

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

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 :  
 STARSHEA SAVIOUR, :  
 :  
 v. : Docket No.  
 : F-02013135  
 PHILADELPHIA GAS WORKS, :  
 Billing Dispute. Initial :  
 hearing. Call of the Docket. :  
 -----X

Pages 1 through 11

Hearing Room II  
State Office Building  
1400 Spring Garden Street  
Philadelphia, Pennsylvania

DOCUMENT  
FOLDER

Tuesday, May 30, 2006

Met, pursuant to notice, at 10:04 a.m.

BEFORE:

KY VAN NGUYEN, Administrative Law Judge

APPEARANCES:

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

**DOCKETED**  
AUG 10 2006

*W. H.*  
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AUG 10 11:05:05

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Camp Hill, Pennsylvania 17011

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C O N T E N T S

<u>WITNESSES</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
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Orlando Rosario	5	-	-	
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FORM 2

E X H I B I T S

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FOR IDENTIFICATION IN EVIDENCE

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P R O C E E D I N G S

1  
2 ADMINISTRATIVE LAW JUDGE KY VAN NGUYEN: We  
3 open the record for a hearing on the complainant of Starshea  
4 Saviour against Philadelphia Gas Works. At docket number  
5 F-2013135. My name is Ky Van Nguyen. I am Administrative  
6 Law Judge presiding at this hearing. I will ask the parties  
7 to identify themselves for the record, Mr. Farinas.

8 MR. FARINAS: Good morning, your Honor,  
9 Laureto Farinas, counsel for the Philadelphia Gas Works.

10 JUDGE NGUYEN: Let the record show that  
11 Starshea is a female?

12 MR. FARINAS: I believe she is.

13 JUDGE NGUYEN: Ms. Saviour is not present at  
14 this hearing. I will conduct the hearing in this matter.

15 MR. FARINAS: Your Honor, at this time I move  
16 that this complaint be dismissed for nonprosecution despite  
17 our efforts to contact Ms. Saviour, there's been no response  
18 to letters or phone calls.

19 JUDGE NGUYEN: Can you tell us something for  
20 the record, please.

21 MR. FARINAS: The last bill issued on this  
22 account was --

23 JUDGE NGUYEN: Your witness will testify.

24 MR. FARINAS: Your Honor, at this time I'd  
25 like to call Mr. Orlando Rosario.

1 JUDGE NGUYEN: Raise your right hand.

2 Whereupon,

3 ORLANDO ROSARIO

4 having been duly sworn, testified as follows:

5 DIRECT EXAMINATION

6 BY MR. FARINAS:

7 Q. Mr. Rosario, can you please spell your name for the  
8 record?

9 A. Sure, O-r-l-a-n-d-o, last name R-o-s-a-r-i-o.

10 Q. Are you employed by PGW?

11 A. Yes, I am.

12 Q. What is your job title?

13 A. I'm a customer review officer for the Philadelphia Gas  
14 Works.

15 Q. What does your duties entail?

16 A. My duties entail to investigate complaints that are  
17 filed both informal and formal to the Public Utility  
18 Commissions to render responses as well as to testify in  
19 court.

20 Q. Did you investigate the complaint that was filed by  
21 Ms. Saviour that we are discussing today?

22 A. Yes.

23 Q. Can you briefly tell us the status of the account;  
24 when was the last bill issue?

25 A. The last bill was issued on November the 10th of 2005.

1 JUDGE NGUYEN: What is that amount?

2 THE WITNESS: The total amount at this moment  
3 is \$3,021.09.

4 JUDGE NGUYEN: Okay.

5 BY MR. FARINAS:

6 Q. Was there an informal complaint filed in this dispute?

7 A. Yes, there was. The informal complaint was filed  
8 November 22nd of 2005. PGW rendered the response to the  
9 Public Utility Commission on December the 2nd of 2005.

10 Q. What was the results of the decision?

11 A. The results of the decision, there was no decision on  
12 this informal complaint, docket No. 2013135. And the reason  
13 being is because she filed the formal complaint and that's  
14 why we are here today.

15 JUDGE NGUYEN: Would you talk about  
16 reliability, safety, and quality with your company; why is  
17 she complaining?

18 THE WITNESS: I'm sorry, I didn't hear you.  
19 your Honor.

20 JUDGE NGUYEN: She said about the reliability,  
21 safety, and quality problem with your utility. Are there  
22 any of those issues involving this case?

23 THE WITNESS: No, your Honor.

24 BY MR. FARINAS:

25 Q. Mr. Rosario, can you comment on what PGW's findings

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were from the formal and informal complaint?

