

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: 07/07/04
 8. DOCKET NO: F-01505694 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: RECORD, TOWANDA

RESPONDENT/APPLICANT: PHILADELPHIA GAS WORKS

COMF/APP COUNTY: PHILADELPHIA UTILITY CODE: 125042

ALLEGATION OR SUBJECT

COMPLAINANT STATES THAT PGW CHARGED HER AN OUTRAGOUS AMOUNT OF MONEY BECAUSE THEY UNDER-ESTIMATED HER GAS USAGE. WOULD LIKE THE CHARGED CANCELED BECAUSE SHE STATES THAT PGW CHARGED HER ONCE AND THEN CAME BACK OUT AND CHANGED THE AMOUNT.

FILED
JUL 12 2004

INVESTIGATIVE

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: May 18, 2004. 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.)

TOWANDA RECORD
6421 ARGYLE STREET
PHILADELPHIA PA 19111

(215) 722-3378
(Area Code) Telephone Number

Towanda Record
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: 1505694
Company: Philadelphia Gas Works

Date of mailing: MAY 18, 2004

REVISED 11/97

RECEIVED

JUN 01 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

112



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

DUE BACK
July 7, 2004

IN REPLY PLEASE
REFER TO OUR FILE

JUNE 17, 2004

BCS1505694

TOWANDA RECORD
6421 ARGYLE STREET
PHILADELPHIA PA 19111

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 7, 2004 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:

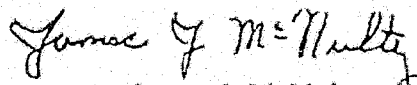
Office of Administrative Law Judge
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

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

CC: PHILADELPHIA GAS WORKS

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: 07/14/04

DOCKETED

JUL 12 2004

Towanda Record
Complainant

VS.

PHILADELPHIA GAS WORKS
Respondent

Complaint Docket:
No: F-01505694

DOCUMENT

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: PHILADELPHIA GAS WORKS

TAKE NOTICE:

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

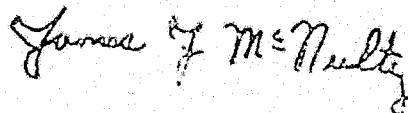
1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, an answer (original and three copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

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

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

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

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



James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested

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

DATE SERVED: 07/14/04

F-01505694

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

DOCUMENT
JUL 15 2004

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by Towanda Record. 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.

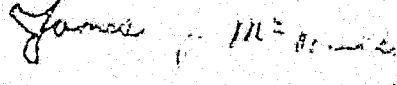
07/14/04

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

es

Philadelphia Gas Works



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

Hector Ferrer
Legal Assistant
Direct Dial: 215-684-6533
Fax: 215-684-6533
E-mail: hector.ferrer@pgworks.com

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AUG 03 2004

August 3, 2004

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

PAPERS RECEIVED
SECRETARY

RE: Towanda Record v. PGW, Docket No. F - 01505694

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.

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

Sincerely,

Hector Ferrer

Enclosures

cc: Towanda Record
Eloise Carnall
Bernadette Betzler, Esq.

DOCUMENT
FOLDER

RJP

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ORIGINAL
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SEP 2 2004

PHILADELPHIA UTILITY COMPANY
SECRETARY'S OFFICE

Towanda Record

v.

Philadelphia Gas Works

Docket No. F - 01505694

DOCUMENT
FOLDER

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:

- 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 was not able to read the Complainant's meter for the period between September 2001 and July 2003 as shown in the listing of the Complainant billings which is attached hereto as Exhibit "A."

PGW records indicate that an automated meter reading device ("AMR") was installed on July 26, 2003 at which time a removed index of 5513 was obtained. Thereafter, Complainant received an adjustment bill for previously unbilled for utility services in the amount of \$1,910.30.

On or around September 8, 2003, the account was re-billed to reflect rate changes that occurred during the period of estimated meter readings. This resulted in a reduction in the amount of \$310.61, lowering the overall adjustment bill to \$1,599.69.

