

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00 :
 2. BUREAU: ALJ :
 3. SECTION(S): :
 5. APPROVED BY: : 4. PUBLIC MEETING DATE:
 DIRECTOR: : 00/00/00
 SUPERVISOR: :
 6. PERSON IN CHARGE: : 7. DATE FILED: 07/08/02
 8. DOCKET NO: F-01169991 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: PRUNA, JOSE

RESPONDENT/APPLICANT: PHILADELPHIA GAS WORKS

COMP/APP COUNTY: PHILADELPHIA

UTILITY CODE: 125042

ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT HE DID NOT RECEIVE BILLS ALTHOUGH HE GAVE THEM PROPER INFORMATION ON HIS NEW ADDRESS, AND THEN HE RECEIVED A HIGH BILL WITH NO EXPLANATION OF HOW IT WAS DERIVED. HE THINKS PGW MAY HAVE OVERESTIMATED THE READINGS. HE WANTS IT TO BE INVESTIGATED TO DETERMINE WHAT WOULD BE A FAIR AMOUNT.

DOCUMENT
FOLDER

DOCKETED

JUL 11 2002

ORIGINAL

FORMAL COMPLAINT FORM
Pennsylvania Public Utility Commission

BCS 1169991

7-22-02

SECRETARY'S OFFICE

JUL 22 8 11 AM '02

RECEIVED

Please Print:

F-01169991
125042

1. Your Name, Mailing Address and Telephone Number.

Name Jose Pruna

Street/P.O. Box 1320 Orthodox St. Apt.# 2

City Phila. State PA Zip 19124

County Phila. Home Telephone-Area Code (215) 788-7618
Work Telephone-Area Code (215) 985-7600

2. Name of Company your complaint concerns: Residential PGW. complaint

3. What is your complaint?

Our service began 9/00. We never received a bill as apparently the bills were being mailed to my previous address, despite the fact that I visited PGW's office + made all the necessary changes.

My complaint is that I feel the bill is too high for our small apartment + the conserved usage of gas we practiced. It averages to @ \$100 per month.

Without ever having seen any bills, I am not convinced that PGW's billing is based on "Actual" beginning + ending meter readings. I believe they have over-estimated our bill.

(If you need more space, use additional paper and attach to this form).

(over-)

30

4. What do you want the Public Utility Commission to do about your complaint?

I feel we have the right to see a ^{bill that} ~~beginning + ending~~ reflects what our ~~bill~~ ^{balance} based upon. POW has thrown a balance at us without substantiating how it was derived. Please secure a bill for us that shows "Actual" beginning + ending meter readings. Please investigate whether POW's current charges are based on actual or estimated meter readings & ensure that I am fairly billed. Thank you greatly.

(If you need more space, use additional paper and attach to this form.)

5. You must sign and date your complaint below.

The information I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.

Jose' Dune
Original Signature of complaining person

7/6/02
Date

6. If you are represented by a lawyer you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Telephone Number-Area Code () _____

Timely

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

Notice to Customer:

2002 JUN -1 AM 9:49

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: June 20, 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.)

JOSE PRUNA
1320 ORTHODOX ST 2ND FLR
PHILADELPHIA PA 19124

215-288-2618
(Area Code) Telephone Number

Jose Pruna
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: 1169991	Date of mailing: June 20, 2002
Company: PHILADELPHIA GAS WORKS	

REVISED 11/97



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

7-22-02

IN REPLY PLEASE
REFER TO OUR FILE

July 1, 2002

BCS 1169991

JOSE PRUNA
1320 ORTHODOX ST 2ND FLR
PHILADELPHIA PA 19124

Dear Sir/Madam:

We have received your request to appeal the decision of the Bureau of Consumer Services.

We have enclosed one complaint form for you to complete. Please read carefully the instructions to help you complete the form.

**** Please make sure you sign the form. We must receive your original signature in order for us to process your complaint. Your form will be returned to you if an original signature is not received.**

Return the form to us on or before JULY 22, 2002 to the address listed below

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

While you wait for us to reach a decision on your complaint, you must pay all undisputed bills (ones that are not a part of your complaint). As long as you pay all undisputed bills and return these formal complaint forms to us on time, the company is not permitted to terminate your service.

