

PLEASE DOCKET

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Shirley Kinlaw

v.

Philadelphia Gas Works

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:  
:  
:

F-02022899

PREHEARING ORDER

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An Initial Hearing in this case is scheduled for Tuesday, May 16, 2006 at 1:30 p.m. in Hearing Room 2 in the Philadelphia State Office Building. This case is one of several cases that have been scheduled at this time in Hearing Room 2. You must be available in the hearing room when your case is called by the presiding Administrative Law Judge. You should arrive at the Hearing Room no later than 1:15 p.m. and wait in the Hearing Room until the Administrative Law Judge calls your case. Your case might not be the first one to be called and you should be prepared to stay in the hearing room all morning, if necessary. If the customer is not present and prepared to go forward with the case when it is called, the case will be dismissed by the Administrative Law Judge.

The parties are hereby directed to comply with the following requirements:

1. A request for a change of the scheduled hearing date must state the agreement or opposition of other parties, and must be submitted in writing no later than five (5) business days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changes of hearing dates must be sent to me and all parties of record. My correct address is:

1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone: 215-560-2105  
Fax: 215-560-3133

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APR 27 2006

Changes are granted only in rare situations where good cause exists.

2. Commission policy promotes settlements. 52 Pa. Code §5.231(a). The utility will contact the customer at least one week before the scheduled hearing to talk over a possible settlement of this case. Even if you are unable to settle this case, you may still resolve many questions or issues during your talks. If an agreement is reached, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

3. The Pennsylvania Legislature recently enacted the Responsible Utility Customer Protection Act. 66 Pa. C.S. §1401 *et seq.* The application of this law may result in new payment terms that are less favorable than the customer's current payment arrangement.

4. If the Commission's Bureau of Consumer Services (BCS) has directed the customer to make payments and those payments have not been made, the customer must be prepared to explain at the hearing why those payments have not been made.

5. The customer must pay his/her current monthly bills for utility service while waiting for a hearing on the complaint. **FAILURE TO MAKE PAYMENTS FOR CURRENT SERVICE BY THE DUE DATE EACH MONTH MAY RESULT IN THE TERMINATION OF THE CUSTOMER'S SERVICE PRIOR TO THE HEARING. FAILURE TO MAKE THESE PAYMENTS WILL RESULT IN AN ORDER REQUIRING A LUMP SUM PAYMENT EQUAL TO THE AMOUNT OF ALL MISSED PAYMENTS FOR SERVICE.**

6. If you intend to present any documents or exhibits for my consideration, you must bring four (4) copies to the hearing.

7. This hearing is a formal proceeding and will be conducted in accordance with the Commission's Rules of Practice and Procedures.

8. At the hearing, the customer must be prepared to testify about the total gross monthly income of the household. A household includes all adults living at the service address and benefiting from the utility service. The "total gross monthly household income" includes but is not limited to the following:

- (a) income from salaries, wages, tips or other compensation;
- (b) pension, retirement or social security benefits;
- (c) Supplemental Security Income (SSI);
- (d) unemployment compensation benefits;
- (e) workers' compensation benefits;
- (f) alimony;
- (g) child support;
- (h) public assistance; and
- (i) any other source(s) of income.

9. The utility must bring the following documents to the hearing:

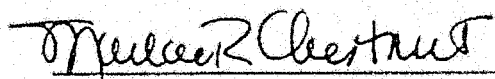
- (a) an account statement, showing the history of the account for a minimum of 24 months or the entire history of the account, whichever is less;
- (b) a copy of the most recent BCS decision, if any
- (c) a service usage comparison report for the same period as the account statement; and
- (d) a brief summary of any payment arrangement(s) made between the utility and the customer other than determinations of the BCS or the Commission.

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

11 If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa. Code §5.421. You must submit your written application to the Administrative Law Judge sufficiently in advance of the hearing date so that the other parties will have the required ten (10) days notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

12. **THIS CASE WILL BE DISMISSED IF THE CUSTOMER FAILS TO PARTICIPATE IN THE HEARING AND PRESENT EVIDENCE IN SUPPORT OF THE COMPLAINT.**

Date: April 18, 2006

  
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Marlene R. Chestnut  
Administrative Law Judge

**Philadelphia Gas Works**



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

May 12, 2006

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

**ORIGINAL**

**RE: Shirley Kinlaw v. PGW, Docket No. F - 02022899**

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.24(b), the Philadelphia Gas Works (PGW) certifies that the above referenced Complaint has been satisfied. PGW and the Complainant have discussed the issues raised in the complaint and reached a settlement. With this discussion and settlement, the Complainant has indicated that she is satisfied with the resolution of this complaint.

Therefore, the hearing scheduled for May 16, 2006 at 1:30 p.m., in this matter is no longer necessary.

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

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

Sincerely,

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FOLDER**

  
Laureto Farinas

**DOCKETED**  
MAY 16 2006

cc: Shirley Kinlaw (Regular Mail)  
Administrative Law Judge Marlane R. Chestnut (via FAX)  
Cherie Pyle, Hearing Scheduler (via FAX)  
Eloise Camall (PGW mail)  
Linda Pereira (PGW mail)  
Anne Marie Cromley (PGW mail)

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MAY 12 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S OFFICE

15

# OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	F-02022899		YES	NO
		Prehearing Held:	<input type="checkbox"/>	<input type="checkbox"/>
Case Name:	Shirley Kinlaw v. Philadelphia Gas Works	Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Testimony Taken:	<input type="checkbox"/>	<input type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input type="checkbox"/>
		Hearing Concluded:	<input type="checkbox"/>	<input type="checkbox"/>
Location:	Philadelphia, PA	Further Hearing Needed:	<input type="checkbox"/>	<input type="checkbox"/>
		Estimated Add'l Days:		
Date:	May 16, 2006			
		RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>
ALJ:	Marlane R. Chestnut	DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Commonwealth Reporting	DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:		
		<i>settled prior to hearing - but didn't receive CS, so hearing not cancelled</i>		

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

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

Check this box if additional parties or attendees appear on back of form

\_\_\_\_\_  
Reporter's Signature

*Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.*

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

DATE: May 17, 2006  
SUBJECT: F-02022899  
Shirley Kinlaw v. Philadelphia Gas Works  
TO: Wanda Zeiders  
Docket Management  
FROM: Cherie Pyle, ALJ Support Staff  
Office of Administrative Law Judge

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On May 12, 2006, a Certificate of Satisfaction was filed in the above-captioned proceeding. If no objection is filed to this certificate within 10 days of service, this proceeding will be closed.

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

The Initial Hearing scheduled for Tuesday, May 16, 2006 was cancelled.

Attachment

pc: ALJ Marlane R. Chestnut  
Beth Plantz  
Case File

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