

COMMONWEALTH OF PENNSYLVANIA

PUBLIC UTILITY COMMISSION

ORIGINAL

Henry Lipski v. Philadelphia Gas Works.  
Billing dispute.

: Docket No.  
: F-01002223

Initial hearing.

:  
:

Pages 1 through 100

DOCKETED

JUL 25 2002

Hearing room 1301  
State Office Building  
Broad and Spring Garden Streets  
Philadelphia, Pennsylvania

Tuesday, June 25, 2002

Met, pursuant to notice, at 10:00 a.m.

BEFORE:

HERBERT SMOLEN, Administrative Law Judge

APPEARANCES:

HENRY LIPSKI  
4528 Aubrey Avenue  
Philadelphia, Pennsylvania 19114  
(Pro Se)

LAURETO FARINAS, Esquire  
800 West Montgomery Avenue  
Philadelphia, Pennsylvania 19131  
(For PGW)

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ADMINISTRATIVE LAW JUDGE HERBERT SMOLEN: This is the matter of Henry Lipski versus Philadelphia Gas Works in Docket No. F-0100223. My name is Herbert Smolen and I am the Administrative Law Judge assigned by the Commission to hear the evidence in this case and to enter an initial decision in writing in due course.

I note from the appearance sheet that appearances have been as follows. On behalf of the Complainant, Henry Lipski appears pro se. That is, he is representing himself. On behalf of the Respondent, Philadelphia Gas Works, Laureto Farinas, Esquire.

Are there any preliminary matters which we have to discuss before proceeding with the taking of the testimony?

MR. LIPSKI: Could I submit --

JUDGE SMOLEN: Wait. Preliminary matters. We are not now talking about testimony. We are going to put you under oath and I will explain how the procedure works and then you can introduce whatever exhibits are relevant to your case. Okay?

MR. LIPSKI: Okay.

JUDGE SMOLEN: Preliminary matters are discovery matters -- procedural matters and stuff like that. Anything like that?

MR. FARINAS: I have none like that.

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JUDGE SMOLEN: You can ask a question if you want to. Go ahead.

MR. LIPSKI: Yes. The question would be, the meter reading was taken when --

JUDGE SMOLEN: That's testimony. Sit down, please. The way the procedure works is that you are the Complainant and you have the burden of proving your case. The procedure is that I place you under oath, ask you some preliminary questions and then ask you to tell us what your complaint is all about. When your testimony and exhibits have been introduced and your testimony is completed, Mr. Farinas, the attorney for the Respondent will have an opportunity to cross examine you based on your testimony and your exhibits.

MR. LIPSKI: I see.

JUDGE SMOLEN: When your case has been completed, then Mr. Farinas will have an opportunity to present his witnesses and his exhibits and when each of those witnesses has completed their testimony, you will have an opportunity to cross examine them based on their testimony and exhibits.

When all of the evidence is in, the parties will have an opportunity to summarize their cases and if they so desire, they can submit written briefs. That's not

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1 necessary. That's something that the parties can  
2 determine for themselves.

3 After all the evidence is in and the arguments  
4 have been made, the hearing is adjourned and in due  
5 course after I receive -- after I review all of the  
6 evidence, I will issue a written decision in the case  
7 and that decision is served on the parties from the  
8 Harrisburg office in the same fashion as the notices of  
9 today's hearing. Now, that's the procedure that is  
10 followed in these cases.

11 I am going to ask you, do you have any questions  
12 on the procedure?

13 MR. LIPSKI: Would that be the final decision?

14 JUDGE SMOLEN: Yes. After the decision is  
15 reached, the parties then -- if they are not satisfied  
16 with the decision, they may file exceptions to the  
17 decision in accordance with the Commission's rules and  
18 regulations. Now, you have to check with the rules and  
19 regulations to find out how many copies of the exceptions  
20 have to be filed and the time limitations within which  
21 they must be filed.

22 Now, after the exceptions are filed by either side,  
23 the Commission itself rules on the exception and if any  
24 party is not satisfied with the Commission's ruling,  
25 they then can take the case further into the court

1 system by appealing to the Commonwealth Court as is the  
2 custom and procedures.

3 Now, having said that, do you have any further  
4 questions, sir?

5 MR. LIPSKI: No.

6 JUDGE SMOLEN: All right, anything from you,  
7 Mr. Farinas?

8 MR. FARINAS: Nothing, Your Honor.

9 JUDGE SMOLEN: Are you ready to proceed?

10 MR. FARINAS: Yes, Your Honor.

11 JUDGE SMOLEN: Okay. Raise your right hand, sir.  
12 Whereupon,

13 HENRY LIPSKI

14 having been duly sworn, testified as follows:

15 DIRECT TESTIMONY

16 JUDGE SMOLEN: Please keep your voice up, have a  
17 seat and state your full name and address for the record.  
18 You can stay where you are.

19 THE WITNESS: My name is Henry Lipski.

20 JUDGE SMOLEN: You can sit. Now, what I am  
21 pointing out here is that this is the court stenographer  
22 and the court stenographer takes down all of the testi-  
23 mony, so you have to keep your voice up.

24 THE WITNESS: Okay.

25 JUDGE SMOLEN: Now, please state your name and

your address for the record.

1 THE WITNESS: My name is Henry Lipski and my  
2 address is 4528 Aubrey Avenue, Philadelphia, PA., 19114.

3 JUDGE SMOLEN: For the record, will you describe  
4 in general details what kind of house this is.

5 THE WITNESS: It is a single family house.

6 JUDGE SMOLEN: Not a row house or anything?

7 THE WITNESS: It is a single house.

8 JUDGE SMOLEN: And how many bedrooms is it?

9 THE WITNESS: It's three small bedrooms upstairs  
10 and a living room and kitchen and a small dining room.  
11 The house is only 20 feet wide. It is a small house but  
12 it looks like it is big.

13 JUDGE SMOLEN: Is there a basement?

14 THE WITNESS: Yes.

15 JUDGE SMOLEN: Is it a finished basement?

16 THE WITNESS: Half finished.

17 JUDGE SMOLEN: What kind of heat?

18 THE WITNESS: It's gas, hot-water heat.

19 JUDGE SMOLEN: Who lives there?

20 THE WITNESS: That's me. My wife and me and our  
21 daughter. We got two daughters but one is in school  
22 most of the times.

23 JUDGE SMOLEN: So husband and wife and --

24 THE WITNESS: My daughter. She is 11 year's old.  
25

JUDGE SMOLEN: And the other daughter?

1 THE WITNESS: She is at the University of  
2 Pennsylvania. She just graduated this year.

3 JUDGE SMOLEN: Where does she live permanently?

4 THE WITNESS: At the University of Pennsylvania.

5 JUDGE SMOLEN: But you said she graduated?

6 THE WITNESS: Yes, but she is continuing to  
7 study.

8 JUDGE SMOLEN: And how old is she?

9 THE WITNESS: She is 21 -- 22 I mean.

10 JUDGE SMOLEN: How often does she stay with you?

11 THE WITNESS: She occasionally come for a weekend  
12 but her permanent residence is at the University of  
13 Pennsylvania.

14 JUDGE SMOLEN: Okay. In a chronological a  
15 fashion as possible, tell me what your complaint is all  
16 about. If you have any exhibits, this is the time for  
17 it also.

18 THE WITNESS: I want to submit records of payment  
19 of bills.

20 JUDGE SMOLEN: Okay. Give one to Mr. Farinas,  
21 two for the court reporter and one for me.

22 THE WITNESS: Okay.

23 JUDGE SMOLEN: Do you have a copy for yourself?

24 THE WITNESS: Yes.  
25

1 JUDGE SMOLEN: We will have this multipage  
2 document marked for identification as Complainant's  
3 Exhibit 1.

4 (Whereupon, the document was  
5 marked as Complainant's Exhibit  
6 No. 1 for identification.)

7 JUDGE SMOLEN: All right, go ahead, sir.

8 THE WITNESS: Well, I filed this, referring to  
9 the former complaint form. The reason that was filed  
10 was because PGW requested from me payment of \$1,351.55.  
11 The copy of that bill -- it's not exactly everything but  
12 the major part of that is on the bill which is submitted  
13 on this page right here.

14 JUDGE SMOLEN: Page 3?

15 THE WITNESS: Yes.

16 JUDGE SMOLEN: All right, I see it. Go ahead.

17 THE WITNESS: And that bill was from March 2,  
18 2001 for 971 ccf.

19 JUDGE SMOLEN: Wait. Let's go a little bit slow.  
20 Where are the dates on this?

21 THE WITNESS: If you look on the bill here, on  
22 the left hand side it says March 2nd.

23 JUDGE SMOLEN: It says March 2nd to April 2nd.  
24 Are we looking at the same thing?

25 THE WITNESS: Yes.

1 MR. FARINAS: Your Honor, it says page 3 but on  
2 my copy it says page 4.

3 JUDGE SMOLEN: Well, there are are two of those  
4 pages. Which page are you talking about? Page 3 or 4?

5 THE WITNESS: It should be 4.

6 JUDGE SMOLEN: Okay. So we are looking now at  
7 page 4 and this is underlined and it says from March  
8 2nd to April 2nd; is that correct?

9 THE WITNESS: Yes.

10 JUDGE SMOLEN: And you circled 971?

11 THE WITNESS: Yes.

12 JUDGE SMOLEN: All right, go ahead. That's the  
13 usage in cubic feet?

14 THE WITNESS: Yes.

15 JUDGE SMOLEN: Go ahead.

16 THE WITNESS: All of these numbers, I took the  
17 numbers that you served to me and put them in sequential  
18 order, including records of payment.

19 JUDGE SMOLEN: That I served? I didn't serve  
20 anything.

21 THE WITNESS: I got it from the Commission I  
22 believe. I received all these papers, I received the  
23 office numbers and I also reviewed all of the bills  
24 which I have with me.

25 JUDGE SMOLEN: You mean from PGW's answer?

1 THE WITNESS: Yes, and I also have a copy of my  
2 bill here.

3 JUDGE SMOLEN: Just tell me why you are showing  
4 this.

5 THE WITNESS: I put all this number on this page  
6 for a 12 month period starting from 05/01 to 05/02.

7 JUDGE SMOLEN: You are going back to the first  
8 page now?

9 THE WITNESS: Yes.

10 JUDGE SMOLEN: You have to explain to me clearly  
11 because it's going on this record and someone else has  
12 to be able to understand it. Go ahead.

13 THE WITNESS: Now, what we are talking about is,  
14 if you review all this pages, this record is pretty much  
15 accurate with all the numbers you have on your file.  
16 The only outstanding thing would be on page 2, on the  
17 right-hand side where there is a yellow mark.

18 JUDGE SMOLEN: I see that.

19 THE WITNESS: And that date is from the date of  
20 March 2nd to April 2nd to May 4, 2001.

21 JUDGE SMOLEN: Wait a minute. We are looking at  
22 the year 2001?

23 THE WITNESS: 2001. On the right-hand side  
24 column on the second page. I put all these numbers  
25 from the bill and they are consistent with the numbers

submitted.

1 JUDGE SMOLEN: You have to explain this page to  
2 me so that we understand it. Just take your time. We  
3 have plenty of time and we are going to let you say  
4 what you have to say. Is that where it says 03.02 to  
5 04.02?  
6

7 THE WITNESS: Yes.

8 JUDGE SMOLEN: What does that mean?

9 THE WITNESS: That's March 2nd to April 2nd to  
10 May 4th of the year 2001.

11 JUDGE SMOLEN: All right, that's the date. Now,  
12 what's underneath?

13 THE WITNESS: Underneath on the left?

14 JUDGE SMOLEN: No. The right-hand side.

15 THE WITNESS: The 59.51, that is the estimated  
16 meter reading from PGW's bill.

17 JUDGE SMOLEN: On what date?

18 THE WITNESS: On March 2, 2001.

19 JUDGE SMOLEN: What's the next thing underneath  
20 that?

21 THE WITNESS: The next estimated meter reading  
22 on April 2, 2001.

23 JUDGE SMOLEN: What is that number?

24 THE WITNESS: That number that PGW presents.

25 JUDGE SMOLEN: What is the number? Read the

number.

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THE WITNESS: It's 69.22.

JUDGE SMOLEN: What is the next number after that?

THE WITNESS: The next number is May 4, 2001, and the reading appears.

JUDGE SMOLEN: Read the number.

THE WITNESS: 69.50. That was taken on May 4, 2001 when the old meter was replaced.

JUDGE SMOLEN: So you are saying then that from March 2nd, the estimated meter reading was 59.51 and on April 4th, the estimated meter reading was 69.50; is that correct?

THE WITNESS: On April 2nd, the meter reading was 69.22.

JUDGE SMOLEN: I see.

THE WITNESS: It appears on that bill.

JUDGE SMOLEN: So the May 4th reading is 69.50; is that right?

THE WITNESS: Yes.

JUDGE SMOLEN: All right, go ahead.

THE WITNESS: Now, the difference is not 971 which is almost 1,000 cubic feet of gas and for that amount, PGW requested an amount of \$1,351.55. That is on the complaint here.

JUDGE SMOLEN: Does that show on this sheet?

1 THE WITNESS: This is not a bill.

2 JUDGE SMOLEN: No, no. Does that show on that  
3 first page? Answer the question. Does that show on  
4 the second page of your exhibit -- that number?

5 THE WITNESS: Yes.

6 JUDGE SMOLEN: Where does that show?

7 THE WITNESS: In the fourth column in a circle.  
8 Fourth from the top.

9 JUDGE SMOLEN: Why don't we just go down in order  
10 and make it easy to understand.

11 THE WITNESS: Okay.

12 JUDGE SMOLEN: In the Usage you have 971. What  
13 is that?

14 THE WITNESS: Because that 971 appears on the  
15 bill presented by PGW, and that was page number 4 I  
16 believe.

17 JUDGE SMOLEN: That's the 1000 on that second  
18 page?

19 THE WITNESS: They sent me another bill for the  
20 period March 2nd to May 4, 2001 when the meter was  
21 replaced and that comes to 999 cubic feet of gas.

22 JUDGE SMOLEN: So you rounded it up to 1000?

23 THE WITNESS: 1000, yes. So we are talking  
24 about 1000 cubic feet of gas that PFGW --

25 JUDGE SMOLEN: PGW.

1 THE WITNESS: PGW is charging.

2 JUDGE SMOLEN: Okay. The same page, what does  
3 the 1304 stands for?

4 THE WITNESS: If you look at the bill --

5 JUDGE SMOLEN: Tell me what 1304 stands for.

6 THE WITNESS: On some other bills, the number  
7 came up with the 1304, and then if you look through all  
8 these bills, this number was going to be kept consistent.  
9 That's what I was told from one of the papers and I  
10 was not going to be charged any interest on this, and I  
11 got all these bills to show that this number keep  
12 varying and I never know what I see. It's not clearly  
13 stated.

14 JUDGE SMOLEN: What is the 1304? Is that cubic  
15 feet?

16 THE WITNESS: That is dollar amount, yes.

17 JUDGE SMOLEN: What is below that 1354? What is  
18 that?

19 THE WITNESS: That is dollar amount on the left  
20 hand side. The bill amount and the due date is on the  
21 left-hand side.

22 JUDGE SMOLEN: Okay. So this 1354 was a bill  
23 for that period of time, March to May, and the bill was  
24 1354; is that right?

25 THE WITNESS: Yes.

1 JUDGE SMOLEN: And the due date was May 30th; is  
2 that it?

3 THE WITNESS: Yes.

4 JUDGE SMOLEN: Now, what is the next category  
5 which is 1.355?

6 THE WITNESS: I calculated the price per 100  
7 cubic feet of gas and the way I did that, I took an  
8 amount of cubic feet and took the amount of money I  
9 paid and that's how I figured that.

10 JUDGE SMOLEN: So you figured your own price per  
11 cubic feet. Did you take into account the rate increases  
12 in the interim?