Commission Procedures for Formal Complaints

- We send a copy of this letter to the company so they know you are appealing the Bureau of Consumer Services' decision;
- We also send the company a copy of your completed formal complaint forms. Once they receive it, they have 20 days to send us an answer to your complaint. The company will send you a copy of their answer.
- Once we receive all the paperwork, we usually will schedule your hearing before an Administrative Law Judge

- We will notify both you and the company by mail when the hearing date is set.
- If you cannot travel to your hearing, you can request that the hearing be held by phone. This is called a telephonic hearing. If we can, we will schedule a telephonic hearing for you.
- We will most likely schedule your hearing sometime within three months after you file your complaint forms. If you know of certain dates when you will not be available for a hearing, let us know when you file your forms. We will try to work around your schedule.
- If you cannot attend the hearing on the scheduled date, you must request a different time or date. You should request the change at least 5 days before your hearing by writing to:

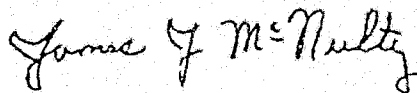
Office of Administrative Law Judge
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

YOU SHOULD INCLUDE YOUR DAYTIME TELEPHONE NUMBER IN YOUR LETTER. DEPENDING ON YOUR REASON FOR NOT BEING ABLE TO ATTEND THE SCHEDULED HEARING, YOUR REQUEST TO CHANGE THE HEARING MAY OR MAY NOT BE APPROVED. WE WILL LET YOU KNOW OUR DECISION ON YOUR REQUEST FOR CHANGING THE HEARING DATE BEFORE THE DATE OF THE HEARING.

YOU MUST ATTEND SCHEDULED HEARINGS IN PERSON OR BY PHONE. IF YOU DO NOT ATTEND, YOUR COMPLAINT MAY BE DISMISSED (THROWN OUT).

If you have any questions about the complaint process, please call the Bureau of Consumer Services, toll free, at 1-800-782-1110

Very truly yours,



James J. McNulty
Secretary

KSB

CC PHILADELPHIA GAS WORKS

DATE SERVED: JULY 11, 2002

JOSE PRUNA
Complainant

VS.

PHILADELPHIA GAS WORKS
Respondent

Complaint Docket
No: F-01169991

DOCUMENT
FOI DFR
DOCKETED

JUL 11 2002

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PHILADELPHIA GAS WORKS

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

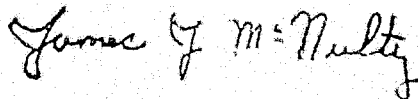
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17120, an answer (original and two copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq., and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq., and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after a hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.



James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

COPY

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

DATE SERVED: JULY 11, 2002

F-01169991

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

DOCUMENT
FOLDER

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by JOSE PRUNA. To defend yourself against the claims stated in the following pages, you must act within twenty (20) days by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS, THE CASE MAY GO FORWARD IN YOUR ABSENCE AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE

CUSTOMER OF A UTILITY

A payment schedule may be prescribed or a termination of utility services may be authorized. You may lose money or property or other rights important to you.

COMPANY/UTILITY

An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

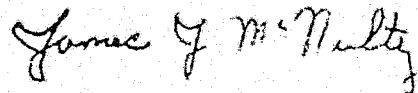
JULY 11, 2002

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

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help:

Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186
Harrisburg, PA 17108
(800) 692-7375

Very truly yours,



James J. McNulty
Secretary

dbb

Philadelphia Gas Works



800 W. Montgomery Avenue, Philadelphia, PA 19122
Telephone (215) 236-0500

Laureto A. Farinas
Senior Attorney
Legal Department
Direct Dial: 215-684-6982
FAX: 215-684-6798
E-mail: laureto.farinas@pgworks.com

ORIGINAL

August 16, 2002

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

SRB

RECEIVED

AUG 16 2002

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Jose Pruna v. PGW, Docket No. F - 01169991

Dear Secretary McNulty:

Pursuant to 52 Pa Code §5.61, the Philadelphia Gas Works ("PGW") hereby files the original and three (3) copies of its Answer to the Complaint in the above captioned matter.

