

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: 02/15/06
8. DOCKET NO: F-02012307	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: DAIS, ROBERT J

RESPONDENT/APPLICANT: PHILADELPHIA GAS WORKS

COMP/APP COUNTY: MONTGOMERY

UTILITY CODE: 125042

ALLEGATION OR SUBJECT

COMPLAINANT STATES THERE ARE INCORRECT CHARGES ON HIS BILL.

DOCKETED
FEB 16 2006

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Must be returned by FEBRUARY 16, 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint Form

Please print or type.

F-02012307

1. CUSTOMER NAME (COMPLAINANT)

Your name, mailing address, county, telephone number, utility account number and service address:

Name Robert J Davis

Street/P.O. Box 346 N. GROSS ST Apt # _____

City Phila State PA. Zip 19139

County Montgomery

Area Code/HOME Phone (215) 747-2519

Area Code/WORK Phone (267) 242-5531

Utility Account Number 0249423208
(from your bill)

If your complaint involves utility service provided to a different address than your mailing address, please list this information below.

Name Philadelphia Gas works

Street/P.O. Box 800 W Montgomery ave.

City Phila State PA. Zip 19122-0050

2. UTILITY NAME (RESPONDENT)

Name of utility company your complaint concerns: Gas works

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2006 FEB 15 AM 9:00
SECRETARY'S BUREAU

14

3. TYPE OF UTILITY (check one)

ELECTRIC

GAS

WATER

TELEPHONE
(local, long distance)

STEAM HEAT

WASTE WATER

MOTOR CARRIER
(taxi, moving company, limousine)

4. COMPLAINT (check one)

A. In general, what is your complaint?

I want to oppose the company's proposed rate increase.

There are incorrect charges on my bill.

There is a reliability, safety or quality problem with my utility service.

I received a notice that my utility service is being terminated.

I would like a payment agreement.

Other.
(explain)

B. State the facts of your complaint.

Include any specific dates, times or places that are important. If the complaint is about a bill, tell us about any charges that you believe are not correct. Use additional paper if you need more space. Provide copies of all relevant documents you believe will support your complaint.

5. RELIEF

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

Reason why, I've complaint about raise too high on my bills which I've been payment but they still keep ^{too} high increase of bills that about I've been appear this paper work. I talked with Representative several time but they won't agree with me with agree payments. I can't afford to pay 2,650.⁰⁰ all bills cuz I have pay else bills and Rent,

6. PROTECTION FROM ABUSE

Answer the following question if your complaint is against a natural gas distribution company, an electric distribution company or a water company AND your complaint is about a billing problem, an application for service problem, a termination of service problem or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety?

YES
NO

7. PRIOR UTILITY CONTACT

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES
(includes appeals of BCS determinations)
NO

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

8. VERIFICATION AND SIGNATURE

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

Verification:

I _____, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

[Handwritten Signature]

(Signature)

2-

(Date)

9. LEGAL REPRESENTATION (IF ANY)

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

Lawyer's Name N/A

Street _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

10. FILING

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105	Secretary Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building, 2 nd Floor Harrisburg, Pennsylvania 17120
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Facsimiles and/or electronic filings of the complaint form will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your complaint for your records.

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: February 16, 2006

ROBERT J DAIS
Complainant

v.

PHILADELPHIA GAS WORKS
Respondent

Complaint Docket
No. F-02012307

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FEB 16 2006

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

IN REPLY PLEASE
REFER TO OUR FILE

DATE SERVED: February 16, 2006

F-02012307

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

Dear Mr. Farinas:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by ROBERT J DAIS. 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.

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

DOCUMENT
FOLDER

February 16, 2006

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

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

Very truly yours,

James J. McNulty
Secretary

ddi

Philadelphia Gas Works
900 West Montgomery Avenue, Philadelphia, PA 19122



ORIGINAL

Mary M. Chan, Paralegal
Legal Department
Direct Dial: (215) 684-6830
Fax: (215) 684-6798
E-mail: mary.chan@pgworks.com

March 6, 2006

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

DOCUMENT
FOLDER

RE: Robert J Dias vs. PGW, Docket No.: F-02012307

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 do not hesitate to contact me at my direct-dial number above. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary M. Chan", is written over the typed name.