13 THE WITNESS: Yes. If you look at the second  
14 line from the bottom, it says "price per 1 ccf." I  
15 calculated it the same way. All the prices during the  
16 period of 12 months.

17 JUDGE SMOLEN: That's not what I asked you. I  
18 asked you whether or not you took into account any rate  
19 increases in between?

20 THE WITNESS: Yes. I put the price as it appears  
21 on the bill. I calculated it based on the price as it  
22 appears on the bill, so for 1,000 ccf, I was asked to  
23 pay 1354, which means that 1 cubic feet cost me \$1.35.

24 JUDGE SMOLEN: So this 1.355 is your calculation  
25 of the cost per cubic feet for your gas?

1 THE WITNESS: 1 cubic feet, yes.

2 JUDGE SMOLEN: And what is the 1.331?

3 THE WITNESS: That is some number that -- I  
4 believe if you look at the numbers that PGW have  
5 claimed --

6 JUDGE SMOLEN: No. You -- it's your case. You  
7 have to prove your case.

8 THE WITNESS: PGW claims -- one of the bills ask  
9 for \$1,351.55 and then that amount varied on the other  
10 bill, but it's pretty much between \$1 -- 1 cubic feet  
11 of gas and based on this calculation, the price comes  
12 in between \$1.33 and \$1.35 with the initial bill.

13 JUDGE SMOLEN: So your calculation is not that  
14 it is 1.35 but it is between 1.33 and 1.35; is that  
15 what you are saying?

16 THE WITNESS: Yes.

17 JUDGE SMOLEN: So your calculation is between  
18 \$1.33 and \$1.35?

19 THE WITNESS: Yes.

20 JUDGE SMOLEN: Based on the numbers that you got  
21 on the bill?

22 THE WITNESS: Yes. They keep changing the  
23 numbers, so if you look at the final bill on page 2 --

24 JUDGE SMOLEN: I am on page 2.

25 THE WITNESS: Page 3. I am sorry. The final

1 bill which I just received right now which is to be  
2 paid by 6/27/02 and I already paid part of that on 6/12.

3 JUDGE SMOLEN: So what do you want me to look  
4 at?

5 THE WITNESS: The balance prior to the current  
6 billing.

7 JUDGE SMOLEN: Wait a minute. I have to find it.

8 THE WITNESS: It's in the middle of the page,  
9 "balance prior to current billing." We saw the other  
10 calculation that PGW did and as of right now, they  
11 didn't give me an explanation of how it became \$772.14.

12 JUDGE SMOLEN: So that's what you say is in  
13 dispute?

14 THE WITNESS: That's what they are saying that  
15 this amount should be correct as of right now.

16 JUDGE SMOLEN: But you are disputing that?

17 THE WITNESS: What that means is for 1,000 cubic  
18 feet of gas, calculating on the price of 77 cents, that  
19 would give me \$772, but my question is --

20 JUDGE SMOLEN: You see, you have to prove a case  
21 and proving a case, you don't ask questions yet. You  
22 ask questions of those witnesses later on after they  
23 have testified.

24 Now, my questions -- I asked you a question and  
25 you didn't answer yet. The 772.14, is that what you are

1 disputing?

2 THE WITNESS: Yes.

3 JUDGE SMOLEN: Now, continue. The reason I  
4 dispute that is because, Your Honor, if you look at the  
5 prices throughout the year which is on page 2, the line  
6 that we looked at with the prices per cubic feet, the  
7 price starting from February 22, 2000 to March 3, 2001  
8 varied based on my calculations, from 77 cents to \$1.35  
9 and for 7 months out of the year, the price remained at  
10 about 77 cents.

11 JUDGE SMOLEN: Now, on this same second page on  
12 your second line down which says "usage," ccf," the first  
13 thing you have circled is A. What does A stand for?

14 THE WITNESS: That means Actual reading.

15 JUDGE SMOLEN: How about the others?

16 THE WITNESS: The E means estimated.

17 JUDGE SMOLEN: So you are telling me then that  
18 from April to May to June to August and September, there  
19 was no usage of gas at all? It says zero, so there was  
20 no use of gas?

21 THE WITNESS: Yes.

22 JUDGE SMOLEN: You didn't use any gas? I am  
23 asking you whether you used gas in your house.

24 THE WITNESS: Yes. We used the gas primarily for  
25 heating and hot water.

1 JUDGE SMOLEN: But you weren't charged for any-  
2 thing there; right?

3 THE WITNESS: I was charged \$8.

4 JUDGE SMOLEN: And that's what you believe your  
5 gas usage was?

6 THE WITNESS: Your Honor, if you look at the  
7 first page, since they put the new meter on, I got a  
8 very accurate meter reading for every month. If you  
9 look at the similar months, you will find that the meter  
10 reading came between 15 and 20 cubic feet per month  
11 which averaged 16.56.

12 JUDGE SMOLEN: But you are trying to prove your  
13 case to me on numbers which you have computed based on  
14 zero usage for six months. This second sheet here is a  
15 calculation by you of usage of gas based on 6 months of  
16 zero usage and the rest of the year -- the other six  
17 months based on the other estimated usage, and you have  
18 computed a cost based on that for six months of zero  
19 usage.

20 THE WITNESS: Your Honor, if you look --

21 JUDGE SMOLEN: No. Answer the question first  
22 and then you can explain.

23 THE WITNESS: I took the numbers from the bill.  
24 That's how the bill came in and the record is accurate  
25 and the \$8 charge that they charged me is like for about

10 or 11 cubic feet of gas.

1 JUDGE SMOLEN: But they are estimated; aren't  
2 they?

3 THE WITNESS: Yes. I believe at that time the  
4 actual reading was bigger than it was appearing on the  
5 meter, so we overpaid as of February 22nd.

6 JUDGE SMOLEN: If you said the actual reading was  
7 larger then, you underpaid; didn't you?

8 THE WITNESS: I believe as of February 22nd --  
9 sorry -- as of April 3, 2000, for whatever reason, if  
10 PGVW --  
11

12 JUDGE SMOLEN: PGW.

13 THE WITNESS: If PGW did that, the reason was  
14 because we overpaid.

15 JUDGE SMOLEN: On zero you overpaid?

16 THE WITNESS: No, prior to that. On February  
17 22nd.

18 JUDGE SMOLEN: I understand but let's look at  
19 the zero months. That's what I am talking about.

20 THE WITNESS: If we add all these months for  
21 last year, for five months it came to 82 cubic feet of  
22 gas.

23 JUDGE SMOLEN: For six months?

24 THE WITNESS: For five months.

25 JUDGE SMOLEN: But this shows six months, zero

usage?

1  
2 THE WITNESS: But this year in exactly the same  
3 period of time, it amounted to 82 cubic feet for five  
4 months.

5 JUDGE SMOLEN: Again, I am trying to ask you  
6 this question and please listen to the question and  
7 then answer it.

8 You have computed on this paper a price of -- a  
9 price per 1 ccf for a year based on 12 months alleged  
10 usage where six of those months shows zero usage. Is  
11 that what you are telling me that you did?

12 THE WITNESS: I took those numbers from the bill  
13 for accuracy of the record. I reported what is on the  
14 bill.

15 JUDGE SMOLEN: For the actual accuracy, did you  
16 use gas in those six months?

17 THE WITNESS: Yes, I did.

18 JUDGE SMOLEN: But it's not included. The  
19 amounts are not included in your calculations; are they?  
20 I know what you did. My question is, you did not  
21 include the usage of gas for those six months in com-  
22 puting the cost; is that correct?

23 THE WITNESS: This becomes not very clear.

24 JUDGE SMOLEN: No, it is clear. Answer my  
25 question first and then you can continue.

1 THE WITNESS: I did.

2 JUDGE SMOLEN: Well, you show me.

3 THE WITNESS: Here the \$8 was paid every month.

4 JUDGE SMOLEN: I am talking about the usage and  
5 you are talking dollars. You haven't included any gas  
6 usage for those six months, have you, in your calcula-  
7 tions?

8 THE WITNESS: Well, Your Honor, if you look at  
9 the bill, 08.30 to 09.29 -- no, 9/29 to 10/31, the bill  
10 came for 64 cubic feet of gas.

11 JUDGE SMOLEN: I understand, but we are talking  
12 about your calculation on this page. You calculated  
13 a cost per cubic feet of gas based on 12 months where  
14 six of the 12 months you show zero usage of gas in  
15 your figures; is that correct?

16 THE WITNESS: My understanding was that the  
17 price of gas for a cubic feet was not changed until  
18 I believe November, and there were three and I took  
19 that from the bill.

20 JUDGE SMOLEN: If you included more gas here  
21 and then made your division, wouldn't your cost be less  
22 or be more?

23 THE WITNESS: I calculated it based on the data.  
24 If it's wrong, please correct me.

25 JUDGE SMOLEN: No, you understand the procedure.

1 The procedure is that you have to prove your case to me.

2 I am not your lawyer and I can't act as a lawyer. I  
3 have to listen to your case and listen to their case and  
4 make a fair decision.

5 THE WITNESS: All I can say is that for the period  
6 of 12 consecutive months from February 22, 2000 to March  
7 22, 2001, I paid for the usage of 929 cubic feet of gas  
8 and that information came from the bill. It's accurate  
9 in the numbers you have.

10 JUDGE SMOLEN: It came from estimate.

11 THE WITNESS: Yes. The final number was estimated  
12 number but I paid on that amount, 929 cubic feet of gas.

13 JUDGE SMOLEN: I understand what you paid for but  
14 they are based on estimated usage. They all say E. All  
15 the way on the second line it says E.

16 THE WITNESS: That's correct, because the gas  
17 meter reading was not taken and I asked for that several  
18 times. If you go back, you can find that previous to  
19 that, the meter reading was taken some time in '99, and  
20 we complained many times prior to PGVW -- PGW as to why  
21 we were not getting accurate meter readings and the meter  
22 reading is accessible 24 hours a day. It is outside of  
23 the house and if you look at the records from the previous  
24 years, this continued. We did not get any meter reading  
25 during the period of one year. The actual meter reading

1 was taken on February 22nd and it was 5022 and it is  
2 consistent with all the numbers -- the paperwork on the  
3 bill.

4 JUDGE SMOLEN: And the meter reading when the  
5 meter was changed?

6 THE WITNESS: Yes. Prior to that, the reason I  
7 called the Gas Company is because we were getting -- in  
8 the spring of 2000, I installed a brand new hot water  
9 heater which was rated to be high efficiency and there  
10 is a receipt which shows that that was bought on January  
11 31st and nothing changed. We still were getting the  
12 same high bills and therefore, I ran a test and that was  
13 the spring of -- let me look at the document here. With  
14 only the hot water heater connected to the system, we  
15 ran the test and when the heating system was shut off,  
16 the heater at that point registered excessive amounts of  
17 gas. It jumped 100 units in less than one month with  
18 only the hot water heater on.

19 JUDGE SMOLEN: What do you use for cooking?

20 THE WITNESS: The electric.

21 JUDGE SMOLEN: No gas?

22 THE WITNESS: The only thing connected to the  
23 system was the boiler which was brand new and it came  
24 to my attention that there was something wrong.

25 JUDGE SMOLEN: How did you run the test?

1 THE WITNESS: On March 30, 2001, we shut every-  
2 thing off and the only thing connected was the hot water  
3 boiler which was brand new with the rating efficiency  
4 and we ran the test.

5 JUDGE SMOLEN: When you say "we," who is we?

6 THE WITNESS: I ran the test and there were  
7 three people in the house at that time and we registered  
8 100 cubic feet of usage on 4/26/01 which is in 27 days,  
9 so for whatever reason, I came to my conclusion that  
10 the meter reading jumped 100, because if you look at  
11 the record from last year, you will find that in one  
12 month we could only run about 10 to 15 cubic feet and  
13 the record is consistent.

14 JUDGE SMOLEN: But it shows zero usage for six  
15 months.

16 THE WITNESS: Yes. Since the meter was installed  
17 we got the Actual meter reading.

18 JUDGE SMOLEN: Where is that?

19 THE WITNESS: On page 1. The meter reading from  
20 May 4, 2001 to 6/01 was \$32.95 and from 6/01 to 7/3/01,  
21 \$38.28, and from 7/3 to 8/2, \$31.62, and from 8/2 to  
22 8/31, \$31.62, and from 8/31 to 10/2, \$30.33, and from  
23 10/2 to 10/31, \$46.66 and look, from 10/31 to 11/30,  
24 \$123.72.

25 JUDGE SMOLEN: So what you are telling me is that

1 you used less gas heat in the summer than the fall and  
2 winter?

3 THE WITNESS: With the boiler and the hot water,  
4 we were only consuming 16.4 cubic feet per month during  
5 all this period of the summer.

6 JUDGE SMOLEN: Okay. Go ahead.

7 THE WITNESS: And comparing that to the meter  
8 reading taken from the old meter with the same appliances  
9 with the boiler on, we consumed! 100 cubic feet in 27  
10 days, which led me to believe that it is something wrong.

11 JUDGE SMOLEN: What month is that now?

12 THE WITNESS: From March 30, 2001.

13 JUDGE SMOLEN: You had no heat in your house in  
14 March?

15 THE WITNESS: March was very warm.

16 JUDGE SMOLEN: And where does that show here?

17 THE WITNESS: I filed a complaint with the  
18 Bureau of Consumer Services.

19 JUDGE SMOLEN: On the paper, where does it show  
20 that?

21 THE WITNESS: On the first page.

22 JUDGE SMOLEN: The first page starts with May.

23 THE WITNESS: No, that should be the second page.  
24 All I am trying to prove is that that was the reason I  
25 called and requested a meter change from PGW, and they

1 came and did replace the meter and they are claiming  
2 after that that they registered 1,000 units.

3 JUDGE SMOLEN: Stop a minute. 2001 shows January  
4 2, 2001 to January 31, 2001 and then it shows January  
5 31st to March 2nd; is that right; on the second page?

6 THE WITNESS: Yes.

7 JUDGE SMOLEN: And you are telling me that you  
8 had no heat? You disconnected the heat then?

9 THE WITNESS: As of March, yes. This is not  
10 related.

11 JUDGE SMOLEN: Stop for a minute. You are telling  
12 me to look at this page and look at that page, and look  
13 at March 1st. Where do I see those dates on these  
14 pages? Are they there or not?

15 THE WITNESS: Yes. The dates are there.

16 JUDGE SMOLEN: Where?

17 THE WITNESS: In the last column. It's a lot of  
18 bills. It's not like one bill and I try to report the  
19 dates to make some sense but there is more than one  
20 bill and if you look at that bill, I still do not know  
21 how much gas we used during the period of time from  
22 March 2, 2001 to the May 4, 2001 bill, but they are  
23 saying that this amount was estimated throughout the  
24 year. If it was, how do they allocate another thousand  
25 cubic feet of gas when we already paid for 929 cubic

1 feet?

2 JUDGE SMOLEN: I don't want to argue with you  
3 but I am going to say that on your calculations that you  
4 are showing me, you didn't use any gas from 4/03 to  
5 9/29. That's in your own papers. You are trying to  
6 convince me that you used no gas.

7 THE WITNESS: This number came to me from the  
8 bill.

9 JUDGE SMOLEN: But are you saying that you didn't  
10 use any gas?

11 THE WITNESS: The primary purpose is to show an  
12 accurate record. I took that from the bills. I do not  
13 want to change any data and that's what the data shows.

14 JUDGE SMOLEN: But this data is based on esti-  
15 mated readings; are they not? All of these numbers  
16 that you have written down here are based on Estimated  
17 readings rather than Actual, except for the first one?

