited 20 minutes before
16 starting the hearing.

17 I would note for the record also that I have not received either a
18 phone call from the Complainant indicating that she would not be able to
19 attend today's hearing or any request for continuance in this matter.

20 The complaint in this matter was filed on January 8, 2007, and the
21 Complainant did request a payment arrangement. An answer was filed by
22 the Respondent on January 30, 2007. After that, a hearing notice was sent
23 out to the parties dated February 2, 2007, indicating that the hearing
24 would be held today, Tuesday, April 3rd at 9:30 a.m., in an available
25 hearing room in the Philadelphia State Office Building.

1 After the hearing notice was sent out, I sent out a pre-hearing
2 order dated February 20, 2007. In the first paragraph of that hearing
3 notice, I did indicate that the parties should arrive by 9:15 and in bold it
4 states, "If you are not present and prepared to go forward with your case
5 when it is called, your case will be dismissed by the Administrative Law
6 Judge." Also on page four, paragraph 12, it indicates that the case will be
7 dismissed if the Complainant fails to participate in the hearing and present
8 evidence in support of the complaint.

9 As I indicated previously, the Complainant is not present at this
10 time. Mr. Farinas, would you state the name of your witness, because you
11 do have a witness that is present at this time.

12 MR. FARINAS: Yes, Your Honor. In preparation for the hearing
13 today, I have brought Ms. Ann Marie Cromley, Senior Customer Review
14 Unit Officer of PGW.

15 JUDGE FORDHAM: And have you had any contact with the
16 Complainant?

17 MR. FARINAS: I have attempted to call her at both numbers
18 provided as well as Ms. Cromley, and we have not received any return
19 phone calls.

20 JUDGE FORDHAM: And I would also note that there is a mailing
21 address on Penn Street and a service address, and that all the documents
22 that I mentioned earlier was sent to the Penn Street address which she
23 indicated was her mailing address, and none of them have been returned.
24 Mr. Farinas, at this time I will entertain a motion.

25 MR. FARINAS: Yes, Your Honor. At this time I move that this

1 matter be dismissed with prejudice for none-prosecution.

2 JUDGE FORDHAM: Your motion is granted. I will write a decision
3 which will be sent to the parties from the Harrisburg office, indicating that
4 this case is – are you Ms. Mandy?

5 MS. MANDY: Yes.

6 JUDGE FORDHAM: Let the record reflect that Ms. Mandy has just
7 appeared in the hearing room and we will take a brief recess.

8 (Recess.)

9 JUDGE FORDHAM: We are back on the record.

10 Before we went off the record, Ms. Mandy had entered the hearing
11 room and we took a recess. During that recess, the parties engaged in
12 settlement negotiations and they have reached a settlement and at this
13 time, I would ask Mr. Farinas to put the terms of the settlement on the
14 record.

15 MR. FARINAS: As was stated by Your Honor, Ms. Mandy has
16 graciously agreed to settle this matter with PGW, and the terms are as
17 follows. The current balance to Ms. Mandy's account at 4911 Penn Street
18 is \$5,335.21, as of March 19, 2007. PGW will waive the late payment
19 charges in the amount of \$535.54, leaving a remaining outstanding
20 balance of \$4,799.67.

21 Ms. Mandy will go to one of PGW's offices within three weeks from
22 today and make an application for the Customer Responsibility Program.
23 From the preliminary information that she has provided, it seems that she
24 is qualified for the Customer Responsibility Program

25 JUDGE FORDHAM: Thank you. Ms. Mandy, are you in agreement

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1 with the terms that Mr. Farinas has outlined?

2 MS. MANDY: Yes, ma'am.

3 JUDGE FORDHAM: Based on that, the settlement has been put on
4 the record and there is no need to have a hearing in this matter because
5 the parties have agreed to a settlement and I will not need to write a
6 decision. Mr. Farinas will submit a Certificate of Satisfaction and the
7 Commission will mark the case closed.

8 Thank you very much for appearing and participating in this
9 settlement and if there is nothing further, then this hearing is adjourned.

10 MR. FARINAS: Thank you, Your Honor.

11 (Whereupon, at 10:00 a.m., the proceedings were concluded.)
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CERTIFICATE

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

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