

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Kimberly Parcella

v.

Philadelphia Gas Works

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F-02299435

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PREHEARING ORDER

An Initial Hearing in this case is scheduled for Tuesday, February 5, 2008, at 1 30 p.m. in an available hearing room on the thirteenth floor of the Philadelphia State Office Building. This case is one of several cases that have been scheduled at this time. You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. You should arrive at the Hearing Room no later than 1:15 p.m. and wait in the Hearing Room until the Administrative Law Judge calls your case. Your case might not be the first one to be called and you should be prepared to stay in the hearing room all morning, if necessary. If the Complainant is not present when their case is called, the case will be dismissed by the Administrative Law Judge. Accordingly, the participants are hereby directed to comply with the following requirements:

1. You must serve me directly with a copy of any document that you file in this proceeding, at the time of filing. If you send me any correspondence or document, you must send a copy to all other parties. For your convenience, a copy of the Pennsylvania Public Utility Commission's ("Commission" or "PUC") current service list of the parties to this proceeding is enclosed with this Order.

2. 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) days prior to the hearing. 52 Pa.Code § 1.15(b). Requests for changes of hearing dates must be sent to me and all parties of record. The correct address is: Administrative Law Judge Angela T.

Jones, 1302 Philadelphia State Office Building, 1400 West Spring Garden Street, Philadelphia, PA 19130. Changes are granted only in rare situations where good cause exists.

3. YOU MAY LOSE THIS CASE IF YOU DO NOT TAKE PART IN THE HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.

4. The hearing is a formal proceeding and will be conducted in accordance with the Pennsylvania Public Utility Commission's Rules of Practice and Procedure.

5. If you intend to introduce any exhibits into evidence at the hearing, you must supply an original and one copy for the court reporter, a copy for me, and one copy for each other party. Proposed exhibits should be properly pre-marked for identification purposes.

6. Pursuant to 52 Pa.Code §§ 1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, limited liability company, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa.Code § 1.24(b).

7. THE COMPLAINANT BEARS THE BURDEN OF PROOF IN THIS PROCEEDING AND MUST SHOW BY A PREPONDERANCE OF THE EVIDENCE THAT THE RESPONDENT HAS VIOLATED THE PUBLIC UTILITY CODE OR A REGULATION OR AN ORDER OF THE COMMISSION SO THAT THE COMPLAINANT IS ENTITLED TO THE RELIEF REQUESTED IN THE COMPLAINT.

8. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa.Code § 5.421. You must submit your written application to me

sufficiently in advance of the hearing date so the other parties will have the required ten (10) days' notice to answer or object, and so you will have enough time to receive the subpoena and serve it.

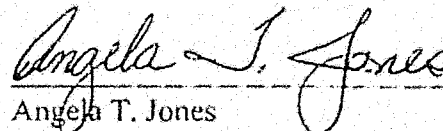
9. Any party may conduct discovery to learn the factual basis of another party's position in this case. However, 52 Pa.Code § 5.331(b) provides, in relevant part, that "[a] party shall initiate discovery as early in the proceedings as reasonably possible." Additionally, 52 Pa. Code § 5.322 provides, in relevant part, that "parties are encouraged to exchange information on an informal basis." All parties are urged to cooperate in informal information exchanges and in conducting discovery. Cooperation is preferable to disagreements, which require my participation to resolve. There are limitations on discovery (52 Pa.Code § 5.361) and sanctions for abuse of the discovery process (52 Pa.Code §§ 5.371 & 5.372).

10. **Commission policy is to encourage settlements. 52 Pa.Code § 5.231(a). Therefore, you are urged to discuss informally between yourselves the possible settlement of this case at least one week before the hearing. If you are unable to settle this case, you may still resolve as many questions or issues as possible during your informal discussion.**

11. Complainant, Ms. Parcella, is alleging a high bill complaint. Complainant should be prepared to respond to questions about payment history, number of occupants, potential energy use and any billing abnormalities. Similarly, Philadelphia Gas Works should prepare evidence regarding a high bill complaint.

12. Complainant is cautioned that the any undisputed evidence of gas used by the customer, the utility must be compensated for said use.

Date: January 14, 2008


Angela T. Jones
Administrative Law Judge

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



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Fax: (215) 684-6798
E-mail: laureto.farinas@pgworks.com

February 5, 2008

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

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FEB 05 2008

F. 02299435 PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Kimberly Parcella v. PGW, Docket No. F-022299435

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.24(b), the Philadelphia Gas Works ("PGW") certifies that the above referenced Complaint has been satisfied. PGW and the Complainant have discussed the issues raised in the complaint and reached a settlement. With this discussion and settlement, the Complainant has indicated that she is satisfied with the resolution of this complaint. ***Therefore, the hearing scheduled for February 5, 2008 at 1:30 p.m. is no longer required.***

By copy of this letter, I am notifying the complainant of her right to object to any part of this settlement in writing to the Public Utility Commission within (10) days from the date of this correspondence.

If additional information is needed about this matter, please contact me at my direct-dial number above. Thank you for your assistance.

Sincerely,

Laureto A. Farinas, Esq.

ORIGINAL

Enclosure

cc: Kimberly Parcella
Administrative Law Judge Angela Jones (via fax)
Anne Marie Cromley
Linda Pereira
Jennifer Raksnis

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~~BAV-4290~~

BN 4504

OALJ Hearing Report

Please Those Blocks Which Apply

Jocket No. F-02299435	YES NO
Case Name: Kimberly Parcella v. Philadelphia Gas Works	Prehearing Held: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
	Hearing Held: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
	Testimony Taken: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
	Transcript Due: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Location: Philadelphia, PA	Hearing Concluded: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Date: February 5, 2008	Further Hearing Needed: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ALJ: Angela T. Jones	Estimated Add'l Days: _____
Reporting Firm: Commonwealth Reporting	RECORD CLOSED: <input type="checkbox"/> YES <input type="checkbox"/> NO
	DATE: _____
	Briefs to be Filed: <input type="checkbox"/> YES <input type="checkbox"/> NO
	DATE: _____
	Bench Decision: <input type="checkbox"/> YES <input type="checkbox"/> NO
	REMARKS: <i>CERT. OF SAT. FILED.</i>

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FEB 13 2008

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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

Name and Telephone Number	Address	Who are you representing?
	City State Zip	
Telephone: _____	E-mail Address: _____	Fax Number: _____
	City State Zip	
Telephone: _____	E-mail Address: _____	Fax Number: _____
	City State Zip	
Telephone: _____	E-mail Address: _____	Fax Number: _____

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.