18 THE WITNESS: Correct, but there was no reading  
19 taken from February 22, 2000.

20 JUDGE SMOLEN: So all your bills here are based  
21 on estimates?

22 THE WITNESS: It came from the bills based on  
23 estimates.

24 JUDGE SMOLEN: Okay. Go ahead. When was the  
25 new heating system put in?

1 THE WITNESS: The heating system was upgraded  
2 in the spring of 2001.

3 JUDGE SMOLEN: When you say the spring --

4 THE WITNESS: February. I put in a brand new  
5 hot water heater and the entire heating system was  
6 upgraded.

7 JUDGE SMOLEN: Okay. What else do you want to  
8 tell me?

9 THE WITNESS: Well, basically, the reason why I  
10 am here is that all I ask for is an accurate bill and  
11 I pay my bill -- everyone of them on time, and I have  
12 a very good track record to show that. I did not have  
13 any problem to pay those bills.

14 JUDGE SMOLEN: I don't think that's a problem  
15 here. PGW didn't bring it up.

16 THE WITNESS: I have a track record of showing  
17 how many times I asked PGW to give us an accurate  
18 reading and that was not done this year and prior to  
19 that, and the track record is not very good on the  
20 previous years. I have all the bills from '87 to show  
21 that the meter reading was taken once a year or twice  
22 a year and we kept paying this huge amount of money  
23 until I looked at this and the price changed from 77  
24 cents to \$1.35. It almost doubled and we were charged  
25 for 1,000 cubic feet at the highest price ever paid of

1 \$1.35, and now they are claiming that they are giving  
2 us back money. They are not giving us anything because  
3 the 1,000 cubic feet of gas based on 70 cents comes to  
4 the amount of \$773, and that's what they calculate on  
5 the paper here and that appears on the last bill and  
6 since that, I already paid four bills with the \$15 each  
7 and I don't see any record that we have any credit for  
8 that so in my opinion, it's not clear. It's a mess and  
9 it's not very easy to read at all. If I pay \$60, that  
10 should show somewhere.

11 JUDGE SMOLEN: I don't know where you are looking  
12 at.

13 THE WITNESS: I am looking at this bill here.

14 JUDGE SMOLEN: What date is that?

15 THE WITNESS: Page number 3. I am looking at the  
16 PGW bill and I paid all the amount and --

17 JUDGE SMOLEN: Just a minute. I want to make  
18 sure that we are looking at the same page. You are  
19 looking at page 3 you said?

20 THE WITNESS: Yes.

21 JUDGE SMOLEN: Doesn't it show credit for \$72.48?

22 THE WITNESS: My understanding was, I asked them  
23 to keep separate the current bill from the amount that  
24 I owe so that I am credited properly.

25 JUDGE SMOLEN: Mr. Lipski, you can't expect a

1 large Company like PGW to make a separate bill statement  
2 for you.

3 THE WITNESS: I asked them to keep the amount  
4 separate from what I owe.

5 JUDGE SMOLEN: It says "balance prior to current  
6 billing," and you say it's in dispute. I am looking  
7 at the bill that you told me to look at. I am looking  
8 at it.

9 THE WITNESS: And that amount also is consistent  
10 with the amount that comes from the calculation which  
11 was returned to me and it's documented here. I made  
12 four payments since this bill and one of them is on page  
13 4 in the right-hand column.

14 JUDGE SMOLEN: So you made a payment after this  
15 bill?

16 THE WITNESS: And before. My understanding is  
17 that I am getting separate numbers for the current bill  
18 and separate numbers for the amount of money I owe.  
19 This number changes on every bill. I made four payments  
20 for \$15 and we still owe \$772 and that was the number to  
21 begin with, so where is the money going? I don't know.  
22 The records do not reflect that I paid that. I do not  
23 see it.

24 JUDGE SMOLEN: Okay. So you are questioning  
25 the \$60 --

1 THE WITNESS: Towards the prior balance. I  
2 don't see the record that shows it anywhere.

3 JUDGE SMOLEN: So you are questioning what  
4 happened to the \$60 in payment?

5 THE WITNESS: Yes.

6 JUDGE SMOLEN: Just a minute. Give me the amount  
7 of those payments? Where are they?

8 THE WITNESS: Under page 1, under Agreement  
9 Charges.

10 JUDGE SMOLEN: You mean the \$15?

11 THE WITNESS: Yes.

12 JUDGE SMOLEN: But you don't have the bills with  
13 you for those particular months to see whether you got  
14 credit or not?

15 THE WITNESS: It's all a mess. My understanding  
16 is that I would not be charged anymore additional charges  
17 and the figure would remain the same.

18 JUDGE SMOLEN: You just don't want to listen to  
19 the question. You just want to talk without listening  
20 to the question. You told me that you don't have credit  
21 for these \$15 payments here on the bill that you have  
22 attached to your complaint in Exhibit 1, and those bills  
23 are not for those months. Don't you have to look for  
24 those months to see whether or not you got credit?

25 THE WITNESS: My point is that as of right now,

1 I look at all these bills and I do not see a clear  
2 consistent record as to how much money I owe and how  
3 much I pay. All of these numbers keep changing.

4 JUDGE SMOLEN: They change every month as you  
5 make a payment; don't they?

6 THE WITNESS: I don't see that on this page,  
7 Your Honor. This is from the Public Utility Commission.

8 JUDGE SMOLEN: I don't know what you are showing  
9 me.

10 THE WITNESS: This is the paper that was served  
11 on me and they said how much I owed.

12 JUDGE SMOLEN: That was as of that time.

13 THE WITNESS: We owed \$773, which is consistent  
14 with that bill and since that, I paid four bills --  
15 \$15 each from that amount which amounts to \$60. Let  
16 them explain it.

17 JUDGE SMOLEN: Okay. Do you have anything else  
18 that you want to tell me, Mr. Lipski?

19 THE WITNESS: All I ask and I expect from PGV --

20 JUDGE SMOLEN: PGW.

21 THE WITNESS: --PGW. I don't have any problem  
22 to pay the bill at any time providing that the bills  
23 are accurate. As of now, so much of my time is wasted  
24 and I do not have the time to waste.

25 JUDGE SMOLEN: What type of work do you do?

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THE WITNESS: I work for a major defense company.

JUDGE SMOLEN: Off the record.

(Discussion off the record.)

JUDGE SMOLEN: Back on the record.

Are you an engineer?

THE WITNESS: I am not an engineer. I am a specialist.

JUDGE SMOLEN: Okay. Go ahead.

THE WITNESS: The next thing I wanted to say is that when PGW came, they took a meter reading with a meter over 14 year's old and I would like to know who certified that meter. I would like to know who did that; if he is licensed properly to and how comes he can explain that that meter is accurate.

JUDGE SMOLEN: You will have an opportunity to ask PGW those questions. You are putting those questions out in the air and I can't answer them. You will have an opportunity to ask PGW those questions today.

I am asking you now, you told me that you are disputing the \$772 balance; is that correct?

THE WITNESS: Yes.

JUDGE SMOLEN: And you also want to know where your \$60 went and whether you got credit?

THE WITNESS: Yes. I want to know what is the accurate amount that I owe them now. The numbers keep

FORM

changing.

1  
2 JUDGE SMOLEN: It's going to change every month  
3 as you make payment. The balance will go down.

4 THE WITNESS: It doesn't.

5 JUDGE SMOLEN: Anything else that you want to  
6 say? You told me now three or four times that you are  
7 disputing the \$772; you don't think the meter was  
8 accurate and you want to know where the \$60 in payment  
9 went?

10 THE WITNESS: Yes. The meter reading was taken  
11 with the meter over 14 year's old. I asked PGW for  
12 records of maintenance certification and they were not  
13 able to include that. Therefore, I concluded that the  
14 meter reading is not valid and it's highly possible  
15 that the meter reading was defective.

16 JUDGE SMOLEN: Anything else that you want to  
17 say with respect to your case?

18 THE WITNESS: They wasted a lot of my time  
19 because they don't want to do the job right. All I  
20 ask is that they present me with an accurate bill. I  
21 pay for it and you haven't done it for several years  
22 and that's not getting any better, so I hope that is  
23 corrected. You have wasted a lot of my time.

24 JUDGE SMOLEN: Okay. Now, do you have any  
25 objection to Complainant's Exhibit 1?

1 MR. FARINAS: Actually, Your Honor, I do. There  
2 is a final page that wasn't sort of covered in his  
3 testimony. There are notes on this somehow.

4 JUDGE SMOLEN: These are questions?

5 THE WITNESS: Yes.

6 JUDGE SMOLEN: Did you intend to have them as an  
7 exhibit?

8 THE WITNESS: No, it's not. Those are just my  
9 questions.

10 JUDGE SMOLEN: Okay. Let's take this last page  
11 off and give it back to you, and you can take the last  
12 page from the Reporter's copy also because they are just  
13 questions.

14 THE WITNESS: Okay.

15 MR. FARINAS: Thank you, Your Honor, and I have  
16 no objection to the admission of that document now.

17 JUDGE SMOLEN: Okay. So Complainant's Exhibit  
18 No. 1 consists of how many pages?

19 MR. FARINAS: Five pages, Your Honor.

20 JUDGE SMOLEN: Yes. It is received into evidence.

21 (Whereupon, the documents  
22 marked as Complainant's Exhibit  
23 No. 1 were received in evidence.)

24 JUDGE SMOLEN: Mr. Farinas, do you have any cross  
25 examination?

1 MR. FARINAS: Yes. I just have several questions,  
2 Your Honor.

3 JUDGE SMOLEN: Go ahead, Mr. Farinas.

4 CROSS EXAMINATION

5 BY MR. FARINAS:

6 Q. Mr. Lipski, I just have a couple questions  
7 on various aspects of the case that you touched on. The  
8 \$8 bill that you referred to on Page 2 of your Exhibit,  
9 are you aware sir, of the fact that there is a \$8  
10 customer charge which is not a charge for usage at all?

11 JUDGE SMOLEN: Why don't you explain. That's  
12 not a charge for gas?

13 MR. FARINAS: Exactly.

14 BY MR. FARINAS:

15 Q. I am asking you, are you aware of the fact  
16 that there is a charge for every customer at that time,  
17 which was \$8 per customer and this is not a charge for  
18 usage; are you aware of that?

19 A. I don't know if they presented that with  
20 the additional bill.

21 Q. I didn't ask you that, Mr. Lipski. How  
22 did you arrive at the 77 cents per ccf?

23 A. Because that amount appears on the bill.

24 Q. Did you do any other research on the rates  
25 that were in effect at the time rather than just doing

1 the maths?

2 THE WITNESS: Yes. I called PGW and I got a  
3 record of it and they informed me that there were three  
4 increases.

5 JUDGE SMOLEN: Three what?

6 THE WITNESS: Three rate increases and I put it  
7 right here. There were three price increases. The  
8 first one was 11/2001 of 20 percent. I got that number  
9 from PGW. The second one was on January 4th of a 24  
10 percent rate increase and on February 4, 2001, an  
11 additional 3 percent with a total amount of about 47 to  
12 50 percent.

13 BY MR. FARINAS:

14 Q. And just for clarification, you are reading  
15 from your documents as you reflect on your conversation  
16 with someone at PGW?

17 A. I should have some original copies and I  
18 should be able to verify the dates for you, yes.

19 JUDGE SMOLEN: Mr. Lipski, PGW knows when their  
20 rate increases were. They want to ask to see whether  
21 your figures are correct. Go ahead.

22 BY MR. FARINAS:

23 Q. And again Mr. Lipski, is it your testimony,  
24 while we are still on this page of your exhibit, is it  
25 your testimony that you were not billed for usage because

1 the bills reflected zero, but you did in fact use gas  
2 during the period that you were only charged the \$8?

3 THE WITNESS: Yes. It was just the hot water  
4 on and no heating system, which if you compare that to  
5 this year, again in five months we used 82 cubic feet  
6 of gas.

7 JUDGE SMOLEN: When was your test?

8 THE WITNESS: This Actual reading --

9 JUDGE SMOLEN: Answer my question. When was  
10 your test by turning off the gas -- turning off the heat?  
11 What was the date of your test?

12 THE WITNESS: March 30, 2001.

13 JUDGE SMOLEN: To when?

14 THE WITNESS: April 26, 2001. 27 days.

15 JUDGE SMOLEN: And after that you turned every-  
16 thing on?

17 THE WITNESS: No, it was summertime. It was  
18 not wintertime. It was not on in the summertime.

19 JUDGE SMOLEN: When did you turn it back on?

20 THE WITNESS: I don't have the exact date but  
21 it was the next year.

22 JUDGE SMOLEN: Go ahead, Mr. Farinas.

23 BY MR. FARINAS:

24 Q. Another thing that I wasn't sure about is  
25 the document on the final page of your Exhibit 1. Is

FORM 1

1 that a copy of your home Depot receipt?

2 A. Yes.

3 Q. This bill for the total amount of \$173.82,  
4 what did that buy?

5 A. That represents only the price of the hot  
6 water heater.

7 Q. And that does not include the installation?

8 A. No.

9 Q. But it's also your testimony that you did  
10 upgrade the system. Do you have any receipts for that?

11 A. I might have. I would have to look for  
12 that.

13 Q. Mr. Lipski, when you were discussing the  
14 \$60 and four payments in arrears which was the payment  
15 arrangement given to you by the Bureau of Consumer  
16 Services, when you made those last few payments, did you  
17 pay in two checks or one check?

18 A. One check.

19 Q. The amount of the check that you paid, was  
20 that \$52.14?

21 A. That's right.

22 Q. And the next previous bill, was that one  
23 check in the amount of \$72.48?

24 A. I believe that's correct. I have the bills  
25 that I can verify that, but I believe that would be

correct.

1  
2 Q. Would you take comfort in knowing that we  
3 have received and credited to your account the \$72.48  
4 that was paid?

5 JUDGE SMOLEN: That's part of his Exhibit. It  
6 shows a credit of \$72.48.

7 MR. FARINAS: No further questions, Your Honor.

8 JUDGE SMOLEN: Just for the sake of clarification  
9 so that Mr. Lipski gets an understanding of where his  
10 \$15 go, do your records show what the bill was for that  
11 month?

12 MR. FARINAS: Yes, they do.

13 JUDGE SMOLEN: Let's go over those four months  
14 so Mr. Lipski can get an understanding of where his \$15  
15 go. Now, what you are saying Mr. Farinas, is that the  
16 \$72.48 includes the actual billing usage plus the \$15?

17 MR. FARINAS: Yes, Your Honor. Now, if  
18 Mr. Lipski will turn to Page 3 of his exhibit, the  
19 current billing charges shows \$37.15.

20 JUDGE SMOLEN: Okay. So you are saying that the  
21 \$37.14 plus the \$15 gives you what?

22 MR. FARINAS: \$52.14.

23 JUDGE SMOLEN: Where does that show here?

24 MR. FARINAS: It would show on the next bill.

25 JUDGE SMOLEN: And the most previous bill? Let's

go back to the previous bill then.

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MR. FARINAS: The previous bill was \$57.48 plus the \$15.

JUDGE SMOLEN: And that is how much?

MR. FARINAS: \$72.48.

JUDGE SMOLEN: Do you understand that, Mr. Lipski?

THE WITNESS: Yes, but when I make a \$15 payment, my understanding is that if I owe \$772, it will decrease and I still owe \$772. I pay all my bills a hundred percent, so that amount should decrease.

JUDGE SMOLEN: The \$15, do you have bill statements to show that they are actually decreasing?

MR. FARINAS: I am going to use a total statement which shows all the bills.

JUDGE SMOLEN: That's fine. Mr. Lipski will get the picture and understand where his payments went. So just to summarize for the record, what you are saying and what Mr. Lipski was questioning is what was happening to his \$15 payment, so he was paying the then current charges plus \$15 and that shows on the next bill in a lump sum?

MR. FARINAS: Correct, Your Honor.

JUDGE SMOLEN: And that's really demonstrated on this \$72 which includes the prior month, then current charges plus the \$15?

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MR. FARINAS: That's correct. At this time, Your Honor, I have no further questions.

JUDGE SMOLEN: Mr. Lipski, do you have any other witnesses that you want to present or any other evidence that you want to present?

