

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: ALJ	:	
3. SECTION(S):	:	
5. APPROVED BY:	:	4. PUBLIC MEETING DATE:
DIRECTOR:	:	00/00/00
SUPERVISOR:	:	
6. PERSON IN CHARGE:	:	7. DATE FILED: 11/20/06
8. DOCKET NO: C-20067110	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: VIRGO, GLEN

RESPONDENT/APPLICANT: PHILADELPHIA GAS WORKS

COMP/APP COUNTY: PHILADELPHIA UTILITY CODE: 125042

ALLEGATION OR SUBJECT

COMPLAINANT STATES THERE ARE INCORRECT CHARGES ON HIS BILL.

DOCKETED
NOV 27 2006

DOCUMENT
FOLDER

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

RECEIVED
2005 NOV 20 AM 8:57
SECRETARY'S OFFICE

C-2006-110

Please print or type.

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address:

Name Glen Virgo

Street/P.O. Box 1869 Wynnewood Rd Apt #

City Philadelphia State PA Zip 19151

County Philadelphia

Area Code/HOME Phone 215-878-0233

Area Code/WORK Phone 215-528-5297

Utility Account Number 0849460496

(from your bill) SAID# 3271920960

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name Glen Virgo

Street/P.O. Box 1617 N. 59th Street

City Philadelphia State PA Zip 19151

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: Philadelphia Gas Works

3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER
(taxi, moving company, limousine)

TELEPHONE
(local, long distance)

10

4. COMPLAINT (check one)

A. In general, what is your complaint?

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.
- Other.
(explain)

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

Over charged bill -

Charges were to another address not owned by me
"1716 N 59th Street"

No one lives at my property the house has been
under renovation since November of '05

5. RELIEF

What do you want the Public Utility Commission to do about your complaint? Use additional paper if you need more space.

Account to be cleared and if an investigation
has not been done, please start one. Better
Service from PGW is required

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company AND your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES

NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES
(includes appeals of BCS determinations)

NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification: I GLEN VIRAO, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Glen Virao 11/10/06
(Signature) (Date)

9. **LEGAL REPRESENTATION (IF ANY)**

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

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

10. **FILING**

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
--	--

Facsimiles and/or electronic filings of the complaint form will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your complaint for your records.

November 10, 2006

1869 Wynnewood Road
Philadelphia, PA 19151

Re: 1617 N. 59th Street
Account # 084960496

Dear Sir/Madam:

My wife and I made settlement on the property at 1617 N. 59th Street in November 2005 and this house has been under renovation since. Everything was cleared at settlement. No one is living at the property. We received a bill that was charged to my name at an address of 1716 N. 59th Street. I took the bill to the gas company and they changed the address and sent me a bill for \$0.

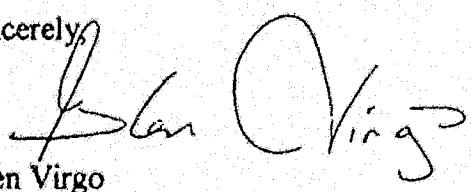
I then received another bill for \$544.06 which I am disputing. No one lives at this property. At settlement the meter reading was 7765 and the reading as of today, November 10, 2006 is 7781.

On May 22, 2006 Mr. J. Colon employee id#9920 came to shut off the meter, and I let him in to walk through the house to see that nothing was on and the meter at that time was already turned off.

What I don't understand is why I am charged such high amount for non-usage. This is my complaint.

What I need the PUC to do for me is to explain the charges and clear this matter before it is accumulated to a higher amount. I know I don't owe this money.

Sincerely,


Glen Virgo



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

IN REPLY PLEASE
REFER TO OUR FILE

DATE SERVED: NOVEMBER 28, 2006

C-20067110

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

DOCUMENT
FOLDER

Dear Mr. Farinas:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by GLEN VIRGO. 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.

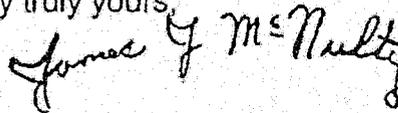
Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

NOVEMBER 28, 2006

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". The signature is written in dark ink and is positioned to the right of the typed name.

James J. McNulty
Secretary

jih

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: NOVEMBER 28, 2006

GLEN VIRGO

Complainant

v.

PHILADELPHIA GAS WORKS

Respondent

Complaint Docket

No: C-20067110

DOCUMENT
FOLDER

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PHILADELPHIA GAS WORKS

TAKE NOTICE:

DOCKETED

NOV 27 2006

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).

