

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: 12/12/01
 8. DOCKET NO: F-01037971 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: SHARPE, ALICE R.

RESPONDENT/APPLICANT: PHILADELPHIA GAS WORKS

COMP/APP COUNTY:

UTILITY CODE: 125042

ALLEGATION OR SUBJECT

COMPLAINANT STATES COMPLAINT IS ABOUT GAS BILL RECEIVED. SHE WANTS THE PUC TO DISREGARD THE AMOUNT OF \$206.

DOCUMENT
 FOLDER
DOCKETED
 DEC 19 2001

were charging me with.

Very respectfully
Alice R. Sharpe

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

I want the Public Utility Commission to disregard the amount of 206.00 I really don't feel that I owe any more than the 74.12 until I get my next bill after the meter is read

Very respectfully
Alvin R. Sharpe

(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 purposeiy give false information.

Alvin R. Sharpe
Original Signature of complaining person

12-10-01
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)

Timely

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: November 27, 2001. 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.)

ALICE R SHARPE
1622 67TH AVE
PHILADELPHIA PA 19126

215 548-7052
(Area Code) Telephone Number

Alice R. Sharpe
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: 1037971 Date of mailing: November 27, 2001
Company: PHILADELPHIA GAS WORKS

REVISED 11/97

RECEIVED
2001 DEC - 6 AM 9:48
PA PUC
SECRETARY'S BUREAU

53



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

12 27 01

IN REPLY PLEASE
REFER TO OUR FILE

DECEMBER 7, 2001

BCS1037971

ALICE R SHARPE
1622 67TH AVE
PHILADELPHIA PA 19126

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 DECEMBER 27, 2001 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:

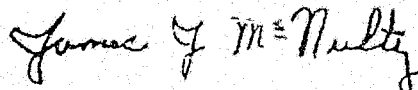
Office of Administrative Law Judge
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

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

GLR

CC: PHILADELPHIA GAS WORKS

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: DECEMBER 19, 2001

ALICE R. SHARPE
Complainant

VS.

PHILADELPHIA GAS WORKS
Respondent

Complaint Docket
No: F-01037971

DOCUMENT
FOLDER
DOCKETED
DEC 19 2001

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

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).

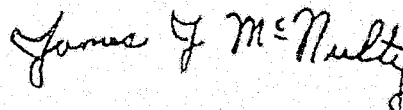
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. 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: DECEMBER 19, 2001

F-01037971

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 ALICE R. SHARPE. 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

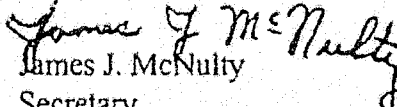
DECEMBER 19, 2001

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
RECEIVED

**DOCUMENT
FOLDER**

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

January 8, 2002

JAN 08 2002

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

^{K.S.P.}
RE: Alice Sharpe v. PGW.
Docket No. F-01003080

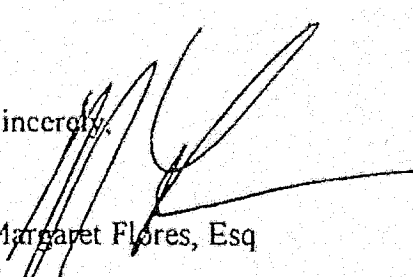
F-01037971

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5 61, enclosed is the original and three (3) copies of the Answer to the Complaint in the above captioned matter.

If additional information is needed about this matter, please contact me directly at 215-684-6631. Thank you for your assistance.

Sincerely,


Margaret Flores, Esq

Enclosures

cc: Alice Sharpe
Linda Pereira
Les Fyock

50

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

Alice Sharpe

v.

Philadelphia Gas Works

:
:
:
:
:

Docket No: F-01037971

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 avers the following:

1 Admitted.

2 Admitted.

3 Denied. On October 31, 2001, PGW installed an Automatic Meter Reading Device (AMR) at 622 67th Avenue. Before PGW installed the AMR device, Ms. Sharpe's gas bills were based on PGW's estimations of her gas consumption. When PGW installed the AMR, the service person read the index on the meter. The meter index showed that Ms. Sharpe had actually used more gas than PGW had estimated, and therefore, charged her for using. When PGW realized this problem, the company issued a make-up bill charging Ms. Sharp for the difference between the gas use PGW had billed and the gas the customer actually used. Initially when PGW sent Ms. Sharpe this make-up bill the total was \$1378.19. However, this bill did not properly assign the gas costs in effect at the time Ms. Sharpe used the gas. When PGW corrected this calculation the adjusted make-up bill was \$1,033.09.