THE WITNESS: Not at this time.

JUDGE SMOLEN: Okay, thank you for your testimony.

(Witness excused.)

JUDGE SMOLEN: Why don't you call your first witness.

MR. FARINAS: At this time I will call Michael Selzle.

JUDGE SMOLEN: Mr. Selzle, please raise your right hand.

Whereupon,

MICHAEL SELZLE

having been duly sworn, testified as follows:

JUDGE SMOLEN: Please keep your voice up and state your full name and business address for the record.

THE WITNESS: My name is Michael Selzle. That's S-E-L-Z-L-E. My business address is 1800 North 9th Street, Philadelphia, Pennsylvania, 19122.

JUDGE SMOLEN: All right, Counsel. You may proceed.

MR. FARINAS: Thank you, Your Honor.

FORM 1

## DIRECT EXAMINATION

1 BY MR. FARINAS:

2 Q. Mr. Selzle, what are your duties?

3 A. I am a Customer Reviewer Officer.

4 Q. And what do your duties entail?

5 A. Basically just investigating informal and  
6 formal complaints filed by PGW's rate payers with the  
7 Public Utility Commission.

8 Q. Did you conduct an investigation of the  
9 complaint filed by Mr. Lipski?

10 A. Yes.

11 Q. Can you give us a brief overview of your  
12 findings and then we will proceed into a more detailed  
13 explanation?

14 A. Sure. On May 4, 2001, PGW installed an  
15 Automated Meter Reader at 4528 Aubrey Avenue, Philadelphia,  
16 P.A., 19114.

17 JUDGE SMOLEN: You call them AMR's?

18 THE WITNESS: Yes. The previous meter was  
19 removed with a removal index of 6950 on the old meter.  
20 PGW's meter shop verified the Remove Index of 6950,  
21 tested the meter and found it to be recording properly  
22 and the meter was installed in another property on  
23 February 13, 2002.

24 JUDGE SMOLEN: Say that again.  
25

1 THE WITNESS: On February 13, 2002, the meter  
2 was installed at another property.

3 JUDGE SMOLEN: The old meter you are talking about?

4 THE WITNESS: Yes. It was tested and found to  
5 be working properly and it is installed in another  
6 property right now.

7 BY MR. FARINAS:

8 Q. Mr. Selzle, by the way, how old was this  
9 meter?

10 A. It was -- 1991 is the date that we have on  
11 the Date Badge.

12 Q. Okay. Go ahead.

13 A. On June 1, 2001, the customer received a  
14 make-up bill for \$1,351.55, and this was for service  
15 based on that remove index of 6950.

16 JUDGE SMOLEN: What period of time did the make-  
17 up bill cover?

18 THE WITNESS: This bill was adjusted previously  
19 under the estimated bill from February 22, 2000 to  
20 May 4, 2001.

21 JUDGE SMOLEN: Stop for a minute. So the bill  
22 was sent on June 1, 2001 -- the make-up bill. What is  
23 that amount?

24 THE WITNESS: \$1,351.55.

25 JUDGE SMOLEN: And that is what you call a

FORM

1 make-up bill covering the period from when?

2 THE WITNESS: February 22nd.

3 JUDGE SMOLEN: Of 2001?

4 THE WITNESS: Correct.

5 JUDGE SMOLEN: To May 4th of 2001?

6 THE WITNESS: Correct.

7 JUDGE SMOLEN: And the reason for the make-up  
8 bill?

9 THE WITNESS: It was adjusted previously under  
10 the estimated bill that the customer was receiving going  
11 back to February 22nd of 2000.

12 JUDGE SMOLEN: So this is for a year and three  
13 months?

14 THE WITNESS: Correct. 15 months.

15 MR. FARINAS: Your Honor, at this time I would  
16 like to mark and distribute PGW Exhibit 1.

17 JUDGE SMOLEN: Make sure that Mr. Lipski has  
18 a copy.

19 MR. FARINAS: Yes, Your Honor.

20 JUDGE SMOLEN: It will be marked for identifica-  
21 tion as PGW Exhibit 1.

22 (Whereupon, the document was  
23 marked as PGW Exhibit No. 1 for  
24 identification.)

25 JUDGE SMOLEN: Go ahead.

BY MR. FARINAS:

1  
2 Q. Mr. Selzle, I am showing you PGW Exhibit 1  
3 which is a document entitled Statement of Account. Just  
4 to pick up where you left off, I thought it would be  
5 best as you look at this document to go through your  
6 explanation and tell us what happened next after the  
7 make-up bill was given to the Complainant.

8 JUDGE SMOLEN: Now, that make-up bill shows here?

9 THE WITNESS: Yes. It's the period of March 2,  
10 2001 to May 2, 2001.

11 JUDGE SMOLEN: But the \$1,351.55 is on the June  
12 1st line; isn't it?

13 THE WITNESS: It was rebilled to accommodate for  
14 rate changes but there is a credit adjustment.

15 JUDGE SMOLEN: Okay. Let's go through the  
16 columns here. The first two columns are the billing  
17 periods from and to; right?

18 THE WITNESS: Yes.

19 JUDGE SMOLEN: The third column is what?

20 THE WITNESS: The meter indices from and the  
21 fourth is the Meter reading to.

22 JUDGE SMOLEN: And then the next column?

23 THE WITNESS: The type of reading, as in A for  
24 Actual and E for Estimated. The next column shows the  
25 usage in cubic feet and then the next column shows the

1 amount the customer was billed. The next column is  
2 the finance charges and the next column is any type  
3 of credit or debit adjustment to the customer and then  
4 we have the payments and the balance.

5 JUDGE SMOLEN: Now, you were back to March 2, 2001  
6 under the Amount column and you pointed that out as  
7 \$1,351.55, and that's what started this whole case; is  
8 that right?

9 THE WITNESS: Correct.

10 MR. FARINAS: And under the CCF column, the 998,  
11 and I think Mr. Lipski referred to that as 1,000.

12 JUDGE SMOLEN: He rounded it off to 1,000 for  
13 purposes of his calculations. Continue with your  
14 testimony, Mr. Farinas.

15 BY MR. FARINAS:

16 Q. Now, the amount of \$1,351.55, that repre-  
17 sents what?

18 A. That represents the value of the 998 cubic  
19 feet or the difference between the 6948 and the 5951.

20 JUDGE SMOLEN: Where did the 5951 come from?

21 THE WITNESS: That was from the previous bill  
22 on January 31, 2001.

23 JUDGE SMOLEN: I want to try to get this straight  
24 in my mind. Instead of going backwards, let's go for-  
25 ward. Let's start with January 31st. That's an

1 estimated reading; right?

2 THE WITNESS: Right.

3 JUDGE SMOLEN: And the next month is also an  
4 estimated reading?

5 THE WITNESS: Right. The Actual reading was  
6 May, to 6949. If you want me to --

7 JUDGE SMOLEN: Wait a minute. You have 3/2/01  
8 twice.

9 THE WITNESS: If you notice on the adjustment  
10 column, you see a credit for that amount. That bill  
11 was cancelled.

12 JUDGE SMOLEN: Let's get this straight because  
13 it is a little confusing.

14 THE WITNESS: Yes. It is a lot of debits and  
15 credits.

16 JUDGE SMOLEN: That's why we want to get it  
17 straight so that everyone understand. Now, these debits  
18 and credits started in November of 2000; is that right?

19 MR. FARINAS: These are some of the things that  
20 I was going to explain later, because the account was  
21 being rebilled to accommodate the rate changes.

22 JUDGE SMOLEN: I am trying to ascertain where the  
23 5951 came from in your March 2nd bill.

24 THE WITNESS: The 5951 on the March 2nd bill  
25 was the ending indices on the billing to March 2, 2001

1 from January 31st.

2 JUDGE SMOLEN: But that was based on estimate?

3 THE WITNESS: Correct, but that's how we had to  
4 start off.

5 JUDGE SMOLEN: That's an estimated reading though.  
6 Don't you have to go back to February 3rd to figure out  
7 your last actual reading on the meter -- the 4703?

8 THE WITNESS: No, because the reading that we  
9 got of 6948 is higher than the 5951.

10 JUDGE SMOLEN: Let's back up. If you took it  
11 from 4703 back in February 3, 2000 to the reading when  
12 it was removed, and the reading when it was removed was  
13 how much?

14 THE WITNESS: 6950.

15 JUDGE SMOLEN: So if you took the 5022 and  
16 subtract it from 6950, wouldn't that show his actual  
17 usage for that full period of time? One actual reading  
18 to another actual reading?

19 MR. FARINAS: I am not sure that we are under-  
20 standing the question.

21 JUDGE SMOLEN: Well, we have an actual reading of  
22 5022 on February 22, 2000 and then you have an actual  
23 reading on June 1, 2001 of 6950. If those two were  
24 subtracted, would that show his actual usage for that  
25 period of time based on his actual meter reading?

BY MR. FARINAS:

1 Q. Do you understand the nature of the question?

2 A. Yes. We would have to add everything up.

3 JUDGE SMOLEN: Could you subtract two numbers?

4 THE WITNESS: Yes.

5 JUDGE SMOLEN: And that would then show his  
6 Actual ccf usage based on Actual readings rather than  
7 Estimated readings?

8 THE WITNESS: Yes.

9 JUDGE SMOLEN: So could not PGW then compute  
10 what the dollar amount would be between these two points  
11 now that you know the ccf -- the Actual usage -- not  
12 estimate, and subtract and credit and this and that and  
13 the other thing?

14 THE WITNESS: I have never seen it done that way  
15 for accounting purposes.

16 JUDGE SMOLEN: But you do it that way on a monthly  
17 basis from one month to the other. Now you are just  
18 stretching it out from one Actual reading to another.  
19 Mr. Farinas, you can answer that.

20 MR. FARINAS: Yes, Your Honor, it can be done,  
21 except it's complicated by passage of time and the  
22 several rate increases along the way.

23 JUDGE SMOLEN: Okay. How much is the cubic  
24 usage? Why don't you compute it just by subtracting it?  
25

1 Do you understand what I am doing, Mr. Lipski?

2 MR. LIPSKI: Yes.

3 THE WITNESS: The difference between 6950 and  
4 and 5022 is 1928.

5 JUDGE SMOLEN: 1928 ccf?

6 THE WITNESS: Yes.

7 JUDGE SMOLEN: All right. Now, the AMR was  
8 installed when?

9 THE WITNESS: May 4, 2001.

10 JUDGE SMOLEN: So that really after that period  
11 of time, they should be all automated readings?

12 THE WITNESS: Yes.

13 JUDGE SMOLEN: Now, from the period of time  
14 February 22nd up to May 2nd, between those periods of  
15 time, how much was Mr. Lipski estimated to use based  
16 on your own exhibit? Mr. Lipski, are you following me?

17 MR. LIPSKI: Yes.

18 JUDGE SMOLEN: Off the record.

19 (Discussion off the record.)

20 JUDGE SMOLEN: Back on the record.

21 What did you come up with as the estimated usage?

22 THE WITNESS: Subject to check, the answer is  
23 930.

24 JUDGE SMOLEN: Does that include the make-up  
25 bill?

1 THE WITNESS: That goes up to the index of 6950.

2 JUDGE SMOLEN: Okay. You are on the record now.  
3 So if that's the case, why is there a make-up bill? If  
4 he used 928 and he was charged an estimated usage of  
5 930, why is there a make-up bill?

6 THE WITNESS: You asked me for the estimated bills  
7 during that time period and I gave you those, and then  
8 the Actual reading of 998 with the 930 brings us to the  
9 total of 1928 that was used and you asked me to come to  
10 that figure.

11 JUDGE SMOLEN: You told me that between February  
12 22, 2000 to May 4, 2001, the Actual usage was how much?  
13 I will ask you again.

14 THE WITNESS: 1928.

15 JUDGE SMOLEN: 1928?

16 THE WITNESS: Yes.

17 JUDGE SMOLEN: I had it as 928. It's 1928?

18 THE WITNESS: Correct, and the estimated bill  
19 showing at that time was only 930, and then when we  
20 read the meter on May 4th, we picked up the additional  
21 998 cubic feet of gas.

22 JUDGE SMOLEN: And that's what he rounded up to  
23 1,000?

24 THE WITNESS: Correct.

25 JUDGE SMOLEN: All this was a little confusing.

1 I am just going to repeat this for the record so that  
2 I understand it and whoever reads the record understands  
3 it.

4 From PGW Exhibit 1, this witness, Mr. Selzle,  
5 calculated that from 2/22/2000 to 5/4/2001, that's the  
6 two periods where there were Actual readings and the  
7 Actual consumption is 1,928 ccf; is that correct?

8 THE WITNESS: Yes, Your Honor.

9 JUDGE SMOLEN: For that same period of time,  
10 February 22, 2000 to May 4, 2001, the billings for  
11 estimated usage which PGW sent to Mr. Lipski totalled  
12 930 ccf, and the difference which you were saying was  
13 under-billed is how much?

14 THE WITNESS: 998.

15 JUDGE SMOLEN: CCF?

16 THE WITNESS: Correct.

17 JUDGE SMOLEN: Now, is that the basis -- what  
18 did you do with this now 998 ccf? What happened to  
19 that? How was that billed -- eventually billed to this  
20 customer?

21 THE WITNESS: It was billed originally in one  
22 bill.

23 JUDGE SMOLEN: And does that show on this?

24 THE WITNESS: Yes. \$1,351.55 and that's dated  
25 3/2/01 to 5/2/01.

1 JUDGE SMOLEN: So although it showed on the bill  
2 as being for a period of two months, it really was not  
3 for a period of two months. It included a make-up for  
4 all of these under-estimations between the period of  
5 time which we previously discussed?

6 THE WITNESS: Yes, Your Honor.

7 JUDGE SMOLEN: And so this \$1,351.55, does that  
8 also include the gas usage for that particular month  
9 or is that just a straight make-up?

10 THE WITNESS: It's for that month. It's the  
11 Actual reading that we obtained.

12 JUDGE SMOLEN: I know, but does it include gas  
13 usage for that month?

14 THE WITNESS: Yes.

15 JUDGE SMOLEN: So this \$1,351.55, strictly  
16 speaking is not totally a make-up bill but it is a  
17 make-up bill plus what the Actual usage was for that  
18 period of time, mainly 3/2/01 to 5/2/01?

19 THE WITNESS: Yes, Your Honor.

20 JUDGE SMOLEN: Is there any way to tell what the  
21 Actual usage was for that period of time?

22 THE WITNESS: Not without a meter reading. You  
23 can't tell the Actual.

24 JUDGE SMOLEN: Well, how much of the 998 was the  
25 Actual usage from 3/2 to 5/2? Can you tell that?

1 THE WITNESS: No, I don't have that available  
2 with me.

3 JUDGE SMOLEN: But in any event, the \$1,351.55 is  
4 a make-up for the period of time between Actual readings?  
5 It comes out to that in a sense?

6 THE WITNESS: Yes.

7 JUDGE SMOLEN: Now I have got that straight. Go  
8 ahead.

9 MR. FARINAS: I guess I am going to follow up on  
10 what happened after that.

11 JUDGE SMOLEN: Okay.

12 BY MR. FARINAS:

13 Q. Mr. Seizle, was the bill -- the make-up bill  
14 for the 998 ccf, was that adjusted for applying previous  
15 rates since the time period was for 17 months?

16 A. Yes.

17 JUDGE SMOLEN: When you say this bill was adjusted;  
18 which way? Was it upwards or downwards?

19 THE WITNESS: Well, it was rebilled to accommodate  
20 the rates that were in effect. When it was billed in  
21 May of 2001, it was billed at the rate that was in  
22 effect at that time. What we did is, we went back in  
23 and rebilled the usage for the rates that were -- for  
24 the rate changes -- to accommodate the rate changes.

25 JUDGE SMOLEN: My question is: ultimately was

1 this \$1,351.55 adjusted downwards?