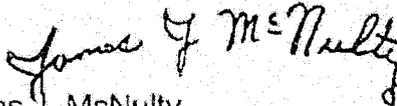
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa.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

Philadelphia Gas Works
800 West Montgomery Avenue, Philadelphia, PA 19122



Mary M. Chan, Paralegal
Legal Department
Direct Dial: (215) 684-6830
Fax: (215) 684-6798
E-mail: mary.chan@pgwworks.com

ORIGINAL

December 12, 2006

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

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DEC 12 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Glen Virgo vs PGW, Docket No. C-20067110

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 required, please do not hesitate to contact the undersigned. Thank you for your assistance in this matter.

Sincerely,

Mary M. Chan

DOCUMENT
FOLDER

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Enclosure

cc: Glen Virgo
Anne Marie Cromley

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DEC 18 2008

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Glen Virgo

v.

Philadelphia Gas Works

Docket No. C - 20067110

Answer of the 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. PGW further admits that the Complaint concerns gas service to 1617 N. 59th Street, Philadelphia, Pennsylvania (Service Address).
2. Admitted.
3. Admitted.
4. (A) Denied. PGW denies that there are incorrect charges on the Complainant's bill. The Complainant's bills are correct as rendered.

(B) Admitted in part; denied in part. PGW denies that it has overcharged the Complainant. PGW admits that the disputed charges are from gas service to 1617 N. 59th Street, Philadelphia, Pennsylvania, the Service Address. PGW lacks sufficient information to determine the truth of the averment concerning who lived at the service address and what renovations had been occurring there since November 2005. Therefore, PGW denies the averment.

By way of further answer, on December 23, 2005, the Complainant visited a PGW office with settlement papers for the purchase of the Service Address and 2 forms of identification. The PGW representative

mistakenly issued a turn on of 1716 N. 59th Street and not the Service Address 1617 N. 59th Street as of November 16, 2005.

On February 21, 2006, PGW discovered that the correct address was for the Complainant's account is 1617 N. 59th Street and not 1716 N. 59th Street. The bills generated under 1716 N. 59th Street were canceled leaving a zero balance for that address. The correct address of 1617 N. 59th Street was placed in the Complainant's name effective November 15, 2006 and billed based upon the actual readings obtained from that address. This generated a bill from November 15, 2005 to May 22, 2006 in the amount of \$609.24, as shown on the statement of account which is attached hereto as Exhibit "A."

The Service Address is equipped with an automatic meter reading device (AMR). On November 9, 2005, the AMR reading obtained was index 7506 and on December 12, 2005, the AMR reading was index 7612.

A decision of the Bureau of Consumer Services (BCS) dated October 24, 2006, which is attached hereto as Exhibit "B," found that the bills are correct as rendered. The company properly re-billed the account after discovering the initial bill was sent for the wrong service address. The bills were mailed for 1716 N. 59th Street when they should have been mailed to 1617 N. 59th Street. The Complainant declined any BCS payment terms and indicated that he will pay the bill in full. In the interest of good customer relations, PGW has waived a total of \$27.29 in late payment charges reducing the total account balance to \$583.56.

5. Denied. The averments in Paragraph 5 of the Complaint are requests for relief to which no response is required. PGW therefore denies the averments in this paragraph.

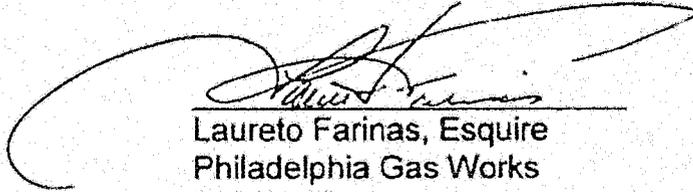
6. Admitted.

7. Admitted.

Wherefore, PGW respectfully requests that this Commission find against the Complainant, and affirm the decision of the BCS in this matter.

Respectfully submitted,

December 12, 2006



Laureto Farinas, Esquire
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122
(215) 684-6982

EXHIBIT A

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SECRETARY'S BUREAU

EXHIBIT B

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

HISTORY REQUEST REPORT FOR ACCOIJNT # 849460496 AND SA # 3271920960 AS OF 12/06/2006

Account #: 849460496	SA #: 3271920960	Bill Cycle: 08	Rate Class: GS	Phone #: 8780233(215)
Name: VIRGO, GLENN L				
Address: 1617 N 59TH ST/PHILA, PA				
Easyway Indicator:				
CRP Status:				
Blocker Start Date: 20061205				
Blocker End Date: 20061205				
Meter #: 1836677				