4 Denied. The Bureau of Consumer Services (BCS) reviewed the account and found that the make-up bill was correct as rendered. (See Exhibit 1). However, the BCS decided that the customer was entitled to a \$206.00 reduction in their bill to compensate for this problem. PGW has complied with this request and Ms. Sharpe's current account balance is \$800.20 for service up to December 13, 2001. The BCS designed a payment arrangement where Ms. Sharpe is required to pay her current bills plus \$40.00 per month towards this make-up bill until the balance is retired. PGW did not appeal this decision.

DOCUMENT
FOLDER

RECEIVED
JAN 08 2002
PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

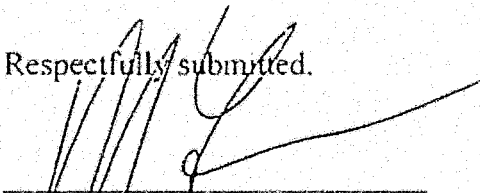
DOCKETED

JAN 10 2002

Wherefore, PGW respectfully requests that this Commission find in favor of PGW
in the instant matter.

January 8, 2002

Respectfully submitted.



Margarita Flores, Esq
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122

CERTIFICATE OF SERVICE

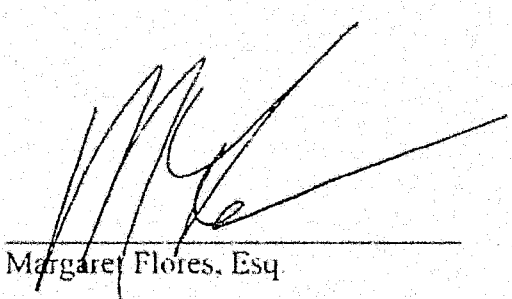
I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY OF THE FOREGOING DOCUMENT UPON THE PARTICIPANTS LISTED BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF 52 PA. CODE §1.54 (relating to service by a Participant).

Service List:

Alice Sharpe
1622 67th Avenue
Philadelphia, PA 19126

Margaret Flores, Esq.
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122

January 8, 2002



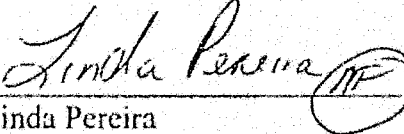
Margaret Flores, Esq.

RECEIVED
JAN 08 2002
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

VERIFICATION

I, Linda Pereira, hereby declare that I am a Customer Review Officer with 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 Answer 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: January 8, 2002



Linda Pereira

Exhibit 1

JAN 08 2002
PA PUBLIC UTILITY COMMISSIC
SECRETARY'S BUREAU



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

November 27, 2001

BCS No: 1037971

ALICE R SHARPE
1622 67TH AVE
PHILADELPHIA PA 19126

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 toll free at 1-800-782-1110, or you may call me directly at 717-783-5236

Sincerely,

ISAAC R DUNSTAN
Utility Complaint Investigator

Enclosure

IRIZARRY
PHILADELPHIA GAS WORKS

DB ✓
NCS ✓

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

ALICE R SHARPE PHILADELPHIA GAS WORKS
1622 67TH AVE v.
PHILADELPHIA PA 19126

Case Number: 1037971

Account Number:4116005620

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 stated PGW took an actual meter read on 9/21/01, then she received a bill for \$1000.00. The prior actual meter read was in 1999.

Investigation By Staff Of The Bureau Of Consumer Services Revealed:

1. That the customer's bills were estimated from June 1999 until October 2001, when the Automatic Meter Reading device (AMR) was installed.
2. That the Philadelphia Gas Works billed the customer in the amount of 1378.19 then rebilled the customer using the appropriate rates in affect when the gas was used. The rebill amount is \$1033.09, which adjusted for under estimated meter readings dating back to 1999.
3. That as of November 21, 2001 the customer's account balance is \$1120.32 and is correct as rendered.

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 \$206.00.
2. That the Philadelphia Gas Works will waive the late payment charges that were charged to the customer from October 16, 2001 to the present.

3. That the customer must pay the current bills, plus \$40.00 toward the past due balance by the due date each month beginning with the December 2001 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.

November 27, 2001

Date

Signature

ISAAC R DUNSTAN

Utility Complaint Investigator

Bureau of Consumer Services

PA Public Utility Commission



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

February 25, 2002

In Re: F-01037971

(See attached list)

Alice R. Sharpe 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, May 1, 2002

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

FEB 26 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