2 THE WITNESS: Yes.

3 JUDGE SMOLEN: And how much was it adjusted?

4 THE WITNESS: It was adjusted down with \$262.97.

5 JUDGE SMOLEN: And just so the record is clear,  
6 you adjusted it downwards because in your calculation  
7 of the \$1,351.55, you used then current rate, whereas  
8 when the gas was consumed, the rates were actually --  
9 could have been lower?

10 THE WITNESS: Yes, Your Honor.

11 JUDGE SMOLEN: And therefore you reduced this  
12 \$1,351.55 by \$262.97?

13 THE WITNESS: Yes, Your Honor.

14 JUDGE SMOLEN: Where does that show here?

15 THE WITNESS: That would show -- we went back  
16 to -- the billing period was from October 31st --

17 JUDGE SMOLEN: Give me the amount. Is this the  
18 \$1,185 that appears here?

19 THE WITNESS: Just bear with me one moment, Your  
20 Honor.

21 JUDGE SMOLEN: Yes.

22 THE WITNESS: The rate increases were in November  
23 of 2001 -- November 22, 2000. Excuse me. January 1st  
24 of 2001 and March 1, 2001. So we went back to the last  
25 billing in October -- October 30th, which was the

1 billing for \$106.71 from October 31st to November 30,  
2 2000. 119 cubic feet of gas.

3 JUDGE SMOLEN: Where does that show here?

4 THE WITNESS: It should be on the first page of  
5 the Statement of Account.

6 JUDGE SMOLEN: Okay, I see it.

7 THE WITNESS: Okay. So that's the \$106.71, and  
8 then you will see that there is an adjustment -- a credit  
9 for \$106.71.

10 JUDGE SMOLEN: All right.

11 THE WITNESS: Then you have the billing from  
12 November 30th to January 2, 2001 for \$270.96 and then  
13 you see a credit over in the credit column for that  
14 amount. You will see the next billing from January 2,  
15 2001 to January 31, 2001 for \$264.23. You see a credit  
16 for that and then you have the bill from January 31,  
17 2001 to March 2, 2001 for \$231.75. You also see a  
18 credit for that. Then we cancelled the billing from  
19 March 2, 2001 to May 2, 2001 for \$1,351.55. It actually  
20 is \$2,225.20. So that was the value of what we billed  
21 originally.

22 JUDGE SMOLEN: Okay.

23 THE WITNESS: Now, we went back in and rebilled --  
24 if you go down further pass July 30, 2001 -- down the  
25 bottom and turn the page, you will see the billing

1 period of December 31, 2000 again. You will see it  
2 jump off because it has December 31st.

3 JUDGE SMOLEN: It's not clear. What is the  
4 \$1,185 all about?

5 THE WITNESS: That's the first part of the rebill  
6 and that represents service from October -- December  
7 31st to May the 2nd.

8 JUDGE SMOLEN: Just hold on for a minute. Just  
9 give me a second here.

10 Off the record.

11 (Discussion off the record.)

12 JUDGE SMOLEN: Back on the record.

13 I wanted to take a step back. Your earlier  
14 testimony was that the \$1,351.55 was adjusted downwards.  
15 The total was \$262.97. Is that what your testimony was?

16 THE WITNESS: Yes, Your Honor.

17 JUDGE SMOLEN: And that was for the fact that --  
18 for the prior increases -- take into consideration  
19 prior increases?

20 THE WITNESS: Yes, Your Honor.

21 JUDGE SMOLEN: If I subtracted that amount from  
22 the \$1,351.55, would that be the correct make-up bill?

23 THE WITNESS: No.

24 JUDGE SMOLEN: Why not?

25 THE WITNESS: Because when we rebill for the rates,

1 we take out billings for a certain period of time and  
2 then we put them back in to cover that period of time.  
3 If I may -- I mean, if you will let me explain?

4 JUDGE SMOLEN: I know you are going through it  
5 but I want to try and cut to the quick and simple part.

6 THE WITNESS: Okay.

7 JUDGE SMOLEN: If you told me that's the total  
8 that you took out, why can't I just subtract it and  
9 that's your makeup bill?

10 THE WITNESS: Because we have to rebill for the  
11 right rates.

12 JUDGE SMOLEN: But you told me that you took out  
13 the bills for the rates?

14 THE WITNESS: We took out the billings and then  
15 later on, if I may tie it in now, if I may?

16 JUDGE SMOLEN: All right.

17 THE WITNESS: If you look at the October 31, 2000  
18 bill to November 21, 2000, the office estimate, this is  
19 how we rebilled for the rates.

20 JUDGE SMOLEN: It maybe how you rebill and that's  
21 okay, but if the total between Actual reading is \$1,351  
22 and the total adjustment is \$262.97, why can't you just  
23 subtract it?

24 THE WITNESS: I don't have an answer for that.

25 JUDGE SMOLEN: I know how you may have done it

1 or you are trying to explain it, but why isn't that the  
2 makeup bill?

3 THE WITNESS: I don't have an answer for that,  
4 Your Honor.

5 JUDGE SMOLEN: Mr. Farinas, is there any reason  
6 why that is not the makeup bill? I know there is some  
7 additional finance charges and stuff like that but  
8 isn't that in essence the makeup bill?

9 MR. FARINAS: That is the essence of it, Your  
10 Honor.

11 JUDGE SMOLEN: I know how you do it is something  
12 else. You go back different times but when we come to  
13 the nitty-gritty, isn't that your makeup bill?

14 MR. FARINAS: In essence, that should be it. I  
15 don't know the effect of the other factors in the adjust-  
16 ment.

17 JUDGE SMOLEN: If I subtracted this \$262.97 from  
18 the \$1,351.55, I came out with \$1,088.58 as what the  
19 makeup bill should be or should have been. Is that  
20 your subtraction? Do you have a calculator there? You  
21 want to just do it?

22 THE WITNESS: What's the number again, Your Honor?

23 JUDGE SMOLEN: Well, the \$1,351.55 is your numbers,  
24 and you said you adjusted it downwards by \$262.97.

25 THE WITNESS: All right. \$1,088.58.

JUDGE SMOLEN: All right.

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MR. FARINAS: Your Honor, that's the number that is indicated in our answer -- that appears in our answer.

JUDGE SMOLEN: Okay. So we got to it without even verifying that number.

MR. FARINAS: But the answer was based on the information that was provided at the time that we did the answer.

BY MR. FARINAS:

Q. So the rebill amount as shown here is correct?

A. It is roughly \$94 off.

JUDGE SMOLEN: No -- yes, it is. You have 1185 versus 1088. Now, what I added there also was finance charges of \$20.31 and 94 cents and if I added the 1088 and these two charges, it still doesn't come up -- it comes closer. It comes to \$1,109.83; is that right?

THE WITNESS: Yes.

JUDGE SMOLEN: It's simple arithmetic and PGW might not quibble too much about this, so let me ask Counsel, would you amend your claim then from whatever it was to that \$1,109.83 as a proper makeup bill from your point of view?

MR. FARINAS: Yes, Your Honor.

JUDGE SMOLEN: Now, you have a lot of other things on the sheet. There are other credits here. Is this

BCS credit? This \$270.31.

1 THE WITNESS: Yes. That is the special allowance  
2 that was mandated -- authorized by the Public Utility  
3 Commission based on the makeup bill. The result of the  
4 informal complaint by the PUC was to remove \$270.31  
5 from the customer's account.  
6

7 MR. FARINAS: Your Honor, if I may, I would like  
8 to take this opportunity to put into the record as  
9 PGW Exhibit 2, the BCS decision.

10 JUDGE SMOLEN: Yes. Make sure that Mr. Lipski  
11 gets a copy and the reporter gets two.

12 MR. FARINAS: Yes, Your Honor.

13 JUDGE SMOLEN: And we will mark that for identifi-  
14 cation as PGW Exhibit 2.

15 (Whereupon, the document was  
16 marked as PGW Exhibit No. 2  
17 for identification.)

18 JUDGE SMOLEN: Does the BCS decision show what  
19 the BCS consider the proper makeup bill to be?

20 THE WITNESS: No, it does not.

21 JUDGE SMOLEN: Well, if we already agree that your  
22 makeup bill is \$1,109.83 and you take off this \$270.31  
23 which the BCS ordered, the makeup from your point of  
24 view should be \$839.52?

25 THE WITNESS: Yes, Your Honor.

1 JUDGE SMOLEN: Okay, go ahead. I am just making  
notes for myself.

2 MR. FARINAS: Since this document was prepared  
3 with the other things in mind, what I can have  
4 Mr. Selzle do is review the payments since the BCS  
5 decision.

6 JUDGE SMOLEN: Yes.

7 BY MR. FARINAS:

8 Q. If you will please review them.

9 A. The payment that Mr. Lipski was referring  
10 to is the repayment agreement which is the \$15 a month  
11 plus the current bill. If you note, he was billed for  
12 service from January 2, 2002 to January 31st.

13 JUDGE SMOLEN: The BCS decision is when?

14 THE WITNESS: Payment was to begin; February 2002.

15 JUDGE SMOLEN: Okay. So the payments since  
16 February 02.

17 THE WITNESS: He was billed for service from  
18 January 31, 2002 to March 1, 2002 for \$207.87 and the  
19 \$15 added on is \$222.87, which he did get credit for.

20 JUDGE SMOLEN: Wait a minute. I see there is a  
21 finance charge there also.

22 THE WITNESS: They were all waived.

23 JUDGE SMOLEN: But the charges appears here; does  
24 it not?  
25

1 THE WITNESS: Once the BCS decision was entered,  
the finance charges stopped.

2 JUDGE SMOLEN: Okay. So what did he pay on  
3 February 2nd?

4 THE WITNESS: He paid \$222.87.

5 JUDGE SMOLEN: Did he make the \$15 payment?

6 THE WITNESS: That includes the \$207.87 plus the  
7 \$15.

8 JUDGE SMOLEN: Was that his regular bill?

9 THE WITNESS: Yes, Your Honor.

10 JUDGE SMOLEN: Okay.

11 THE WITNESS: The next billing was for \$150.66  
12 from March 1, 2002 to April 2, 2002.

13 JUDGE SMOLEN: The BCS Order, was that met?

14 THE WITNESS: Yes, Your Honor.

15 JUDGE SMOLEN: So it was \$15 plus what?

16 THE WITNESS: \$150.66, and the customer received  
17 credit for \$165.66.

18 JUDGE SMOLEN: Okay. What's the next one?

19 THE WITNESS: The following billing was from  
20 April 2, 2002 to May 1, 2002 for \$57.48 plus the BCS  
21 \$15 which equals \$72.48.

22 JUDGE SMOLEN: All right.

23 THE WITNESS: And then the last billing represents  
24 service from May 1, 2002 to May 31, 2002.  
25

1 JUDGE SMOLEN: Was the \$15 paid?

2 THE WITNESS: Yes, Your Honor.

3 JUDGE SMOLEN: That's the \$60 then that  
4 Mr. Lipski was talking about?

5 THE WITNESS: Yes.

6 JUDGE SMOLEN: How much was it? \$15 plus what?

7 THE WITNESS: \$15 plus \$37.14 and the customer  
8 received credit for \$52.14.

9 JUDGE SMOLEN: Okay, go ahead.

10 BY MR. FARINAS:

11 Q. Just to finish off the Statement of Account  
12 subject to the amendment which we just made of \$99 or  
13 whatever it was and I am referring to page 2 of the  
14 statement, what is the balance that is shown which we  
15 now know is subject to that adjustment?

16 A. \$757.14.

17 JUDGE SMOLEN: So you are talking about the  
18 difference between the 11 --

19 MR. FARINAS: The difference between the original  
20 makeup bill.

21 JUDGE SMOLEN: I would do it this way. The makeup  
22 balance according to what we have now discussed is  
23 \$839.56; is that right?

24 THE WITNESS: Correct.

25 MR. FARINAS: And that includes also the BCS

1 credit that was given?

2 JUDGE SMOLEN: Yes. So if we took off \$60 from  
3 that, that would reduce his makeup balance. \$779.52,  
4 is that right?

5 MR. FARINAS: Yes, Your Honor.

6 JUDGE SMOLEN: Well, that comes out to more than  
7 what you said; is that right?

8 MR. FARINAS: That's right, Your Honor. Just to  
9 cover the same or related area, I just want to add  
10 PGW Exhibit 3 on the record before we leave for other  
11 areas. This is a document entitled Customer Contact  
12 Disputed Bill and I will distribute copies to everyone.

13 JUDGE SMOLEN: Before we go on, I just want to  
14 make clear on this record that the way we have computed  
15 it in giving Mr. Lipski credit, our balance the way  
16 we have discussed it, shows \$779.52, whereas your PGW  
17 Exhibit 1 balance shows \$757.14; is that right?

18 MR. FARINAS: Correct. That's what we have come  
19 to today, Your Honor.

20 JUDGE SMOLEN: All right. I guess we will have  
21 to give the benefit of the doubt to the Complainant  
22 despite the fact that --

23 MR. FARINAS: Your Honor, if it is a difference  
24 of \$22, PGW will not quibble about it.

25 JUDGE SMOLEN: Okay.

1 MR. FARINAS: Your Honor, I would like to have  
2 this marked as PGW Exhibit No. 3.

3 JUDGE SMOLEN: It will be marked for identifica-  
4 tion as PGW Exhibit No. 3.

5 (Whereupon, the document was  
6 marked as PGW Exhibit No. 3  
7 for identification.)

8 BY MR. FARINAS:

9 Q. Mr. Selzle, I place before you PGW Exhibit 3,  
10 the document which states the customer's contact. Was  
11 there a communication with the customer regarding the  
12 makeup bill?

13 A. Yes. Our Billing Department sent a letter  
14 out to the customer.

15 Q. What did the letter explain?

16 A. The letter was dated August 6, 2001, and it  
17 just explained to the Customer that a review was done  
18 and that he received a makeup bill for gas service for  
19 the previous bills due to low estimate from February  
20 22, 2000 to May 2, 2001.

21 MR. LIPSKI: How much was that amount?

22 THE WITNESS: It was no amount on there. It was  
23 just a letter that we sent out to you advising --

24 BY MR. FARINAS:

25 Q. For the record, was the amount indicated

1 included on the letter?

2 A. No.

3 Q. Where would the amount have appeared?

4 A. It would be on the bill.

5 MR. FARINAS: Your Honor, unless you have any  
6 questions for PGW Exhibit 3, I would like to move my  
7 exhibits into evidence.

8 JUDGE SMOLEN: Okay. Your exhibits are received  
9 into evidence.

10 (Whereupon, the documents  
11 marked as PGW Exhibits Nos.  
12 1, 2, and 3 were received  
13 in evidence.)

14 BY MR. FARINAS:

15 Q. Mr. Selzle, did you do any additional  
16 analysis regarding usage on the account?

17 A. Yes. We performed a gas usage analysis on  
18 the account.

19 MR. FARINAS: Your Honor, I would like to dis-  
20 tribute PGW Exhibit 4 and this document is entitled  
21 Heat and Domestic gas usage. Analysis of account.

22 JUDGE SMOLEN: We will mark that as PGW Exhibit 4.

23 (Whereupon, the document  
24 was marked as PGW Exhibit  
25 No. 4 for identification.)

1 BY MR. FARINAS:

2 Q. Mr. Selzle, did you prepare this document?

3 A. Yes.

4 Q. Does it show or does it analyze the Complai-  
5 nant's gas usage on the account?

6 A. Yes.

7 Q. Can you walk us through your analysis and  
8 tell us what it shows?

9 A. Basically, the gas usage analysis is a review  
10 of the usage history at the property and it is based  
11 on actual readings and not on estimates. Based on the  
12 analysis, we were able to determine that the usage is  
13 in line with the prior history at the property. If you  
14 notice the numbers on the right-hand all the way over,  
15 the CFDD are consistent and they are in line.