Tran Date	Tran Type	Current Amt.	Total Amt.	Adjust Amt.	Segment Start Date	Segment End Date	Read Code	End Reaö	Current Balance	Usage	Meter #
05/22/2006	BILL	\$609.24	\$609.24	\$0.00	11/15/2005	05/22/2006	R	7781	\$609.24	256	1836677
06/13/2006	BILL	\$12.84	\$12.84	\$0.00	05/22/2006	06/13/2006	R	7781	\$631.21	0	1836677
06/14/2006	LPC	\$9.13	\$9.13	\$9.13							
07/13/2006	BILL	\$12.84	\$12.84	\$0.00	06/13/2006	07/13/2006	R	7781	\$653.38	0	1836677
07/14/2006	LPC	\$9.33	\$9.33	\$9.33							
07/18/2006	XFER	(\$653.38)	(\$653.38)	(\$653.38)							
08/07/2006	PAY	(\$102.72)	(\$102.72)	\$0.00							
08/11/2006	BILL	\$12.84	\$12.84	\$0.00	07/13/2006	08/11/2006	R	7781	(\$89.88)	0	1836677
09/12/2006	BILL	\$12.84	\$12.84	\$0.00	08/11/2006	09/12/2006	R	7781	(\$77.04)	0	1836677
10/11/2006	BILL	\$12.84	\$12.84	\$0.00	09/12/2006	10/11/2006	R	7781	(\$64.20)	0	1836677
11/03/2006	XFER	\$653.38	\$653.38	\$653.38							
11/09/2006	BILL	\$12.84	\$12.84	\$0.00	10/11/2006	11/09/2006	R	7781	\$610.85	0	1836677
11/13/2006	LPC	\$8.83	\$8.83	\$5.83							
12/06/2006	LPCWVE	(\$27.29)	(\$27.29)	(\$27.29)							

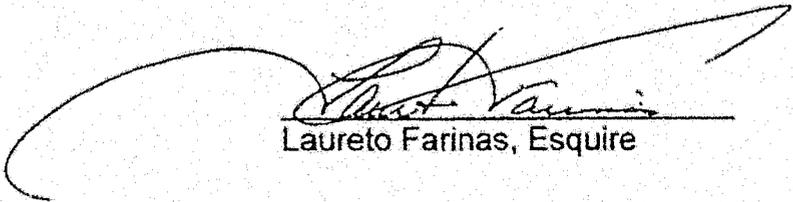
- <Case>
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<CompanyName>PGW (PHILA. GAS WORKS (NGDC))</CompanyName>
<CompanyCode>0766</CompanyCode>
<CompanyType>GAS TRANSPORTER</CompanyType>
- <Customer>
<CustomerFirstName>GLENN</CustomerFirstName>
<CustomerMiddleInitial>L</CustomerMiddleInitial>
<CustomerLastName>VIRGO</CustomerLastName>
<AccountNumber>0849460496</AccountNumber>

- <CustomerServAddress>
<ServAddress1>1617 N 59TH ST</ServAddress1>
<ServCity>PHILADELPHIA</ServCity>
<ServState>PA</ServState>
<ServZip5>19151</ServZip5>
</CustomerServAddress>
</Customer>
<DecisionIssue>Y</DecisionIssue>
<OralWritten>O</OralWritten>
<Violation>NO</Violation>
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<DateClosed>2006-10-24</DateClosed>
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- <OtherInfo>
<BCSInvestigatorFName>JOHN</BCSInvestigatorFName>
<BCSInvestigatorLName>CLEA</BCSInvestigatorLName>
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<PUCFax FaxAreaCode="717">7876641</PUCFax>
</OtherInfo>
</Case>
</Cases>

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 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: December 12, 2006



Laureto Farinas, Esquire

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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:

For Complainant:

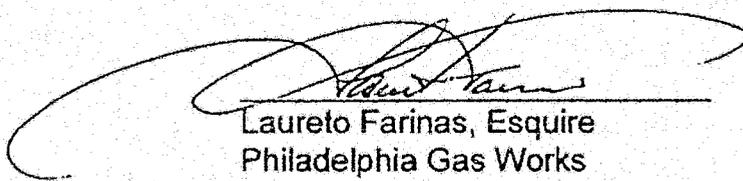
Mr. Glen Virgo
1869 Wynnewood Road
Philadelphia, PA 19151

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SECRETARY'S BUREAU

December 12, 2006



Laureto Farinas, Esquire
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800 W. Montgomery Avenue
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(215) 684-6982