A decision of the Bureau of Consumer Services ("BCS") dated May 19, 2004, found that the billing was correct but provided relief to the Complainant in the form of a credit for \$319.94. The decision also provided for a payment

DOCKETED
AUG 5 2004

arrangement consisting of the payment of a monthly budget bill of \$212.00 plus \$20 00 per month on the arrears.

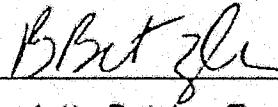
The Complainant's current balance of \$967.71 represents gas service to July 30, 2004.

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.

Wherefore, PGW respectfully requests that this Commission find against the Complainant, and affirm the decision of the BCS in this matter.

Respectfully submitted,

August 3, 2004



Bernadette Betzler, Esq.
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122

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APR 28 2004

PAPER INDUSTRIES
SECRETARY'S OFFICE

ORIGINAL

EXHIBIT A

BILLS FROM 01/01/1996 TO 08/03/2004

Account # 308515979

Customer Name RECORD, TOWANDA

Customer Address 6421 ARGYLE STIPHILA, PA

Bill Cycle 15

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
8505965275	1796170	06/21/2004	07/21/2004	08/17/2004	1408	1434	26	Regular	\$48.30	No	No	\$0.00	1	\$212.00	30
8505965275	1796170	05/20/2004	06/21/2004	07/19/2004	1377	1408	31	Regular	\$54.84	No	No	\$0.00	0	\$0.00	32
8505965275	1796170	04/21/2004	05/20/2004	06/16/2004	1341	1377	36	Regular	\$64.55	No	No	\$0.00	0	\$0.00	29
8505965275	1796170	03/22/2004	04/21/2004	05/18/2004	1204	1341	137	Regular	\$197.02	No	No	\$0.00	0	\$0.00	30
8505965275	1796170	02/20/2004	03/22/2004	04/19/2004	1020	1204	184	Regular	\$260.44	No	No	\$0.00	0	\$0.00	31
8505965275	1796170	01/22/2004	02/20/2004	03/18/2004	757	1020	263	Regular	\$343.59	No	No	\$0.00	0	\$0.00	29
8505965275	1796170	12/19/2003	01/22/2004	02/18/2004	435	757	322	Regular	\$430.20	No	No	\$0.00	0	\$0.00	34
8505965275	1796170	11/19/2003	12/19/2003	01/21/2004	208	435	227	Regular	\$307.24	No	No	\$0.00	0	\$0.00	30
8505965275	1796170	10/20/2003	11/19/2003	12/17/2003	95	208	113	Regular	\$170.48	No	No	\$0.00	0	\$0.00	30
8505965275	1796170	09/19/2003	10/20/2003	11/17/2003	41	95	54	Regular	\$63.08	No	No	\$0.00	0	\$0.00	31
8505965275	1796170	08/19/2003	09/19/2003	10/16/2003	17	41	24	Regular	\$44.04	No	No	\$0.00	0	\$0.00	31
8505965275	1796170	07/21/2003	08/19/2003	09/16/2003	0	17	1433	Regular	\$1,910.36	No	No	\$0.00	0	\$0.00	29
8505965275	1184290	07/21/2003	08/19/2003	09/16/2003	4097	5513	1433	Regular	\$1,910.36	No	No	\$0.00	0	\$0.00	29
8505965275	1184290	06/19/2003	07/21/2003	08/15/2003	4075	4097	22	System Estimate	\$41.14	No	No	\$0.00	0	\$0.00	32
8505965275	1184290	05/21/2003	06/19/2003	07/16/2003	4045	4075	30	System Estimate	\$51.01	No	No	\$0.00	0	\$0.00	29
8505965275	1184290	04/22/2003	05/21/2003	06/18/2003	4001	4045	44	System Estimate	\$66.93	No	No	\$0.00	0	\$0.00	29
8505965275	1184290	03/21/2003	04/22/2003	05/19/2003	3911	4001	90	System Estimate	\$121.44	No	No	\$0.00	0	\$0.00	32
8505965275	1184290	02/20/2003	03/21/2003	04/17/2003	3758	3911	153	System Estimate	\$185.10	No	No	\$0.00	0	\$0.00	29
8505965275	1184290	01/22/2003	02/20/2003	03/18/2003	3552	3758	206	System Estimate	\$228.69	No	No	\$0.00	0	\$0.00	29
8505965275	1184290	12/19/2002	01/22/2003	02/19/2003	3364	3552	188	System Estimate	\$220.92	No	No	\$0.00	0	\$0.00	34
8505965275	1184290	11/19/2002	12/19/2002	01/17/2003	3212	3364	152	System Estimate	\$169.41	No	No	\$0.00	0	\$0.00	30
8505965275	1184290	10/18/2002	11/19/2002	12/17/2002	3120	3212	92	System Estimate	\$108.75	No	No	\$0.00	0	\$0.00	32
8505965275	1184290	09/18/2002	10/18/2002	11/15/2002	3096	3120	24	System Estimate	\$37.24	No	No	\$0.00	0	\$0.00	30
8505965275	1184290	08/19/2002	09/18/2002	10/15/2002	3076	3096	20	System Estimate	\$32.69	No	No	\$0.00	0	\$0.00	30
8505965275	1184290	07/19/2002	08/19/2002	09/16/2002	3057	3076	19	System Estimate	\$31.17	No	No	\$0.00	0	\$0.00	31
8505965275	1184290	06/20/2002	07/19/2002	08/15/2002	3038	3057	19	System Estimate	\$31.17	No	No	\$0.00	0	\$0.00	29
8505965275	1184290	05/20/2002	06/20/2002	07/17/2002	3003	3038	35	System Estimate	\$46.34	No	No	\$0.00	0	\$0.00	31
8505965275	1184290	04/19/2002	05/20/2002	06/17/2002	2953	3003	50	System Estimate	\$58.56	No	No	\$0.00	0	\$0.00	31
8505965275	1184290	03/20/2002	04/19/2002	05/15/2002	2863	2953	90	System Estimate	\$91.19	No	No	\$0.00	0	\$0.00	30
8505965275	1184290	02/20/2002	03/20/2002	04/17/2002	2750	2863	113	System Estimate	\$113.94	No	No	\$0.00	0	\$0.00	28