16 JUDGE SMOLEN: You have to explain what CFDD  
17 stands for.

18 THE WITNESS: That is the cubic feet per degree  
19 day. A degree day is an index of energy consumption  
20 for heating. It indicates the number of degrees the  
21 average temperature drops below 65 degrees.

22 JUDGE SMOLEN: Okay.

23 BY MR. FARINAS:

24 Q. Mr. Selzle, cubic feet per degree days  
25 means what?

1 A. That's the amount of cubic feet of gas  
2 used per degree day.

3 Q. Mr. Selzle, this is a comparison of several  
4 periods; correct?

5 A. Yes.

6 Q. Can you walk us through the first period to  
7 get an idea of how the consumption works and compare  
8 the result?

9 A. Yes. The first period is from July 31,  
10 1997 to February 3, 1999. These are actual indexes --  
11 actual readings that we recorded. On July 31, 1997,  
12 the index was 1181; on February 3, 1999, the index was  
13 3435.

14 JUDGE SMOLEN: For the purposes of the record,  
15 when you say "index," that's the meter reading?

16 THE WITNESS: Yes, Your Honor. That covered the  
17 period of 552 days. There was 2,254 ccf used during  
18 that period of time and 287 was for domestic usage  
19 and 1967 was for the heating usage. The recorded degree  
20 days for that period of time was 6239. The total cubic  
21 feet of gas used per degree day for that period of time  
22 was 31.5.

23 What I did was, I went on to that next period of  
24 time from February 3, 1999 to February 22, 2000, using  
25 the meter reading of 3435 to 5022 for a period of 384

1 days. The total CCF used was 1587; domestic usage was  
2 200; the heat usage was 1387; the total number of degree  
3 days was 4676 and the cubic feet of gas used per degree  
4 day was 29.7 covering that time period, which is very  
5 much in line with July 31, 1997 to February of 1999.

6 The next period was for February 22nd of 2000 to  
7 May 2, 2001. The readings were from 5022 to 6949 for  
8 a number of 435 days, for a total usage of 1927. The  
9 domestic usage was 226 CCF and the heat usage was 1701.  
10 Now, the recorded degree days for that time period was  
11 5441 and the actual cubic feet of gas used per degree  
12 day was 31.3, which if you will notice, it is almost  
13 identical to the period from July of '97 to February of  
14 '99. Now, what we did was, we also did an analysis  
15 of the new meter after it was installed.

16 JUDGE SMOLEN: You mean the AMR?

17 THE WITNESS: Yes, Your Honor. We used the date  
18 of May 4, 2001 and the new meter was set at zero and  
19 then the automated reading that we obtained on January  
20 31, 2002 was 663. Now, this covered a period of 272  
21 days. The total usage in CCF was 663; the domestic  
22 usage was 141; the heat usage was 522; the number of  
23 degree days was 1972 and the cubic feet of gas used per  
24 degree day was 26.4, which falls in line with the other  
25 periods.

BY MR. FARINAS:

1 Q. Mr. Selzle, it's in line but however, it is  
2 3 cubic feet per degree days lower. Would you have an  
3 explanation for that?  
4

5 A. It may have to do with the new hot water  
6 heater and the upgrades that were made to the heater  
7 and also the weather condition as well.

8 Q. Basically, is it your testimony that the  
9 analysis shows that the gas usage is in line between  
10 the periods compared?

11 A. Yes.

12 MR. FARINAS: Your Honor, I have nothing further  
13 and I make my witness available for questioning.

14 JUDGE SMOLEN: Go ahead, Mr. Lipski. Now is your  
15 turn to ask questions.

16 CROSS EXAMINATION

17 BY MR. LIPSKI:

18 Q. Based on the study that you are talking about  
19 up to February of 2000, it is not applicable because  
20 we have a totally different system and --

21 JUDGE SMOLEN: No, no, stop. You are not  
22 testifying now. You will get a chance to testify again  
23 if you want to. Now is the time to ask questions.

24 BY MR. LIPSKI:

25 Q. According to your records, you said the new

meter was installed on May 4, 1991?

1

A. May 4, 2001.

2

Q. When was it originally installed?

3

A. May 4, 2001.

4

Q. No, prior to that.

5

A. You are talking about the old meter that was removed?

6

Q. Yes.

7

A. It had a badge date of 1991 on the meter when we took it off.

8

Q. Does that mean that the meter was installed in 1991?

9

A. Yes.

10

Q. Because my records show that the original number on the meter was '87 and that meter was installed in 1887.

11

JUDGE SMOLEN: That's when you moved in?

12

MR. LIPSKI: Yes. I am sorry. 1997.

13

JUDGE SMOLEN: Okay. You will get a chance to testify again. Just ask him his questions and then we can go to the next witness. If you have any questions about the meter, the next witness will deal with it.

14

BY MR. LIPSKI:

15

Q. Was the meter certified before it was installed?

16

1 MR. FARINAS: Your Honor --

2 JUDGE SMOLEN: There will be another witness to  
3 answer questions about the meter. You can ask him his  
4 questions based on his testimony. There is another  
5 witness who will have all that information on the meter.

6 BY MR. LIPSKI:

7 Q. Who took the meter reading when the meter  
8 was taken off the property?

9 A. An employee.

10 Q. Was that number presented to us at the time  
11 that the meter was taken out because I instructed my wife  
12 that before they take the meter out, to provide her with  
13 the meter reading. Was that done?

14 MR. FARINAS: Again, Your Honor, we are talking  
15 about the removal of the meter.

16 JUDGE SMOLEN: There is another witness on the  
17 meter.

18 MR. FARINAS: Mr. Selzle can testify as to the  
19 matters of billing and the readings that was taken --  
20 the actual readings, as indicated on PGW Exhibit 1.  
21 They are what he found in his investigation.

22 BY MR. LIPSKI:

23 Q. What is the final amount that we decided that  
24 I owe you as of now?

25 A. \$757.14.

1 Q. And that was before the deduction of \$60, so  
2 the original amount was still based on \$839.52?

3 A. Can you ask that question again, sir?

4 Q. What is the amount that I owe you prior to  
5 my \$60 payment -- the total amount that you request as  
6 of right now?

7 A. I -- are you trying to separate the bill  
8 from the actual payment?

9 A. Yes. I would like to know at least for my  
10 own track record.

11 A. \$757.

12 JUDGE SMOLEN: Where does the \$757 appear so that  
13 you can show Mr. Lipski?

14 THE WITNESS: It is on the bottom of the Statement  
15 of Account which is Exhibit 1. It is on the first page  
16 down the bottom.

17 JUDGE SMOLEN: Okay, I see it. On the very bottom  
18 of Exhibit 1, it shows \$757.14 and on the second page  
19 it shows it twice. On the top and then where it says  
20 "current balance." One more question for the record.  
21 That number includes his \$60 payment?

22 THE WITNESS: Yes, Your Honor.

23 JUDGE SMOLEN: His four \$15 payment?

24 THE WITNESS: Yes, Your Honor.

25 JUDGE SMOLEN: Next question, Mr. Lipski.

1 MR. LIPSKI: I don't have anymore, other than to  
2 say that I ask them to present an accurate record to me  
3 and this is all based on speculations rather than actual  
4 numbers. You asked me for my calculations and I  
5 presented the right ones. You are speculating and --

6 MR. FARINAS: Objection, Your Honor.

7 MR. LIPSKI: No further questions.

8 JUDGE SMOLEN: All right, any redirect?

9 MR. FARINAS: No, Your Honor.

10 JUDGE SMOLEN: The witness is excused and all  
11 four of your exhibits are received.

12 (Whereupon, the document  
13 marked as PGW Exhibit No. 4  
14 was received in evidence.)

15 JUDGE SMOLEN: We have a next witness. You are  
16 excused and thank you very much.

17 (Witness excused.)

18 MR. FARINAS: I would like to call --

19 JUDGE SMOLEN: Before the witness goes, I am  
20 going to ask him one last question. What is PGW seeking  
21 here? What are you requesting from this case?

22 THE WITNESS: Just to affirm the BCS decision.

23 JUDGE SMOLEN: All right, very good. Thank you  
24 very much. Go ahead, Counsel.

25 MR. FARINAS: I would like to call Mark Procknow.

1 JUDGE SMOLEN: Mr. Procknow, raise your right hand  
2 please.

3 Whereupon,

4 MARK PROCKNOW

5 having been duly sworn, testified as follows:

6 DIRECT EXAMINATION

7 BY MR. FARINAS:

8 Q. Mr. Procknow, what is your title at PGW?

9 A. I am the supervisor of meter and measurement  
10 engineering systems.

11 Q. And briefly, what does this entail?

12 A. I oversee all accuracy of testing equipment  
13 and meters that come in and out of the shop, coordinated  
14 for the Automatic Meter Reading devices and keeping  
15 records on file for all certifications filed with the  
16 PUC.

17 Q. Would the testing of the Complainant's meter  
18 fall under your supervision?

19 A. Yes, sir.

20 Q. Are you aware of the fact that the Complai-  
21 nant's meter was tested?

22 A. I was not aware of it until it was brought  
23 to my attention by Mr. Selzle.

24 MR. FARINAS: Your Honor, I would like to distri-  
25 bute PGW Exhibit 5.

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JUDGE SMOLEN: What is PGW Exhibit 5?

MR. FARINAS: It's a one page document entitled Large Meter Test Record.

JUDGE SMOLEN: Okay. Let's mark it as PGW Exhibit 5, and give Mr. Lipski his copy.

(Whereupon, the document was marked as PGW Exhibit No. 5 for identification.)

BY MR. FARINAS:

Q. Mr. Procknow, you have a copy of PGW Exhibit 5?

A. Yes, I do.

Q. Can you identify this?

A. Yes. This is what we call our test record cards that we file in our cabinets in a secured area, where when a customer calls up and complains like Mr. Lipski has done and it is brought to our attention by Mr. Selzle, and we had already ran this meter down and it had already been shipped out before the complaint was filed, we would go back on what we call Snapsonic Provers and all the information is stored on there according to the PUC on how they would like things.

Q. Mr. Procknow, before you jump ahead of yourself, can you tell us what does this card or this Large Meter Test Record --

1 A. Okay. What it basically shows is that it  
2 just tells you the reason why we removed it was for age  
3 change, which means that the customer's records did not  
4 have an Automatic Meter Reading Device installed at the  
5 property, so we went out and changed this one for a  
6 meter that had one and installed that.

7 Q. Okay. When was this meter originally  
8 installed at Aubrey Avenue?

9 A. This had a Badge Date of 1991.

10 Q. What does that mean?

11 A. This means that this meter was last certified  
12 by PGW in 1991 when it was last received in our work-  
13 shop.

14 Q. Okay. Now you can continue.

15 A. Okay. Now I am going to continue on the  
16 card where it tells you the workman -- the gentleman  
17 who did the job and ran the meter down on the Snapsonic.  
18 Where it says R-275, it's the type of meter. 275  
19 stands for the total amount of gas that can flow  
20 through there per hour.

21 Q. Okay.

22 A. Where you see Check, the machines run it  
23 down for 100% and 20% of the usage the meter did handle.

24 Q. What does that mean?

25 A. It can handle 275 cubic feet an hour, so

1 when we run these down there on the machine, we can put  
2 275 feet through this sonic nodule and we can also run  
3 it at 20 percent which is mandated by us by the PUC.

4 Q. So from this document, you are telling us  
5 that gas was put through the meter?

6 A. Yes, and the result of this meter turned out  
7 that we used 100 percent. Plus or minus anything below  
8 that means that the meter would be out of calibration.  
9 This meter on a hundred percent run was 100.0 which is  
10 a perfect, and on the open which is 20 percent of the  
11 maximum flow on the meter which is 100.1 percent.

12 JUDGE SMOLEN: You have to go back and explain  
13 what Open means.

14 THE WITNESS: Okay. Open is 20 percent of the  
15 maximum load of 275, sir. So all this is 20 percent of  
16 275.

17 JUDGE SMOLEN: And the meter tested what?

18 THE WITNESS: 100.1 percent.

19 JUDGE SMOLEN: Is that within the PUC's require-  
20 ment?

21 THE WITNESS: Yes, sir.

22 JUDGE SMOLEN: What is the PUC's requirement?

23 THE WITNESS: Plus or minus 2 percent, sir.

24 JUDGE SMOLEN: And on the full capacity it tested  
25 at a hundred percent?

1 THE WITNESS: Yes, sir.

2 JUDGE SMOLEN: Go ahead.

3 BY MR. FARINAS:

4 Q. When was the date indicated on that is?

5 A. 6/7/2001.

6 Q. Is that the date of the testing?

7 A. Yes, sir. That's when it was run down.

8 Q. And below that, there is a section called

9 Index?

10 A. That is the actual meter reading off the  
11 meter while it is being run down.

12 Q. So does this verify the information provided  
13 by Mr. Selzler?

14 A. Yes, it does.

15 MR. FARINAS: I have no further questions at this  
16 time about the meter reading, sir.

17 JUDGE SMOLEN: All right, Mr. Lipski. Here is  
18 the man with the meter knowledge.

19 CROSS EXAMINATION

20 BY MR. LIPSKI:

21 Q. When was the meter manufacturing date?

22 A. I would have to go back and look at the meter  
23 to see when it was manufactured but the last time it  
24 was brought into our shop is in 1991. That was the  
25 Date Badge on the front of the meter.

1 Q. So from 1991, you kept that meter functional  
2 to May 4, 2001?

3 A. Correct.

4 Q. Was there any maintenance done?

5 A. No, sir.

6 Q. How long is the meter good for once you  
7 install it?

8 A. A meter is good for 15 years before we have  
9 to pull it out for aging service.

10 Q. Who certified that the meter is good for 15  
11 years?

12 A. It's done by the National Voluntary  
13 Laboratory Accreditation Program or it's done by the  
14 National Institute of Standards and Technology who  
15 sets these measurements.

16 Q. Is that 15 years from the date of manufacture  
17 or 15 years from --

18 A. Installation at the property.

19 Q. So is there any criteria of how old the  
20 meter can be at all?

21 A. Well, we always cap every meter off at 30  
22 years. We do not send anything out that is larger than  
23 30 years.

24 JUDGE SMOLEN: Older?

25 THE WITNESS: Older than 30 years. I am sorry.

BY MR. LIPSKI:

1  
2 Q. Do you have any schedule for calibration  
3 then?

4 A. What we have scheduled for calibration is  
5 all of our machines that we do the testing on and here  
6 is what we are going to be looking at. This is the  
7 Certification of Accuracy. We have four machines, Your  
8 Honor, and each machine has to be certified.

9 MR. FARINAS: I am sorry, Your Honor, but I need  
10 to make copies of these.

11 JUDGE SMOLEN: Okay. Let's take a minute so that  
12 we can make copies of these. Off the record.

13 (Discussion off the record.)

14 JUDGE SMOLEN: We are back on the record.

15 MR. FARINAS: Your Honor, if I may, I would like  
16 to have this document marked as PGW Exhibit 6.

17 JUDGE SMOLEN: What is PGW Exhibit 6?

18 THE WITNESS: What these do is, we are mandated  
19 by the PUC yearly to have a Company come in and take  
20 apart our Proofing machines. They take them back to  
21 their labs and they have to test them and they also  
22 have to be certified by the National Institute of  
23 Standards and Technology.

24 JUDGE SMOLEN: These are Certificate of Accuracy  
25 for your machines which are used to measure the accuracy

of individual meters?

1 THE WITNESS: That's correct, and we also use a  
2 test meter everyday that is run on these things to  
3 verify the accuracy of the machines with the testing of  
4 a test meter too.

5 JUDGE SMOLEN: Okay. So that's PGW Exhibit 6?

6 MR. FARINAS: Yes, Your Honor.

7 (Whereupon, the document was  
8 marked as PGW Exhibit No. 6 for  
9 identification.)

