

ORIGINAL

COMMONWEALTH OF PENNSYLVANIA

PUBLIC UTILITY COMMISSION

----- X
Robert J. Dais v. Philadelphia Gas Works. : Docket No.
 Billing dispute. : F-02012307
 :
 Initial telephonic hearing. :
 ----- X

Pages 1 through 10 Pittsburgh State Office Building
 Hearing Room 2
 300 Liberty Avenue
 Pittsburgh, Pennsylvania

Thursday, April 13, 2006

Met, pursuant to notice, at 9:55 a.m.

BEFORE:

LARRY GESOFF, Administrative Law Judge

APPEARANCES:

ROBERT J. DAIS
 346 North Cross Street
 Philadelphia, Pennsylvania 19139
 (Pro se)

LAURETO A. FARINAS, Esquire
 800 West Montgomery Avenue
 Philadelphia, Pennsylvania 19122
 (For the Respondent)

G.M.

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WITNESS INDEX

WITNESS

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(None.)

FORM 7

EXHIBIT INDEX

NUMBERS

FOR IDENTIFICATION IN EVIDENCE

(None.)

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FORM 2

P R O C E E D I N G S

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2 ADMINISTRATIVE LAW JUDGE LARRY GESOFF: Good
3 morning. Go ahead.

4 (Responses of Complainant provided by TTY Operator.)

5 TTY OPERATOR: He said, hello, good morning. This
6 is Robert Dais, D-a-i-s. I'm here to hearing at court.
7 I'm hear to hearings court. Go ahead.

8 JUDGE GESOFF: Okay. Also on the phone is Laureto,
9 L-a-u-r-e-t-o, Farinas, F a r i n-a-s.

10 TTY OPERATOR: F-a-r-i-n-a-s, go ahead.

11 JUDGE GESOFF: The attorney for PGW. Go ahead.

12 MR. FARINAS: This is Laureto Farinas. Good
13 morning, Your Honor.

14 TTY OPERATOR: He said, hello. Go ahead.

15 JUDGE GESOFF: Mr. Dais, the Commission has a
16 policy of encouraging parties -- tell me if I'm going to
17 fast.

18 TTY OPERATOR: You're fine.

19 JUDGE GESOFF: Okay. To settle matters between
20 themselves where possible. It saves the time and expense
21 of fully litigating the matter and allows the parties to
22 dictate the outcome rather than leaving up to myself and
23 ultimately to the Commission. So, I am going to allow you
24 to talk to Mr. Farinas and any company representative he
25 has with him.

1 If you reach a settlement, we will end the
2 proceeding. If you do not reach a settlement, we will go
3 back on the record, which means the court reporter will
4 take down what is said. You will testify, the company will
5 testify and I will issue a decision.

6 This is an aside to Mr. Farinas.

7 TTY OPERATOR: This is what?

8 JUDGE GESOFF: I want to speak, before you ...

9 TTY OPERATOR: I type everything you say. You said
10 this is a side of what?

11 JUDGE GESOFF: Never mind.

12 MR. FARINAS: Your Honor, PGW is interested in
13 discussing the settlement...

14 TTY OPERATOR: Who is speaking?

15 MR. FARINAS: I'm sorry, this is Laureto Farinas
16 from PGW.

17 TTY OPERATOR: One moment, please. From PGW. Go
18 ahead.

19 MR. FARINAS: PGW is interested in discussing
20 settlement for a more affordable payment arrangement with
21 Mr. Dais, and we appreciate the opportunity to do so.

22 JUDGE GESOFF: Go ahead.

23 MR. FARINAS: Go ahead.

24 TTY OPERATOR: I told the gas company that I don't
25 pay this higher bill since I live from Ithan, I-t-h-a-n.

1 Street, in which they getting high the bills. I ain't pay
2 for it, and they increased the high too fast. How it's
3 impossible. Go ahead.

4 MR. FARINAS: This is Laureto Farinas from PGW.

5 TTY OPERATOR: One moment. Go ahead.

6 MR. FARINAS: We would like to know if Mr. Dais is
7 interested in discussing settlement with a more affordable
8 payment arrangement and...

9 TTY OPERATOR: One moment, please, sir. I have, if
10 Mr. Dais is interested in discussing payment.

11 MR. FARINAS: Settlement.

12 TTY OPERATOR: I'm sorry, discussing settlement.

13 MR. FARINAS: Through a more affordable payment
14 arrangement. We may also answer his questions about gas
15 usage at his previous addresses.

