

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Lisa McDermott-Seda

v.

Philadelphia Gas Works

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:
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C-20067078

DOCUMENT
FOLDER

ORDER DENYING
MOTION FOR CONTINUANCE

DOCKETED
MAR 6 - 2007

A Hearing Notice dated December 14, 2006, indicated that an Initial Telephonic Hearing is scheduled for this proceeding on Wednesday, February 7, 2007, at 10:00 a.m. On Monday, January 29, 2007, I received by facsimile a letter requesting a continuance of this matter on behalf of Philadelphia Gas Works ("Respondent" or "PGW"). Counsel for Respondent, Mr. Laureto Farinas, Esquire states that PGW scheduled a testing of its complaints database and his presence is required during the testing. On Thursday, February 1, 2007, PGW acknowledged that the Complainant, Ms. Lisa McDermott-Seda opposes the requested continuance.

My Prehearing Order at ¶ 3 states, "A request for a change of the scheduled hearing date must state the agreement or opposition of other parties, and must be submitted in writing no later than five (5) business days prior to the hearing." This procedure is in accordance with Commission regulation at 52 Pa. Code §1.15(b). I note that while the motion for continuance was timely, it was opposed by the Complainant. This matter is ripe for review.

Respondent has substantially complied with my Prehearing Order at ¶ 3 and 52 Pa. Code §1.15(b). However, I do not find it compelling to grant the continuance. Ms. McDermott-Seda has requested that this matter be decided by the Pennsylvania Public Utility Commission. She has stated that she would like to have the hearing take place as scheduled. The hearing is telephonic and more likely will not last all day. Because the hearing is telephonic, Respondent's physical presence is not constrained. Counsel can be in close proximity to the

testing site before the hearing, conduct the hearing, and then go back to the testing once the hearing is concluded. Furthermore, Respondent has had been represented by other counsel in the past.

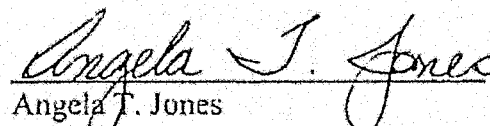
The Motion in the above-captioned matter is denied. The Initial Telephonic Hearing will proceed as scheduled. All parties are encouraged to talk with each other to resolve this matter, if possible, as stated in Prehearing Order ¶ 10.

THEREFORE,

IT IS ORDERED:

1. That the request for continuance submitted by Philadelphia Gas Works at Docket No. C-20067078 is denied.
2. That this matter proceeds to hearing as scheduled.

Date: February 1, 2007


Angela T. Jones
Administrative Law Judge

OALJ Hearing Report

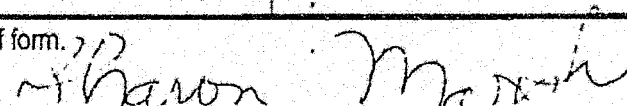
Please check Those Blocks Which Apply

Docket No.:	C-20067078	Prehearing Held:	YES	NO
Case Name:	Lisa McDermott-Seda v. Philadelphia Gas Works	Hearing Held:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
		Testimony Taken:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location:	Philadelphia, PA	Further Hearing Needed:	<input type="checkbox"/>	<input type="checkbox"/>
		Estimated Add'l Days:		
Date:	February 7, 2007	RECORD CLOSED:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ALJ:	Angela T. Jones	DATE:	2-7-07	
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Sargents Court Reporting	DATE:		
<h2 style="margin: 0;">RECEIVED</h2> <p style="margin: 5px 0;">FEB 23 2007</p> <p style="margin: 5px 0;">PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU</p>		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:		

PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?					
LISA McDERMOTT-SEDA	7042 VANDIKE ST.	SELF					
Telephone: 215.338.7574	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; border: none;">City</td> <td style="text-align: center; border: none;">State</td> <td style="text-align: center; border: none;">Zip</td> </tr> <tr> <td style="text-align: center;">PHILA.</td> <td style="text-align: center;">PA</td> <td style="text-align: center;">19135</td> </tr> </table>		City	State	Zip	PHILA.	PA
City	State	Zip					
PHILA.	PA	19135					
LAURETO FARINAS, ESQ.	800 W. MONTGOMERY AVE.	PHILA. GAS WORKS					
Telephone: 215.684.6982	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; border: none;">City</td> <td style="text-align: center; border: none;">State</td> <td style="text-align: center; border: none;">Zip</td> </tr> <tr> <td style="text-align: center;">PHILA.</td> <td style="text-align: center;">PA</td> <td style="text-align: center;">19122</td> </tr> </table>		City	State	Zip	PHILA.	PA
City	State	Zip					
PHILA.	PA	19122					

Check this box if additional parties or attendees appear on back of form.


 Reporter's Signature

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.