10 JUDGE SMOLEN: Go ahead, Mr. Lipski.

11 BY MR. LIPSKI:

12 Q. Are you an employee of PGW?

13 A. Yes, I am.

14 Q. So in fact, all of these organizations are  
15 for PGW? They work for PGW?

16 A. No, they are not. These people that supply  
17 the certificates are not employees of PGW.

18 Q. They supply the certificates for your  
19 equipments?

20 A. Yes.

21 Q. But all the testing of the meter that comes  
22 from the customer are done inside by PGW employees?

23 A. Correct.

24 Q. Are you licensed?  
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A. Yes, we are.

Q. How often are you licensed?

A. These certificates license us to test meters on our machines. Just like we have to run a test meter everyday before we can use these machines everyday, we must run a test meter everyday on these machines which is certified also by an outside company by American Meter Company. We have to purchase that meter separately.

Q. The meter that was removed from the property at the time, your records indicate was installed in 1991?

A. It had a Badge Date of '91, sir.

Q. The record that was on the meter indicated '87, and according to my records, it was installed in '87.

A. He is confusing two things, Your Honor. He is confusing the date purchased with the date of installation which are two different things. We may have purchased this meter in '87, which I do not know that off the top of my head but Mr. Lipski, I have no problem with believing that, but it was brought back in our shop in '91. We certified it and it was turned around and sent back and installed in Mr. Lipski's house in '91 and it was then removed in 2001 for another meter, sir.

FORM 1

1 Q. How much testing is done to recertify the  
2 meter?

3 A. To recertify, they are put on our Snapsonic  
4 Prover and then they are run down.

5 Q. For how long?

6 A. For what part of the test? A hundred percent  
7 takes three minutes and 30 seconds; 20 percent takes  
8 approximately five minutes so for the overall testing  
9 for each machines, it runs about ten minutes there and  
10 then it has to go through a hydro-tester which is then  
11 tested at ten pounds of pressure for any leakage in the  
12 meter which could expose gas in the air. After that it  
13 goes to our line which then checks for all meter move-  
14 ment parts on the front dial to make sure that the two-  
15 foot dial and the head-foot dial are moving in the  
16 proper direction.

17 Q. How long have you been doing this?

18 A. I have been doing this since 1991.

19 Q. Have you ever experienced any inconsistent  
20 readings?

21 A. No. Not from the machine. We have meters  
22 that fail.

23 Q. And every meter that comes out, once it  
24 passes the test, you certify it as good to go?

25 A. Yes, sir. One hundred percent.

1 Q. And you are sure it's correct?

2 A. Yes, sir. Absolutely.

3 Q. You say the meter is good for 15 years. How  
4 comes I do not see any sticker of certification of any  
5 kind that this meter is good for 15 years?

6 A. Because you don't own that meter. PGW owns  
7 that meter and the manufacturer tells us that we should  
8 bring them in every 15 years but we can pull them in  
9 five years; we can pull them in ten years and the PUC  
10 is going to mandate to us that we pull them in 8 years.  
11 We do not put stickers to say when they are going to be  
12 pulled out because we do not know what is going to be  
13 mandated.

14 Q. So the customer has no way to know how old  
15 the meter is?

16 A. Incorrect. The customer knows how old the  
17 meter is by the front sticker on the meter. It tells  
18 you the age of the meter that it was last certified on  
19 the Date Badge.

20 Q. But there is no expiration date?

21 A. No, there is not.

22 Q. That bothers me. Number 2, you claim that  
23 the test that you run can always find problem with the  
24 meter and that bothers me a lot because I have extensive  
25 experience with all kinds of agreements and that bothers

me a lot because there is a huge amount of --

1 JUDGE SMOLEN: Let's get to the question.

2 BY MR. LIPSKI:

3 Q. How do you know that this meter was providing  
4 an accurate meter reading?

5 A. Because we run down extensive testings on the  
6 machines everyday. Before we fire them off and before  
7 we run anything, we run a test meter on there and then  
8 we start going ahead and proceeding with running the  
9 test on the meters through the shop.

10 Q. My question is, since that meter was  
11 installed so many years ago, how do you know during that  
12 period of time when that reading was provided that it  
13 was good?

14 A. I know it from the simple fact that when we  
15 removed it from your property and brought it back into  
16 our shop, it tested to be a perfect meter.

17 Q. What do you do if the meter is not performing  
18 consistently and it runs fine for a week and then comes  
19 up with an error because the meter jumps, and I know  
20 this is possible and I tell you this because a couple  
21 weeks ago I spoke to the gentleman who --

22 MR. FARINAS: Objection, Your Honor.

23 JUDGE SMOLEN: You can't bring in heresay, what  
24 someone else told you and the other thing is, you have  
25

1 to prove to the best of your ability that the meter is  
2 bad. Their proof is that they tested it and it is  
3 accurate. Now, all you are saying is how comes this  
4 and why couldn't it do this and why couldn't it do that.  
5 It could be a lot of things but you have the burden of  
6 proof. Now, continue with your questions please.

7 BY MR. LIPSKI:

8 Q. How do you know that during this entire  
9 period of time the meter was good and performing as  
10 it should?

11 A. Because we installed it within plus or minus  
12 two percent of 100 percent when it left your property  
13 and when it was brought back into our shop, it tested  
14 at a hundred percent when it left your property.

15 Q. And you believe all your testing is accurate  
16 and there is no doubt in your mind?

17 A. No doubt at all.

18 Q. Is there any reason why when the meter was  
19 removed, you did not provide the meter reading at the  
20 time of removal to the owner?

21 A. We are suppose to supply the reading to the  
22 customer as we remove the meter.

23 Q. And why wasn't that supplied?

24 A. I don't know if it was or was not.

25 Q. It was not.

1 JUDGE SMOLEN: Were you there?

2 MR. LIPSKI: My wife was there.

3 JUDGE SMOLEN: Were you there?

4 MR. LIPSKI: No.

5 JUDGE SMOLEN: Then you don't know whether it was  
6 supplied or not?

7 MR. LIPSKI: I asked her and she said "no."

8 JUDGE SMOLEN: Is she here?

9 MR. LIPSKI: No.

10 JUDGE SMOLEN: Okay.

11 BY MR. LIPSKI:

12 Q. When there is a controversial issue, do you  
13 have any private party other than PGW that can verify  
14 the testing of your meter?

15 A. Yes. There has been cases when a customer  
16 will ask somebody else outside of PGW to test the meter  
17 through the PUC and an outside testing was done.

18 Q. And that is an independent company?

19 A. Yes.

20 Q. And what is involved in doing that?

21 A. You would have to talk to the independent  
22 company.

23 Q. Who submits the order?

24 A. It comes from a customer's request.

25 Q. Because I did request that and I was not

1 allowed to do so and I got the data to prove how many  
2 times I called and ask that an independent company test  
3 that meter.

4 JUDGE SMOLEN: You just continue to disregard  
5 what I tell you. You can testify but right now it's  
6 questions. I am going to ask the witness a question.

7 If a customer wants to do that, do they request  
8 PGW to do that or do they request it through the PUC?

9 THE WITNESS: It's requested through PGW, sir.  
10 It's called a state test meter and it's a \$10 fee.

11 JUDGE SMOLEN: Is there an application or a form?

12 THE WITNESS: Yes, there is, sir. It tells you  
13 on the back of every bill your right to have the meter  
14 tested and a number to call.

15 BY MR. LIPSKI:

16 Q. So this meter was tested by PGW?

17 JUDGE SMOLEN: That's the third or fourth time  
18 you asked the same question.

19 MR. LIPSKI: I want to make sure.

20 JUDGE SMOLEN: You can make sure but the reporter  
21 keeps typing the same thing.

22 BY MR. LIPSKI:

23 Q. Do you have any certification from the  
24 company that claims that the meter is good for 15 years?

25 A. Yes.

1 Q. Could I have a copy of that? I would like  
2 to have two certificates if possible. I would like to  
3 have one where you claim that the meter is good for 15  
4 years and the other from the manufacturer that allows  
5 you to use the meter for 30 years.

6 JUDGE SMOLEN: Do you have such a document?

7 THE WITNESS: I have never been asked that before,  
8 so I do not know the answer to that question. I could  
9 find out and if the Court requires it, I could have  
10 it forwarded to your office.

11 JUDGE SMOLEN: Okay.

12 BY MR. LIPSKI:

13 Q. The second thing that I would like if at  
14 all possible, the meter that was removed from 4528  
15 Aubrey Avenue, could I have the manufacturing date of  
16 that meter; the calibration scheduled during the time  
17 that it was in use and the last calibration date?

18 A. I just gave it to you. It was set in your  
19 property in '91 and it was removed 2001.

20 JUDGE SMOLEN: Do you have the manufacturing date  
21 of this meter?

22 THE WITNESS: Yes.

23 JUDGE SMOLEN: Supply it to him. What else do  
24 you want?

25 MR. LIPSKI: The calibration date.

1 JUDGE SMOLEN: He just gave that to you.

2 MR. LIPSKI: I have been trying to get information  
3 and nobody would give it to me.

4 JUDGE SMOLEN: Off the record.

5 (Discussion off the record.)

6 JUDGE SMOLEN: Back on the record.

7 Go ahead with your next question, Mr. Lipski.

8 MR. LIPSKI: I don't have anymore.

9 JUDGE SMOLEN: Okay. Any redirect?

10 MR. FARINAS: Just one question, Your Honor.

11 REDIRECT EXAMINATION

12 BY MR. FARINAS:

13 Q. Do you remember when Mr. Lipski asked you  
14 about the expiration date or sticker on the meter?

15 A. Yes.

16 Q. Are you required by industry standards, PGW's  
17 regulations or the Public Utility regulations to put  
18 an expiration date for the meter?

19 A. No, not to my knowledge.

20 MR. FARINAS: I have no further questions, Your  
21 Honor.

22 JUDGE SMOLEN: All right, anything else of this  
23 witness?

24 MR. LIPSKI: No.

25 JUDGE SMOLEN: The witness is excused.

(Witness excused.)

1 MR. FARINAS: Your Honor, I would like to move  
2 PGW Exhibit Nos. 5 and 6 into evidence.

3 JUDGE SMOLEN: They are received.

4 (Whereupon, the documents  
5 marked as PGW Exhibits Nos. 5  
6 and 6 were received in evidence.)

7 JUDGE SMOLEN: All right, Mr. Lipski, you wanted  
8 to testify some more. This is your opportunity.

9 MR. LIPSKI: I would like to say that I am here  
10 today not by my own choice but I had to come.

11 JUDGE SMOLEN: Let me stop you right there. You  
12 filed a complaint in this case; did you not?

13 MR. LIPSKI: Yes.

14 JUDGE SMOLEN: Did somebody force you to file a  
15 complaint?

16 MR. LIPSKI: I did not get any accurate readings  
17 for an extended period of time and this continued for a  
18 number of years. I have records to prove that I was  
19 ignored and the data that was presented by PGW was not  
20 presented clear enough. You are playing with the  
21 numbers and you are playing with the statement.

22 All I require of you is an accurate record and  
23 I have a history to show that I pay all of my bills on  
24 time but the way you handle the whole thing, I do  
25

1 have a problem. Your testimony is based on speculation  
2 and I am interested in the actual data and I can show  
3 you and give to you actual data for the period of 12  
4 months. The study that you did is not consistent with  
5 the meter because the system was upgraded and you could  
6 not give the numbers to prove your case.

7 JUDGE SMOLEN: No, no. You have to prove your  
8 case.

9 MR. LIPSKI: I proved my case based on the data  
10 and this has been a tremendous waste of my time here  
11 for something very simple. I was hoping that all this  
12 would resolve without wasting much time -- especially  
13 my time, but nobody cares and because nobody cares  
14 I have to pay for that and that is not right. I think  
15 this is disgusting and the whole thing is mismanaged  
16 and why should I suffer for that and that bothers me  
17 the most and I see no other way out.

18 JUDGE SMOLEN: Okay, thank you very much.  
19 Mr. Farinas, do you have anything?

20 MR. FARINAS: Very quickly, Your Honor. It seems  
21 to me that where Mr. Lipski charges PGW without  
22 providing him with information and without providing  
23 him with accurate information, I think it's simply a  
24 matter of yes, there was a period of estimated bills.  
25 The bills were rendered to him; PGW retracted the bills

1 and recalculated the bills and he was still not happy  
2 with the information, so it was not so much that he  
3 couldn't get information but he was not happy with the  
4 information that he got. It wasn't to his liking.

5 We maintain that the testimony of Mr. Selzle and  
6 Mr. Procknow shows every transaction and what took  
7 place with the account and the bill that was ultimately  
8 rendered to the customer was correct; that the meter  
9 was tested and the machinery used to test the meter was  
10 tested and certified as being accurate and we ask that  
11 Your Honor affirm the Bureau of Consumer Services  
12 decision in this matter and find for PGW.

13 JUDGE SMOLEN: All right. I want to thank  
14 everyone for coming in and presenting their cases the  
15 way they saw fit and with that I am going to adjourn the  
16 hearing and as I said before, a written decision will  
17 come in the mail.

18 MR. LIPSKI: Thank you very much.

19 MR. FARINAS: Thank you, Your Honor.

20 (Whereupon, at 12:31 p.m., the proceedings were  
21 concluded.)  
22  
23  
24  
25

C E R T I F I C A T E

I hereby certify, as the stenographic reporter,  
that the foregoing proceedings were taken stenographi-  
cally 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: Georgette McEwan  
Georgette McEwan

02 JUL 77 PM 1:50  
SECRETARY'S BUREAU

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**PHILADELPHIA GAS WORKS**  
 800 W. MONTGOMERY AVENUE PHILADELPHIA, PA 19122-0050

GAS LEAKS, EMERGENCIES. CALL 215-235-1212  
 INFORMATION. CALL 215-235-1000  
 APPLIANCE SERVICE. CALL 215-235-2050

SERVICE TO **HENRY LIPSKI**  
**4528 AUBREY AVE**

Invoice Number: 73333167712

Account Number: 3111532072  
 Account Type: GS Residential Heat and Domestic Page 1 of 1

Questions about your bill? Please call us before the Pay By date at 215-235-1000.  
 Or write to: PGW P.O. Box 3500, Phila., PA 19122-0050

02 **7712**  
**61202**

TIENE PROBLEMAS CON SU FACTURA DE GAS? LLAME AL 215-235-2175

**PLEASE PAY**

**52.14**

**PAY BY**

06/27/02

Agreement Plan

**METER READING INFORMATION**

PGW'S EZ READER VAN WILL READ YOUR METER  
 AMR device # 00017469053 Jul 01 2002

Meter # 2003726 To May 31 2002 Actual 1097  
 From May 01 2002 Actual 1070  
 Current Bill Usage in Hundred Cubic Feet 27 CCF

**STATEMENT OF ACCOUNT**

Previous balance on: May 03 2002 844.62  
 Check May 22 2002 -- Thank you! 72.48 CR  
 Balance Prior to Current Billing *in dispute* - **772.14**  
 Current Billing Charges -- SA ID: 9961173183 37.14

**TOTAL ACCOUNT BALANCE ON:** Jun 04 2002 809.28

**CURRENT BILLING CHARGES** - 05/01/02 to 05/31/02

Old Account Number: 02208102507

Cost of Service Used  
 Customer Charge @ \$12.00 12.00  
 Commodity Charge 27 ccf @ \$0.74784 20.19  
 Gas Cost Rate 27 ccf @ \$0.20203 5.45  
 Commodity Credit 27 CCF @ -\$0.0185 0.50 CR  
 Total Current Billing Charges *was paid* **37.14**

**YOUR ENERGY USAGE**

	usage	Billed days	usage	Average Daily temp	cost
This year	27.00 ccf	30	1 ccf	64.6	\$1.24
Last year	16.00 ccf	30	1 ccf	67.1	\$1.10

**AGREEMENT BILLING INFORMATION**

Install # 7 - Due Date 06/26/02 Instalment Amount 15.00  
 Agreement Charges *was paid* **15.00**  
 Current Bill 37.14  
 UTILITY Amount Due 52.14



**PHILADELPHIA GAS WORKS**

600 W. MONTGOMERY AVENUE, PHILADELPHIA, PA 19122-0050

GAS LEAKS, EMERGENCIES: CALL 215-235-1212

INFORMATION: CALL 215-235-1000

APPLIANCE SERVICE: CALL 215-235-2050

SERVICE TO

HENRY LIPSKI  
4528 AUBREY AVE

Invoice Number: 32354424212

Account Number: 3111532072

Account Type: General Service Residential

Page 1 of 1

Questions about your bill? Please call us before the Pay By date at 215-235-1000.