Mary M. Chan

Enclosure

cc: Robert J Dias
Jack Inzary

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

106

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

Robert J Dias

v.

Philadelphia Gas Works

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:
:
:
:

Docket No.: F-02012307

DOCUMENT
FOLDER

Answer of the 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. Admitted.
4. (a) Denied. PGW denies the averments contained in Paragraph 4 of the Complaint concerning the inaccuracy of the Complainant's bills, and all other averments that are conclusions. The Complainant's bills are correct as rendered.

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MAR 15 2006

By way of further averment, PGW records indicate that on November 14, 1995, the Complainant established gas service at 1648 S. Wilton Street, Philadelphia, PA (Previous Address 1). The Complainant's gas bills at Previous Address 1 were based upon actual gas usage. Previous Address 1 was equipped with an Automatic Meter Reading device ("AMR"). The Complainant's gas account was finalized on July 1, 1998, with a final balance of \$1,456.37.

On March 19, 2001, the Complainant re-established gas service at 5619 Pine Street, Philadelphia, PA (Previous Address 2). The final balance of

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

\$1,456.37 from Previous Address 1 was transferred to Previous Address 2. The Previous Address 2 was equipped with an AMR.

On May 30, 2002, the Complainant enrolled into PGW's Customer Responsibility Program ("CRP"). On August 15, 2003, the Complainant was suspended from CRP due to the failure to meet the annual eligibility recertification requirement. The Complainant did not provide documents to recertify for CRP.

The Complainant's gas account at Previous Address 2 was finalized on September 17, 2004, with a final balance of \$1,763.52.

On September 22, 2004, the Complainant re-established gas service at 346 Gross Street, Philadelphia, PA (Service Address). The final balance of \$1,763.52 from Previous Address 2 was transferred to the Service Address. The Complainant's gas bills at the Service Address are based upon actual gas usage. The Service Address is equipped with an AMR. PGW is not aware of any evidence indicating that the meter reading is inaccurate.

Therefore, the current account balance of \$2,790.97 at Service Address is correct as rendered. It is based on actual gas usage.

By way of further response, the current account balance of \$2,790.97 are due to an accumulation of missed and under-payments as shown on the statement of accounts which is attached hereto as Exhibit "A."

Furthermore, the Bureau of Consumer Service ("BCS") decision dated January 24, 2006 ordered the Complainant to pay \$263 monthly, which consists of \$152 in budget bill plus \$111 towards the arrears. A copy of the BCS decision is attached hereto as Exhibit "B."

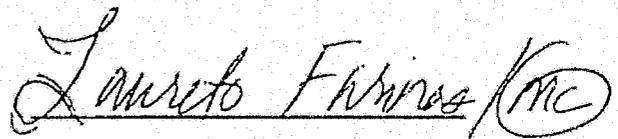
(b) This paragraph does not contain any averments.

5. Denied. The averments in Paragraph 5 of the Complaint are requests for relief to which no response is required. PGW therefore denies the averments in this paragraph.
6. Admitted.
7. Admitted.

Wherefore, PGW respectfully requests that this Commission find against the Complainant, and affirm the decision of the BCS in this matter. PGW requests that the Commission enter an Interim Order directing the Complainant to pay the current bill during the pendency of the hearing in this matter. PGW further requests that the Interim Order directing payment authorize PGW to terminate service if the Complainant fails to comply with the Interim Order.

Respectfully submitted,

Dated March 6, 2006

A handwritten signature in cursive script that reads "Laureto Farinas" followed by a circled monogram "LFC".