BILLS FROM 01/01/1996 TO 08/03/2004

Account # 308515979	Customer Name RECORD, TOWANDA
Customer Address 6421 ARGYLE STIPHILA PA	Bill Cycle 15

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	Cancelled	Closing Bill	CRP Monthly Amount	Easyway Current Month	Easyway Curr Amt	Days
8505965275	1184290	01/22/2002	02/20/2002	03/19/2002	2606	2750	144	System Estimate	\$156.61	No	No	\$0.00	0	\$0.00	29
8505965275	1184290	12/19/2001	01/22/2002	02/19/2002	2391	2606	215	System Estimate	\$227.92	No	No	\$0.00	0	\$0.00	34
8505965275	1184290	11/20/2001	12/19/2001	01/18/2002	2304	2391	87	System Estimate	\$103.10	No	No	\$0.00	0	\$0.00	29
8505965275	1184290	10/22/2001	11/20/2001	12/17/2001	2233	2304	71	System Estimate	\$92.11	No	No	\$0.00	0	\$0.00	29
8505965275	1184290	09/22/2001	10/22/2001	11/19/2001	2195	2233	38	System Estimate	\$54.13	No	No	\$0.00	0	\$0.00	30

VERIFICATION

I, Bernadette Betzler, 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 Answer are true to the best of my knowledge, information and belief, and that I expect to be able to prove these at a hearing held in this matter. I make this verification subject to the penalties of 18. Pa C.S. §4904, pertaining to false statements to authorities.

Date: August 3, 2004

Bernadette Betzler, 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:

Towanda Record
6421 Argyle Street
Philadelphia, PA 19111

August 3, 2004

Bernadette Betzler, Esq.
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122