Or write to: PGW P.O. Box 3500, Phila., PA 19122-0050

02

TIENE PROBLEMAS CON SU FACTURA DE GAS? LLAME AL 215-235-2175

**PLEASE PAY**

1,538.59

**PAY BY**

04/30/01

To avoid finance charge

**METER READING INFORMATION**

NEXT SCHEDULED METER READING

May 02 2001

Meter # 1629234 To Apr 02 2001 Estimated 6922  
From Mar 02 2001 Estimated 5951

Current Bill Usage in Hundred Cubic Feet

971 CCF

**STATEMENT OF ACCOUNT**

Previous balance on:

Mar 06 2001

was paid by due date 3.29, 1402

231.75

Less payments

.00

Balance Prior to Current Billing

231.75

Adjustments for SA ID # 9961173183

Late Payment Charge

2.89

Total adjustments

2.89

Current Billing Charges -- SA ID: 9961173183 IN DISPUTE

1,303.95

TOTAL ACCOUNT BALANCE ON:

Apr 04 2001

1,538.59

CURRENT BILLING CHARGES -- 03/02/01 to 04/02/01

Old Account Number: 02208102507

Cost of Service Used

Customer Charge @ \$11.66

11.66

Commodity Charge 971 ccf @ \$0.6613

642.12

Gas Cost Rate 971 ccf @ \$0.66959

650.17

Total Current Billing Charges

1,303.95

**YOUR ENERGY USAGE**

	usage	Billed days	usage	Average Daily temp	cost
This year	971.00 ccf	31	31 ccf		\$42.06
Last year	105.00 ccf	41	3 ccf		\$2.17

Usage for this billing period was based on a Meter Read of 6842.0, that occurred on 03/30/01. Usage that date through 04/02/01, was estimated.

PHILADELPHIA GAS WORKS

PO BOX 7789 PHILA PA 19101 7789

ACCOUNT NUMBER

3111532072

PAY BY

04/30/01

PLEASE PAY

1,538.59

FILL IN AMOUNT PAID \$

Grid for amount paid: 1 5 3 8 . 5 9



Place 'X' in box to address corrections. Print corrections on reverse side.



#BWNCLZ \*\*\*AUTO\*\*5-DIGIT 19114

#320723115008#

HENRY LIPSKI  
4528 AUBREY AVE

P O BOX 7789

THE HOME DEPOT 4103  
1336 BRISTOL PIKE BENSALEM PA 19020  
STORE MANAGER-TONY FIERRO (215)638-3510

SALE 4103 00012 20029 01/31/00  
11 825 07:27 PM



020352425146	WATER HEAT	159.00
039923038272	COPPER FIT	2.49
039923038272	COPPER FIT	2.49
	SUBTOTAL	163.98
163.98	TAX PA 6.000	9.84
	TOTAL	\$173.82
	CASH	180.00
	CHANGE DUE	6.18



4103 12 20029 01/31/00 8759

WE INSTALL GARAGE DOORS, OPENERS,  
WATER HEATERS, CARPETS, STORM DOORS,  
AND KITCHENS.



\$ 8,930.03      \$ 1.73    -\$4,935.05      \$ 3,239.57    **\$ 757.14**

BALANCE \$ 8,930.03  
FINANCE CHARGES + \$ 1.73  

---

TOTAL BILLED \$ 8,931.76  
CANCELED BILLINGS & CREDIT ADJUSTMENTS + \$ (4,935.05)  

---

\$ 3,996.71  
PAYMENTS - \$ 3,239.57  

---

CURRENT BALANCE \$ 757.14

A-Actual Meter Reading  
E-Estimated Meter Reading  
C-Customer Meter Reading  
S-Special Meter Reading  
Z-AMR Meter Reading  
F-Final Meter Reading  
Can -Cancelled Meter Reading  
P-Post Card / Customer Reading

OE-Office Estimate (Prorate/Calculated Reading)  
V-Verified Reading

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

January 03, 2002

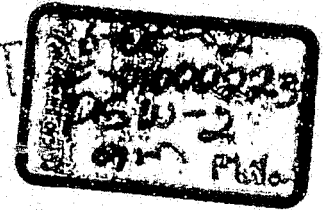
764-2

BCS No: 1002223

02 JUL 24 PM 1:52

SECRETARY'S BUREAU

DOCUMENT  
FOLDER



HENRY LIPSKI  
4528 AUBREY AVE.  
PHILA., PA. 19114

DOCKETED

JUL 25 2002

The Bureau of Consumer Services (BCS) has completed its investigation into your informal complaint. Attached is the decision resulting from that investigation. A copy of this decision has also been sent to your utility company. This decision is binding on all parties, and unless it is appealed will become final 20 days after the date of this letter.

If you do not agree with any part of this decision you may appeal it by filing a formal complaint. You can do this by completing the attached Request for Formal Complaint Forms. Return this form to the Public Utility Commission, and the formal complaint forms will be mailed to you. If you wish to appeal, you must return this form to the Public Utility Commission by the date shown on the form. Your complaint will be assigned to an Administrative Law Judge, and a hearing date will be assigned.

You do not need a lawyer to file an appeal.

You must make all of the payments required by this decision. If you do not make these payments the utility company is permitted to terminate your utility service.

If you have any questions about the terms and conditions of this decision or about the Public Utility Commission's appeal procedures you may call me 215-644-0693.

Sincerely,

Daniel C. Angelucci  
Utility Complaint Investigator

Enclosure

MIKE SELZLE  
PGW  
1801 N. 9TH STREET  
PHILA., PA. 19122

Henry Lipski                      PGW  
4528 Aubrey Ave.              v.    1801 N. 9th Street  
Phila., Pa. 19114              Phila., Pa. 19122

Case Number: 1002223

Account Number: 003111532072

---

**Decision On Informal Complaint By The Bureau Of Consumer Services:**

**Statement Of Complaint:**

A summary of the customer's complaint is as follows:

THAT, customer received estimated bills for an extended period of time.

**Investigation By Staff Of The Bureau Of Consumer Services Revealed:**

THAT, confirms customer's complaint.

**Based On These Findings, The Bureau Of Consumer Services Concludes:**

THAT, customer is unable to take appropriate action to reduce his fuel consumption.

**Therefore It Is Decided:**

(1) That the informal complaint of Henry Lipski is Sustained.

PGW is to remove \$270.31 from customer's account balance. PGW is to place customer on payment plan of current bill plus \$15.00 towards the arrears. PGW is to waive late fees during the term of the plan. Payment plan to commence February 2002.

January 03, 2002

Date

---

Signature

Daniel C. Angelucci

Utility Complaint Investigator

Bureau of Consumer Services

PA Public Utility Commission

**NOTIFICATION OF INTENT TO APPEAL**  
(Request For Formal Complaint Forms)

Notice to Customer:

If you sign and return this form you are notifying the Public Utility Commission that you intend to appeal this informal complaint decision. Do not return this form unless you want to appeal this decision.

If you want to appeal this decision, you must return this Notification of Intent to Appeal form within twenty days of this date: January 03, 2002. The Commission will send you formal complaint forms.

You must comply with the terms of this decision until the Public Utility Commission completes the formal complaint process. You must make all of the required payments, or the utility company may pursue the termination of your service.

Thank You.  
Pennsylvania Public Utility Commission

**Yes, I want to appeal the decision of the Bureau of Consumer Services. Please send formal complaint forms to me at the following address:**

Customer name and address:  
(Please correct any mistakes.)

Henry Lipski  
4528 Aubrey Ave.  
Phila., Pa. 19114

\_\_\_\_\_  
(Area Code) Telephone Number

\_\_\_\_\_  
Signature

Mail this completed form to:

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

**FOR OFFICE USE ONLY**

BCS Number: 1002223

Date of mailing: January 03, 2002

Company: PGW

1801 N. 9th Street  
Phila., Pa. 19122

Customer Contact: Disputed Bill

Date: 08/06/2001 Source: JetSearch Related Tran: Account Maintenance

Time: 2:27:00 pm Created: 08/06/2001 at 2:27:56 pm by: WSMITH

CC Type: HB1 - Disputed Bill Changed: at by:

Area: 800 - Residential General Service Class: Inquiry

Surveyable: Auto Delete Date: 08/06/2005

Comments: High bill comp bill correct, rebilled cust account to accommodate the lower gas cost rate & mailed cust a letter

DOCUMENT FOLDER

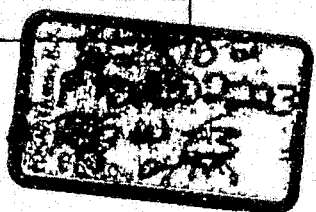
Review List Tickler: Follow Up: Party: Review Group: [checked]

Account: 0031 1153 2072 Lipski, Henry

Premise: 4528 Aubrey Ave/Phila, Pa

Person: Lipski, Henry JUL 25 2002

Change Cancel



SECRETARY'S BUREAU  
JUL 24 PM 1:52

Heat & Domestic

GAS USAGE ANALYSIS OF ACCOUNT											
NON-HEATING DAILY USAGE											
0.52 CCF PER DAY (non heating usage / number of days in period)											
ACCOUNT # 31-1153-2072											
DATES		METER READINGS		NUMBER OF DAYS		USAGE IN CCF*		DOMESTIC USAGE CCF*		HEAT USAGE	
FROM	TO	FROM	TO	DAYS	CCF*	USAGE CCF*	USAGE CCF*	USAGE	NUMBER	DEG DAYS**	C.F.D.D.***
7/31/97	2/3/99	1181	3435	552	2254	287	287	1967	6239	315	
2/3/99	2/22/00	3435	5022	384	1587	200	200	1387	4676	297	
2/22/00	5/2/01	5022	6949	435	1927	226	226	1701	5441	313	
5/4/01	1/31/02	0	663	272	663	141	141	522	1972	264	

**DOCUMENT**

JUL 25 2002

\* CCF = hundred Cubic feet

\*\* DEGREE DAYS AN INDEX OF ENERGY CONSUMPTION FOR HEATING

IT INDICATES THE NUMBER OF DEGREES THE AVERAGE TEMPERATURE DROPS BELOW 65° F

\*\*\* C.F.D.D. EQUALS CUBIC FEET OF GAS USED PER DEGREE DAY

SECRETARY'S BUREAU

DOCUMENT FOLDER

6/25-02  
PGW Exhibit  
F-0000 0203  
Phila. 97

02 JUL 24 PM 1:52

LARGE METER  
TEST RECORD

COMPANY NUMBER		SIZE	
REASON FOR REMOVAL		R-275	
AGE CHANGE			
ADDRESS			
4522 AURITEY AV			
WORKMAN		DATE	
# 9221		6-7-2001	
TESTS			
CHECK	100.00	CAPACITY	275
OPEN	100.00	FLUCT.	-
TESTED BY		INDEX	6950
		DATE BADGE	1991
STAMP HERE IF CONDEMNED		CHECK HERE IF S.P.M. O.K.	

**DOCKETED**

JUL 25 2002

6/25/02

PGW Exhibit

F-61002223

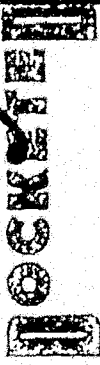
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# Certificate of Accuracy



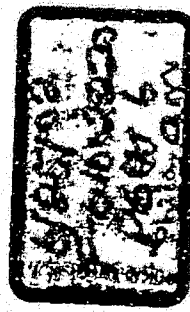
JUL 25 2002

MEASUREMENT SYSTEMS, INC.

by

This is to certify that the following Sonic Nozzle Proving Standards have been calibrated to within  $\pm 0.1\%$  using a certified volumetric standard Bell Prover, serial number 3070, which was strapped using Pi tape serial number 11049743 with traceability to the National Institute of Standards and Technology.

The  $t_s$  is the time, in seconds, required for the passage of one cubic foot of dry air at upstream conditions of 14.696 psia and 77° F and 0% Relative Humidity.



Sonic Nozzle Serial Number	$t_s$
93021-1-25	186.71699
93021-1-35	128.44237
93021-1-50	90.81769
93021-1-125	36.03078
93021-1-250	18.48021

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02 JUL 24 PM 1:52  
SECRETARY'S BUREAU

MEASUREMENT SYSTEMS, INC.

6217 Stoney Hill Rd. • New Hope • Pennsylvania • 18938  
(215) 862-3090 • Fax (215) 862-3449

By *Harvey J. Quattro*  
President

Date 1/22/02

# Certificate of Accuracy

by  
**MEASUREMENT SYSTEMS, INC.**

This is to certify that the following Sonic Nozzle Proving Standards have been calibrated to within  $\pm 0.1\%$  using a certified volumetric standard Bell Prover, serial number 3070, which was strapped using Pi tape serial number 11049743 with traceability to the National Institute of Standards and Technology.

The  $t_s$  is the time, in seconds, required for the passage of one cubic foot of dry air at upstream conditions of 14.696 psia and 77° F and 0% Relative Humidity.

Sonic Nozzle Serial Number	$t_s$
93021-4-25	182.17100
93021-4-35	128.64215
93021-4-50	90.84663
93021-4-125	36.33577
93021-4-250	18.07974
93021-4-515	8.79965

**MEASUREMENT SYSTEMS, INC.**  
6217 Stoney Hill Rd. • New Hope • Pennsylvania • 18938  
(215) 862-3090 • Fax (215) 862-3449

By *Harold J. Quinter*  
President

Date *1/22/02*

# Certificate of Accuracy

by  
**MEASUREMENT SYSTEMS, INC.**

This is to certify that the following Sonic Nozzle Proving Standards have been calibrated to within  $\pm 0.1\%$  using a certified volumetric standard Bell Prover, serial number 3070, which was strapped using Pi tape serial number 11049743 with traceability to the National Institute of Standards and Technology.

The  $t_g$  is the time, in seconds, required for the passage of one cubic foot of dry air at upstream conditions of 14.696 psia and 77° F and 0% Relative Humidity.

Sonic Nozzle Serial Number	$t_g$
93021-3-25	185.92454
93021-3-35	127.54105
93021-3-50	91.90395
93021-3-125	36.35158
93021-3-250	18.21512

**MEASUREMENT SYSTEMS, INC.**

6217 Stoney Hill Rd. • New Hope • Pennsylvania • 18938  
(215) 862-3090 • Fax (215) 862-3449

By *Harry J. DeBartolo* President

Date 1/22/02

# Certificate of Accuracy

by  
**MEASUREMENT SYSTEMS, INC.**

This is to certify that the following Sonic Nozzle Proving Standards have been calibrated to within  $\pm 0.1\%$  using a certified volumetric standard Bell Prover, serial number 3070, which was strapped using Pi tape serial number 11049743 with traceability to the National Institute of Standards and Technology.

The  $t_g$  is the time, in seconds, required for the passage of one cubic foot of dry air at upstream conditions of 14.696 psia and 77° F and 0% Relative Humidity.

Sonic Nozzle Serial Number	$t_g$
93021-2-25	181.62812
93021-2-35	130.36696
93021-2-50	89.26952
93021-2-125	36.19800
93021-2-250	18.16961

**MEASUREMENT SYSTEMS, INC.**

6217 Stoney Hill Rd. • New Hope • Pennsylvania • 18938  
(215) 862-3090 • Fax (215) 862-3449

By *Anthony J. Bontade*

President

Date 1/22/02