Laureto Farinas, Esquire
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122
(215) 684-6982

EXHIBIT A

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PA PUBLIC UTILITY COMMISSION
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HISTORY REQUEST REPORT FOR ACCOUNT # 249423208 AND SA # 8025198423 AS OF 02/23/2006

Account # 249423208	SA # 8025198423	Bill Cycle: 09	Rate Class: GS	Phone # 7472519(216)
Name: DAIS, ROBERT				
Address: 346 N GROSS ST/PHILA, PA				
Pay Agreement Indicator: Y	Easyway Indicator: B	CRP Status: S		
Blocker Start Date: 20060202	Blocker End Date: 20060228	Meter #: 1515903		

Tran Date	Tran Type	Current Amt	Total Amt	Adjust Amt	Segment Start Date	Segment End Date	Read Code	End Read	Current Balance	Usage	Meter #
10/12/2004	BILL	\$30.34	\$30.34	\$0.00	09/22/2004	10/12/2004	R	11	\$0.00	13	1515903
10/12/2004	BILL	\$30.34	\$30.34	\$0.00	09/22/2004	10/12/2004	R	1807	\$0.00	13	1642243
11/10/2004	BILL	\$122.27	\$122.27	\$0.00	10/12/2004	11/10/2004	R	91	\$1,753.52	80	1515903
11/20/2004	NSFCHA	\$20.00	\$20.00	\$20.00							
11/22/2004	NSFCHA	\$20.00	\$20.00	\$20.00							
12/10/2004	BILL	\$203.03	\$203.03	\$0.00	11/10/2004	12/10/2004	R	217	\$2,328.05	126	1515903
12/31/2004	NSFCGW	(\$20.00)	(\$20.00)	(\$20.00)							
01/12/2005	BILL	\$288.42	\$288.42	\$0.00	12/10/2004	01/12/2005	R	389	\$2,600.10	172	1515903
01/13/2005	LPC	\$5.63	\$5.63	\$5.63							
01/28/2005	PAY	(\$3.09)	(\$3.09)	\$0.00							
02/10/2005	BILL	\$287.90	\$287.90	\$0.00	01/12/2005	02/10/2005	R	567	\$2,328.00	178	1515903
03/09/2005	PAY	(\$17.23)	(\$17.23)	\$0.00							
03/11/2005	BILL	\$263.98	\$263.98	\$0.00	02/10/2005	03/11/2005	R	739	\$2,391.98	172	1515903
04/11/2005	BILL	\$128.79	\$128.79	\$0.00	03/11/2005	04/11/2005	R	823	\$2,538.78	84	1515903
04/13/2005	LPC	\$18.01	\$18.01	\$18.01							
05/11/2005	BILL	\$56.01	\$56.01	\$0.00	04/12/2005	05/11/2005	R	855	\$2,614.74	32	1515903
05/12/2005	LPC	\$19.95	\$19.95	\$19.95							
06/10/2005	BILL	\$37.72	\$37.72	\$0.00	05/11/2005	06/10/2005	Y	873	\$2,673.25	18	1515903
06/10/2005	BILL	\$43.10	\$43.10	\$0.00	05/11/2005	06/10/2005	R	877	\$2,678.63	22	1515903
06/13/2005	LPC	\$20.79	\$20.79	\$20.79							
06/14/2005	CANB	(\$37.72)	(\$37.72)	\$0.00							
07/12/2005	BILL	\$40.63	\$40.63	\$0.00	06/10/2005	07/12/2005	R	896	\$2,740.69	19	1515903
07/13/2005	LPC	\$21.43	\$21.43	\$21.43							
07/14/2005	PAY	(\$104.78)	(\$104.78)	\$0.00							
08/11/2005	BILL	\$39.12	\$39.12	\$0.00	07/12/2005	08/11/2005	R	914	\$2,601.48	18	1515903
08/12/2005	LPC	\$21.67	\$21.67	\$21.67							
08/25/2005	PAY	(\$53.91)	(\$53.91)	\$0.00							
09/13/2005	BILL	\$38.15	\$38.15	\$0.00	08/11/2005	09/13/2005	R	931	\$2,561.41	17	1515903