16 As the Judge indicated, he would allow us...

17 TTY OPERATOR: One moment, please. As the Judge
18 indicated, he would allow us...

19 MR. FARINAS: Time to discuss settlement. Are you,
20 Mr. Dais, willing to do so? Go ahead.

21 TTY OPERATOR: Yeah, I would like to, willing to,
22 but need to know what exactly -- how much agreement
23 payment, but I hope it not too high because I can't afford
24 to pay it with other bills. Go ahead.

25 JUDGE GESOFF: This is Judge Gesoff. I forgot to

1 say that this is the time and place set by the Pennsylvania
2 Public Utility Commission for an initial hearing by
3 telephone relay service in the complaint of Robert J. Dais
4 against Philadelphia Gas Works at Docket F-02012307.

5 TTY OPERATOR: That's F-02012307?

6 JUDGE GESOFF: Correct.

7 TTY OPERATOR: Thank you, go ahead.

8 JUDGE GESOFF: I'm Larry Gesoff, the Administrative
9 Law Judge assigned to this proceeding. Robert J. Dais is
10 appearing on his own behalf, and representing PGW is
11 Laureto A. Farinas.

12 The parties have agreed to discuss settlement, so we
13 will go off the record. Mr. Dais and Mr. Laureto may now
14 discuss settlement and they will let me know when they are
15 finished doing so. Good luck, gentlemen. Go ahead.

16 MR. FARINAS: Thank you, Your Honor. This is
17 Laureto Farinas.

18 JUDGE GESOFF: Off the record.

19 (Discussion off the record.)

20 JUDGE GESOFF: Mr. Dais, we are, what is called, on
21 the record, which means the court reporter will be taking
22 down what we say. I will be repeating the terms of your
23 settlement and asking you if you agree, okay? Go ahead.

24 TTY OPERATOR: Okay. Go ahead.

25 JUDGE GESOFF: Mr. Dais and Mr. Laureto have been

PHOTO

1 discussing settlement -- I'm sorry, Mr. Farinas.

2 MR. FARINAS: Thank you, Your Honor.

3 JUDGE GESOFF: I beg your pardon. Have been
4 discussing settlement and have reached a settlement. Mr.
5 Farinas will send Mr. Dais a letter stating the terms of
6 this settlement. Along with the letter will be an
7 application for Mr. Dais to fill out and send back in a
8 self-addressed, stamped envelope for the CRP program.

9 Mr. Dais has given Mr. Farinas the Social Security
10 number of his wife and himself, and he will be verifying
11 the last month's income. This is so that if Mr. Dais
12 qualifies for the CRP program, his monthly payments will be
13 based upon his gross monthly income and his wife's gross
14 monthly income, and his payments will be, perhaps, as low
15 or lower than \$100 a month plus \$3 on the arrearage.

16 Under the terms of the CRP, if Mr. Dais makes
17 regular payments for three years, the balance of his
18 arrearage will be eliminated. I explained to Mr. Dais that
19 this is the best settlement he could reach.

20 When this is done, Mr. Farinas will send to me what
21 is called a Certificate of Satisfaction. This allows me to
22 close the case out and eventually Mr. Dais will receive a
23 one-sentence letter from the Commission saying that his
24 case is closed.

25 Does Mr. Dais agree to this? And, if he has any

1 questions for me, he can ask them. If he simply agrees to
2 this, that's all he has to say. Go ahead.

3 TTY OPERATOR: Okay, that's all for right now, and
4 I will be looking for the mail come and will be back to
5 her. Okay, that would be great. Go ahead.

6 JUDGE GESOFF: Okay, Mr. Farinas, do you have
7 anything further?

8 (No response.)

9 Go ahead, Mr. Farinas, as speak.

10 MR. FARINAS: Nothing further, Your Honor. Thank
11 you.

12 JUDGE GESOFF: Okay. Then we will end the
13 proceeding, Mr. Dais, and after you respond to this last
14 transmission, assuming you say okay and everything is fine,
15 I will be hanging up the phone. I congratulate you on
16 reaching a very good settlement and wish you the best of
17 luck. Go ahead.

18 TTY OPERATOR: Okay, thank you so much, Your Honor.
19 Okay, have a nice day. Bye for now. Go ahead or signing
20 off.

21 JUDGE GESOFF: Thank you very much operator.

22 (Whereupon, at 10:42 p.m., the hearing was adjourned.)
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C E R T I F I C A T E

I hereby certify, as the stenographic reporter, that the foregoing proceedings were reported 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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FORM 2