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

Sincerely,

Enclosures

cc Jose Pruna
Jan Haskins

DOCUMENT

77

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

AUG 16 2002

Jose Pruna

ORIGINAL

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

v.

Docket No. F - 01169991

Philadelphia Gas Works

Answer Of Philadelphia Gas Works

Pursuant to 52 Pa. Code §5.61, the Philadelphia Gas Works ("PGW") hereby answers the Complaint filed in the above captioned matter. PGW hereby avers the following

DOCUMENT

- 1 Admitted
- 2 Admitted
- 3 Denied in part. PGW denies that averments contained in Paragraph 3 of the Complainant concerning an error in the billing and all other averments in Paragraph 3 that are conclusions. PGW admits that it sent the company's bill to the wrong address. The complainant, however, never contacted PGW about this error from the date service was initiated on 9/9/00 to when service was terminated on 6/11/02.
PGW records indicate that an automated meter reading device ("AMR") has been installed at the property since 10/18/96. Furthermore, PGW's analysis of the Complainant's billing history, which is attached hereto as Exhibit "A," shows that the bills are correct. A decision from the Bureau of Consumer Services, which is attached hereto as Exhibit "B" filed on 6/20/02 also agreed that the Complainant's bill was correct. The BCS decision provided the Complainant with a payment arrangement in the amount of a current budget bill of \$74.00 plus \$40.00 per month towards arrears.
- 4 Denied. The averments in Paragraph 4 of the Complaint are requests for relief to which no response is required. PGW therefore denies the averments in Paragraph 4.

DOCKETED
AUG 21 2002

Wherefore, PGW respectfully requests that this Commission find against the Complainant and for PGW in this matter.

Respectfully submitted,

August 16, 2002

A handwritten signature in black ink, appearing to read 'Laureto A. Farinas', is written over a horizontal line. The signature is stylized and cursive.

Laureto A. Farinas, Esq.
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122

RECEIVED

AUG 16 2002

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

EXHIBIT A

Account # 311955424 Customer Name PRUNA, JOSE

Customer Address 1320 ORTHODOX ST.2F/PHILA PA Bill Cycle 11

BILLS

Service Agreement	Meter #	Bill Start Date	Bill End Date	Bill Due Date	Meter Read Start	Meter Read End	Usage (CCF)	Read Code	Bill Amount	Bill Cancelled	Closing Bill	CRP Monthly Amount	Easyway Current Month	Easyway Curr Amt	Days
8595194660	1469066	05/14/2002	06/11/2002	07/12/2002	4006	4035	29	Regular	\$39.89	No	Yes	\$0.00	0	\$0.00	26
8595194660	1469066	04/15/2002	05/14/2002	06/11/2002	3967	4006	39	Regular	\$48.33	No	No	\$0.00	0	\$0.00	29
8595194660	1469066	03/14/2002	04/15/2002	05/10/2002	3883	3967	84	Regular	\$85.08	No	No	\$0.00	0	\$0.00	32
8595194660	1469066	02/13/2002	03/14/2002	04/10/2002	3789	3883	94	Regular	\$99.91	No	No	\$0.00	0	\$0.00	29
8595194660	1469066	01/15/2002	02/13/2002	03/13/2002	3583	3789	106	Regular	\$118.46	No	No	\$0.00	0	\$0.00	29
8595194660	1469066	12/13/2001	01/15/2002	02/12/2002	3354	3583	129	Regular	\$141.55	No	No	\$0.00	0	\$0.00	33
8595194660	1469066	11/14/2001	12/13/2001	01/11/2002	3484	3554	70	Regular	\$87.09	No	No	\$0.00	0	\$0.00	29
8595194660	1469066	10/16/2001	11/14/2001	12/12/2001	3420	3484	64	Regular	\$84.22	No	No	\$0.00	0	\$0.00	29
8595194660	1469066	09/14/2001	10/16/2001	11/13/2001	3383	3420	37	Regular	\$52.79	No	No	\$0.00	0	\$0.00	32
8595194660	1469066	08/15/2001	09/14/2001	10/12/2001	3365	3383	18	Regular	\$33.66	No	No	\$0.00	0	\$0.00	30
8595194660	1469066	07/18/2001	08/15/2001	09/12/2001	3349	3365	16	Regular	\$32.95	No	No	\$0.00	0	\$0.00	28
8595194660	1469066	06/15/2001	07/18/2001	08/13/2001	3331	3349	18	Regular	\$35.61	No	No	\$0.00	0	\$0.00	33
8595194660	1469066	05/15/2001	06/15/2001	07/13/2001	3307	3331	24	Regular	\$43.60	No	No	\$0.00	0	\$0.00	31
8595194660	1469066	04/16/2001	05/15/2001	06/12/2001	3271	3307	36	Regular	\$59.58	No	No	\$0.00	0	\$0.00	29
8595194660	1469066	03/15/2001	04/16/2001	05/11/2001	3168	3271	103	Regular	\$148.74	No	No	\$0.00	0	\$0.00	32
8595194660	1469066	02/13/2001	03/15/2001	04/10/2001	3058	3168	110	Regular	\$155.32	No	No	\$0.00	0	\$0.00	30
8595194660	1469066	01/16/2001	02/13/2001	03/13/2001	2941	3058	117	Regular	\$157.89	No	No	\$0.00	0	\$0.00	28
8595194660	1469066	12/13/2000	01/16/2001	02/12/2001	2772	2941	169	Regular	\$196.29	No	No	\$0.00	0	\$0.00	34
8595194660	1469066	11/13/2000	12/13/2000	01/11/2001	2663	2772	109	Regular	\$107.60	No	No	\$0.00	0	\$0.00	30
8595194660	1469066	10/13/2000	11/13/2000	12/11/2000	2617	2663	46	Regular	\$43.47	No	No	\$0.00	0	\$0.00	31
8595194660	1469066	09/09/2000	10/13/2000	11/08/2000	2578	2617	39	Regular	\$38.07	No	No	\$0.00	0	\$0.00	34