Account # 249423208	SA #: 6025198423	Bill Cycle: 39	Rate Class: GS	Phone #: 7472519(215)
Name: DAIS ROBERT	Address: 346 N GROSS ST/PHILA, PA			
Pay Agreement Indicator: Y	Easyway Indicator: B	CRP Status: S		
Blocker Start Date: 20060202	Blocker End Date: 20060228	Meter #: 1515903		

Tran Date	Tran Type	Current Amt.	Total Amt.	Adjust Amt.	Segment Start Date	Segment End Date	Read Code	End Read	Current Balance	Usage	Meter #
09/14/2005	LPC	\$21.78	\$21.78	\$21.78							
09/16/2005	PAY	(\$55.88)	(\$55.88)	\$0.00							
10/12/2005	BILL	\$43.95	\$43.95	\$0.00	09/13/2005	10/12/2005	R	950	\$2,527.20	19	1515903
10/13/2005	LPC	\$21.84	\$21.84	\$21.84							
11/10/2005	BILL	\$56.53	\$56.53	\$0.00	10/12/2005	11/10/2005	R	973	\$2,606.23	23	1515903
11/14/2005	LPC	\$22.50	\$22.50	\$22.50							
11/21/2005	XFER	(\$2,606.23)	(\$2,606.23)	(\$2,606.23)							
11/21/2005	XFER	\$1,005.30	\$1,005.30	\$1,005.30							
12/13/2005	BILL	\$65.48	\$65.48	\$0.00	11/10/2005	12/13/2005	R	1001	\$65.48	28	1515903
01/09/2006	PAY	(\$65.48)	(\$65.48)	\$0.00							
01/13/2006	BILL	\$66.45	\$66.45	\$0.00	12/13/2005	01/13/2006	R	1029	\$66.45	28	1515903
02/02/2006	XFER	\$2,606.23	\$2,606.23	\$2,606.23							
02/09/2006	PAY	(\$66.45)	(\$66.45)	\$0.00							
02/14/2006	BILL	\$184.74	\$184.74	\$0.00	01/13/2006	02/14/2006	R	1115	\$2,790.97	86	1515903

EXHIBIT B

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MAR 8 2006

PA PUBLIC UTILITY COMMISSION
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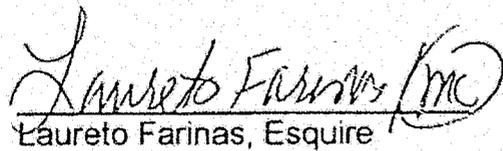
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  <BCSInvestigatorLName>RIVERA</BCSInvestigatorLName>
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  <PUCFax FaxAreaCode="215">5602102</PUCFax>
</OtherInfo>

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VERIFICATION

I, Laureto Farinas, hereby declare that I am counsel for the Philadelphia Gas Works. I am authorized to make this verification on its behalf. The facts set forth in the foregoing Answer are true and correct to the best of my knowledge, information and belief. I expect to be able to prove these facts at a hearing held in this matter. This verification is made subject to the penalties of 18 Pa. C.S. §4904, concerning false statements to authorities

Dated: March 6, 2006


Laureto Farinas, Esquire

CERTIFICATE OF SERVICE

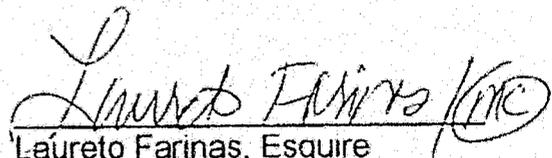
I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY
OF THE FOREGOING DOCUMENT UPON THE PARTICIPANTS LISTED
BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF 52 PA CODE
§1.54 (RELATING TO SERVICE BY A PARTICIPANT).

Service List:

For Complainant:

Robert Dias
346 N. Gross Street
Philadelphia, PA 19139

Dated: March 6, 2006



Laureto Farinas, Esquire
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122
(215) 684-6982

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PA PUBLIC UTILITY COMMISSION
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