

DOCKET NO. : C-20054568
RESPONDENT OR APPLICANT: PHILADELPHIA GAS WORKS
PARTY OR COMPLAINANT: PENZUR, BRUCE

ENTRY	TYPE	DATE	BUREAU	PERSONNEL
1	N	04/25/05	SEC	IMES
FORMAL COMPLAINT OF BRUCE PENZUR V. PHILA GAS WORKS				
2	N	06/08/05	SEC	IMES
NOTICE OF COMPLAINT SENT TO RESPONDENT FOR ANSWER IN 20 DAYS				
3	N	06/28/05	SEC	TAYLORJODI
RESP FLD LTR CERTIFIES COMPLAINT SATISFIED/COMPLAINANT ACKNOWLEDGES SAME(COPY)				
4	N	07/11/05	SEC	SHUTTLESWORTH
CALJ MEMO ACKNOWLEDGING WITHDRAWAL & CLOSING IN 10 DAYS				
5	N	06/28/05	SEC	FARNERJOYCE
RESP FLD LETTER CERTIFIES COMPLAINT SATISFIED & COMPLAINANT ACKNOWLEDGES SAME				
6	N	09/12/05	SEC	SHUTTLESWORTH
SEC LETTER TO PARTIES ADVISING COMMISSION HAS MARKED PROCEEDING CLOSED				

CAPTION SHEET

USE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00
- 2. BUREAU: ALJ
- 3. SECTION(S):
- 5. APPROVED BY: DIRECTOR: SUPERVISOR:
- 6. PERSON IN CHARGE:
- 8. DOCKET NO: C-26054568
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 04/25/05
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: PENZUR, BRUCE

RESPONDENT/APPLICANT: PHILADELPHIA GAS WORKS

COMP/APP COUNTY: PHILADELPHIA

UTILITY CODE: 125042

ALLEGATION OR SUBJECT

COMPLAINANT STATES HE WOULD LIKE THE PUC TO PUT BACK INTO EFFECT THE ORIGINAL AGREEMENT WITH THE GAS COMPANY AND TO DEDUCT ANY FINANCE CHARGES THAT HAVE ALREADY BEEN MADE. HE STATES HE CAN NOT AFFORD TO PAY THE AMOUNT REQUESTED IN FULL.

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JUN 08 2005

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.

5. **RELIEF**

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

Complaint

4.

(B) About four years ago I received a notice from the Philadelphia Gas Works that for many years when I was residing at 1832 Delancey Street there had been a mistake made by PGW regarding my monthly Gas bill. Although I had been paying my monthly bill, through an ERROR on their part my next bill was for the amount of \$5000. When I inquired about the charge I was told that there had been a billing error for many years and that I had been under billed for Gas usage. I notified the PUC about the "mistake" and after about six months was sent a letter stating that the sum would be reduced by approximately \$2000 and that a payment of \$15 would be added to my Gas bill every month to pay off the rest that I was told I still owed. About three months ago I received a Gas bill in the amount of over \$3000. I called PGW and this time was told that there had been a late payment (my average monthly bill is now about \$14) and that the agreement was no longer valid. I am now paying a finance charge over twice what my monthly charges are. This IS UNREASONABLE since the under billing was their mistake and not mine. I was NEVER informed that a late payment meant that the contract that the PUC negotiated was null and void. When I moved almost three years ago it was agreed that my situation would transfer over to my new residence. I have not retained the documents supporting the situation and hope that the PUC still has them on file.

5. I would like the PUC to put back into effect the original agreement with the Gas Company and to deduct any finance charges that have already been made. I can not afford to pay the amount requested in full. While this request is being processed, please have PGW send my monthly charges ONLY without the total amount that they are requesting plus the finance charges.

Thank you'

Bruce Penzur
1920 Chestnut #801
Philadelphia PA 19103

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



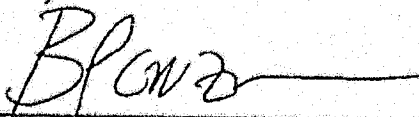
If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

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 BRUCE PENZUR, 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 subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).



(Signature)

(Date)

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

DATE SERVED: JUNE 8, 2005

C-20054568

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

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by BRUCE PENZUR. 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.

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JUNE 8, 2005

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

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,

James J. McNulty
Secretary

ddi

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: JUNE 8, 2005

BRUCE PENZUR
Complainant

VS.

PHILADELPHIA GAS WORKS
Respondent

Complaint Docket
No: C-20054568

DOCUMENT

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PHILADELPHIA GAS WORKS

TAKE NOTICE:

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

ORIGINAL

Philadelphia Gas Works



800 West Montgomery Avenue, Philadelphia, PA 19122
Laureto A. Farinas, Senior Attorney
Legal Department
Direct Dial: 215-684-6982
FAX: 215-684-6798
E-mail: laureto.farinas@pgworks.com

June 28, 2005

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

RECEIVED

JUN 28 2005

Re: Bruce Pensur v. PGW, Docket No. C-20054568

PA PUBLIC UTILITY COMMISSION
SECRET: 215-684-6798

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 Complainant concerns with his account and reached a settlement. With this discussion and settlement, the Complainant has indicated that he is satisfied with the resolution of this complaint.

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Laureto A. Farinas". The signature is fluid and cursive, with a long horizontal flourish extending to the left.

cc: Bruce Pensur
Wendy Vacca (CRU)
Cherie Pyle, (Scheduler)

DOCKETED
JUL 07 2005

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Philadelphia Gas Works



800 West Montgomery Avenue, Philadelphia, PA 19122

Sharon L. Banton, Paralegal
Legal Department

Direct Dial: 215-684-6862

FAX: 215-684-6798

E-mail: Sharon.banton@pgworks.com

June 28, 2005

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

Re: Settlement Filings

Dear Mr. McNulty:

Enclosed please find the above filings for the following individuals:

Bruce Pensur:	Docket No. C - 20054568
Gerson & Libby Reibstein:	Docket No. C - 20054399

Yours truly,

A handwritten signature in cursive script that reads "Sharon L. Banton".

BTL

Enclosures

DOCUMENT
FOLDER

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COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: June 30, 2005
SUBJECT: C-20054568
Bruce Pensur v. Philadelphia Gas Works
TO: Wanda Zeiders
Docket Management
FROM: Cherie Pyle, ALJ Support Staff
Office of Administrative Law Judge

DOCUMENT
FOLDER

On June 28, 2005, a Certificate of Satisfaction was filed in the above-captioned proceeding. If no objection is filed to this certificate within 10 days of service, this proceeding will be closed.

All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

Attachment

pc: (None Assigned)
Beth Plantz
Case File

DOCKETED
JUL 6 2005

BTL



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

IN REPLY PLEASE
REFER TO OUR FILE

September 12, 2005

C-20054568

BRUCE PENZUR
1920 CHESTNUT STREET APT 801
PHILADELPHIA PA 19103

DOCUMENT
FOLDER

BRUCE PENZUR
v.
PHILADELPHIA GAS WORKS

TO WHOM IT MAY CONCERN:

Please be advised that the Commission has marked closed the above-entitled proceeding.

Very truly yours,

James J. McNulty
Secretary

nvl
cc. All parties of Record
Office of ALJ

DOCKETED
SEP 12 2005