PAYMENTS FROM 01/01/1996 TO 06/19/2002

Account # 3119555424	Customer Name PRUNA, JOSE
Customer Address 1320 ORTHODOX ST, 2F/PHILA, PA	Bill Cycle: 11

PAYMENTS

Service Agreement ID	Pay Amount	Pay Date	Pay Status	Late Pay Charge	Utility Type	Grant Type	Pay Source Code
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EXHIBIT B



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

June 20, 2002

BCS No: 1169991

JOSE PRUNA
1320 ORTHODOX ST 2ND FLR
PHILADELPHIA PA 19124

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 toll free at 1-800-782-1110, or you may call me directly at 717-783-5236.

Sincerely,

ISAAC R DUNSTAN
Utility Complaint Investigator

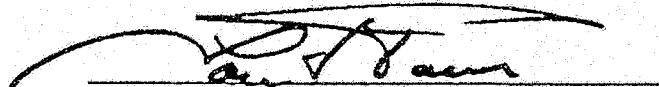
Enclosure

SELZLE
PHILADELPHIA GAS WORKS

VERIFICATION

I, Laureto Farinas, hereby declare that I am counsel to the Philadelphia Gas Works; that as such, I am authorized to make this verification on its behalf; that the facts set forth in the foregoing Response are true to the best of my knowledge, information and belief, and that I make this verification subject to the penalties of 18. Pa. C S. §4904, pertaining to false statements to authorities

Date: August 16, 2002



Laureto Farinas, Esq.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY OF THE FOREGOING DOCUMENT UPON THE PARTICIPANTS LISTED BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF §1.54 (RELATING TO SERVICE BY A PARTICIPANT).

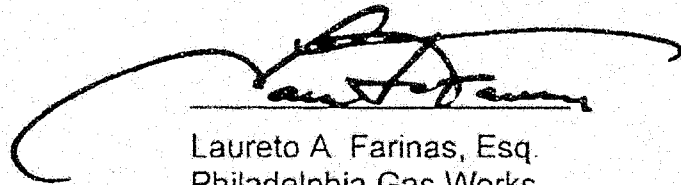
Service List:

For Complainant:

Jose Pruna
1320 Orthodox Street
Philadelphia, PA 19124

Laureto Farinas, Esq.
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122

August 8, 2002



Laureto A. Farinas, Esq.
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122