A. Yes. On the informal complaint PGW was able to find that this service at the property was originally in the name of a customer of record who discontinued the service as of September 21 of '04. PGW went to the property and read the meter using the automatic reading meter device and read the index at 0963. The service remained on under what we consider a soft-off account, which is an interim account in between tenants or owners of the property.

JUDGE NGUYEN: So what's the name of the rate payer at that time, September 21st, 2004? Was the account in the name of Starshea Saviour; you don't have that?

THE WITNESS: That record I don't have because I didn't mark it as part of the information that would have been necessary, being the account that she has no complaint and we have no complaint against the former tenant because she did what was necessary to do on her behalf to discontinue the service.

JUDGE NGUYEN: So when was her service established?

THE WITNESS: The customer prior to Ms. Starshea?

JUDGE NGUYEN: No, Ms. Starshea.

THE WITNESS: PGW started her service as the September 21 of 2004.

1 MR. FARINAS: Your Honor, if I may actually  
2 I'd like to have marked as PGW Exhibit-1 a two-page document  
3 which has as its titled History Request Report. It is the  
4 statement of account for this account.

5 BY MR. FARINAS:

6 Q. Mr. Rosario, do you have that information in front of  
7 you?

8 A. Yes, I do.

9 Q. Can you comment on the activity on the amount that was  
10 build to Ms. Starshea from PGW Exhibit-1?

11 A. Yes. This is the history request report that showed  
12 that the service was commenced. If you look at the middle  
13 column it will -- beginning on the sixth column from the  
14 left to the right, it says "segment start date" the very  
15 first entry shows that the account is being billed as of  
16 that moment which is September 21st of 2004. The first  
17 billing ending on the next column on October 26th of 2004.  
18 The recode is an R which means that PGW read the meter and  
19 the end read of the account was 3434; meaning that 74 units  
20 of gas was consumed for a total of \$114.15.

21 JUDGE NGUYEN: How about history?

22 THE WITNESS: As you can see by this  
23 document, your Honor, there are no payments applied onto  
24 this account. PGW has billed this account solely under the  
25 soft-off account, which shows that Ms. Starshea never

1 applied for service. She continued to utilize the service  
2 without authorization by PGW.

3 JUDGE NGUYEN: Until November 10?

4 THE WITNESS: Of 2005. At this point we  
5 terminated the service for user without a contract and also  
6 for the nonpayment of the account. At this point, PGW read  
7 the meter as you can see by the last entry. It was November  
8 the 10th of 2005 at the reading of 5089.

9 JUDGE NGUYEN: Where is she now?

10 MR. FARINAS: Her phone number is disconnected  
11 and she has not responded to any letters that we sent in  
12 order to negotiate a settlement.

13 JUDGE NGUYEN: Who is the customer now at that  
14 address? Is Ms. Starshea disconnected from the service?

15 THE WITNESS: At this point we found that the  
16 service was returned back on.

17 JUDGE NGUYEN: To whom?

18 THE WITNESS: We are billing this service to  
19 Ms. Starshea, because when we terminated the service  
20 November 8th of '05, the service was returned back on. And  
21 we found that Ms. Starshea was still living here at the  
22 time, and we are billing her an additional \$104.70 for  
23 unauthorized usage.

24 JUDGE NGUYEN: So she's still on the property?

25 THE WITNESS: As of November of '05, yes, she

1 was.

2 JUDGE NGUYEN: And the service was returned.

3 THE WITNESS: It was turned back on and we  
4 terminated it again.

5 JUDGE NGUYEN: Terminated again?

6 THE WITNESS: Yes.

7 JUDGE NGUYEN: When?

8 THE WITNESS: November the 8th of '05.

9 JUDGE NGUYEN: Is it on now?

10 THE WITNESS: As of right now, sir, I don't  
11 know.

12 JUDGE NGUYEN: So there is no service at the  
13 properties now?

14 THE WITNESS: There may be service. It may  
15 be under another person's name, but it's not under Starshea  
16 Saviour.

17 JUDGE NGUYEN: Is the service is still under  
18 her name?

19 THE WITNESS: No.

20 JUDGE NGUYEN: So from November 10, 2005?

21 THE WITNESS: Correct.

22 JUDGE NGUYEN: The service is not --

23 THE WITNESS: Is no longer in Starshea  
24 Saviour's name.

25 JUDGE NGUYEN: Okay. Thank you very much.

(Whereupon, at 10:14 a.m., the hearing was concluded.)

C E R T I F I C A T E

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.

COMMONWEALTH REPORTING COMPANY, INC.

By: Diana J. Hayes  
Diana J. Hayes

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