



PHILADELPHIA GAS WORKS

800 West Montgomery Avenue • Philadelphia, PA 19122

Graciela Christlieb, Senior Attorney
Legal Department
Direct Dial: 215-684-6164
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May 16, 2017

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Debbie Hughey v. Philadelphia Gas Works, Docket No. C-2016- 2567445

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code §5.103(c), the Philadelphia Gas Works hereby files the original Response to the Complainant's Motion to Request a Live Hearing Instead of a Telephonic Hearing, in the above captioned matter.

If additional information is required, please do not hesitate to contact the undersigned. Thank you for your assistance in the matter.

Sincerely,


Graciela Christlieb

cc: Debbie Hughey
Tyra Jackson

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Debbie Hughey

v.

Philadelphia Gas Works

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:
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:
:

Docket No. C – 2016 – 2567445

**PHILADELPHIA GAS WORKS' REPLY TO
COMPLAINANT'S MOTION TO REQUEST A LIVE
HEARING INSTEAD OF A TELEPHONIC HEARING**

Pursuant to 52 Pa. Code §5.103(c), the Philadelphia Gas Works (PGW), hereby files its Response to the Complainant's Motion to Request a Live Hearing Instead of a Telephonic Hearing dated May 12, 2017 and served on PGW on via email on May 15, 2017 (Motion).

I. HISTORY OF PROCEEDING

On September 21, 2016, the Complainant filed the instant Complaint with the Pennsylvania Public Utility Commission (Commission) against PGW generally alleging that there are incorrect charges on her bill and that the Complainant has a reliability, quality, and/or safety problem with her gas service.

On October 11, 2016, PGW filed and Answer with New Matter as well as Preliminary Objections.

By Order dated January 18, 2017, PGW's Preliminary Objections were sustained in part.

By Hearing Order dated February 2, 2017, a telephonic hearing was scheduled for March, 22, 2017.

On March 13, 2017, the Complainant filed Motion for a Continuance, attached hereto as exhibit "A". The Complainant did not serve PGW with a copy of her Motion until March 15, 2017, stating she had the wrong email address for PGW. PGW did not object to the Complainant's request for a continuance.

By Hearing Order dated March 21, 2017, a telephonic hearing was scheduled for April 25, 2017.

On April 17, 2017, nine days before the scheduled hearing date, the Complainant, via electronic mail, served PGW with a copy of her Motion to Compel Discovery. PGW had not received any requests for discovery from the Complainant.

Two days later, on April 19, 2017, the Complainant, via electronic mail, made a request to have the telephonic hearing further continued, attached hereto as exhibit "B". The Complainant cited a variety of circumstances she felt necessitated a continuance, but no actual scheduling conflict. PGW objected to the further continuance. Attached to the same electronic mail was an updated Motion to Compel Discovery.

The Court converted the April 25, 2017 hearing into a pre-hearing conference. On that date, the parties convened via telephone before the Court and the Complainant reiterated her request for a continuance, stating that she needed at least 60 days. PGW renewed its objection and argued that if a continuance were granted, it should be no more than 30 days. The Court granted the Complainant's request for a 60 day continuance and the parties agreed that the hearing on the instant Complaint would be held via telephone on June 15, 2017. The Complainant was advised to be ready to present her case on that day as it was extremely unlikely that the case would be continued a third time.

On May 1, 2017, the Complainant contacted PGW and asked if PGW had an objection to the hearing being converted into an in-person hearing. PGW responded the same day, via email, and informed the Complainant that PGW did have such an objection.

On May 12, 2017, the Complainant filed the instant Motion. The Complainant filed a Certificate of Service with her Motion, but **did not** serve PGW.

On May 15, 2017, the Complainant, via electronic mail, served PGW with a copy of the instant Motion.

II. RESPONSE TO MOTION TO REQUEST A LIVE HEARING

PGW objects to the Complainant's request that the hearing be converted into an in-person hearing. The Complainant has had ample time and opportunity to address the form of the hearing and has failed to do so. Between September 21, 2016 and May

12, 2017, the Complainant filed no less than 11 separate documents with the Commission regarding her Complaint. None of the documents, except the instant Motion filed on May 12, 2017, articulated a desire to have her case heard in person. On February 2, 2017, the Complainant received the first Hearing Notice in this case, which stated that the hearing would be conducted telephonically. After the hearing was continued, the Complainant received another Hearing Notice, dated March 21, 2017, which stated that the hearing would be conducted telephonically. During the pre-hearing conference on April 25, 2017, the Complainant participated in selecting June 15, 2017 as an acceptable date for the case to be heard telephonically.

Given the history of this case, it is clear that the instant Motion is a dilatory tactic. In both of her requests for continuances, the Complainant cited numerous health issues that precluded her from proceeding with the case, yet now the Complainant has decided to forgo the convenience of a telephonic hearing in favor of a hearing where she will have to appear in a hearing room. If this Motion is granted, a new wave of requests for more time will crash upon this case and the undertow will pull it further out into 2017.

Wherefore, PGW respectfully requests that this Commission deny the Complainant's Request for a Live Hearing.

May 16, 2017

Respectfully submitted,



Graciela C. Christlieb, Esq.
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122

A

From: Debbie Hughey, Complainant
RE: C-2016-2567445 - Hughey v PGW
March 15, 2017

To: Judge David A Salapa,
Administrative Law Judge
P. O. Box 3265
Harrisburg, PA 17105-3265

Now Requesting a Continuance to Change the Telephone Hearing of March 22, 2017

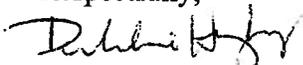
Dear Judge Salapa:

I called your office today to see if you received my Motion to change the Telephone Hearing of March 22, 2017. A staff member stated that I want to request a continuance; in which, I am now requesting. Also, I informed them of my motion request that I made on March 13, 2017, that should have been entered into the record on March 14, 2017 at 8am according to the PUC Web System. The staff member stated that he did not see my Motion (efiling Confirmation #1669301 - In Progress Status), and he will inform you of my request as well as the reason for my request, and due to the weather and my disabilities (I have to walk with a cane or rollator), I am not able to make it out today, but I will mail as well as fax a copy of my requests to you tomorrow.

I am attaching a copy of the Motion that I filed on March 13, 2017, and as you can see that due to illnesses, financial demises, Cyber Attacks, and etc..., I need more time as to why I am requesting a postpone for the Hearing. Also, due to the weather, I had to change the two appointments that I had for today; in which, one Doctor told me to try to come in tomorrow between 9am and 3pm, and if I can not make it, for me to call on Friday to be rescheduled, and the other Doctor Appointment, only had March 22, 2017 available for me to reschedule, and I had to take that appointment; in addition, to the Doctor's Appointment that I already had scheduled for the 20th of March. Again, I am asking as well as needing a change in the Telephone Hearing, and I have complied with the directions of a change of request must be submitted no later than five days.

In addition, I was not able to electrically serve Ms. Graciela Christlieb, Esq., Attorney for PGW, with a copy of my motion until this morning (I had an incorrect email address, but I have the correct one now). I left her three messages about my filing, and requested that she call me, but due to the snow, she stated that she was not able to call me until today; in which, she has stated that she has no objections to the Telephonic Hearing of March 22, 2017 being changed. I am also serving her a copy of this letter via email. Please honor my request. Thank you.

Respectfully,



Debbie Hughey, Pro se

cc: files

From: Debbie Hughey, Complainant

RE: C-2016-2567445 - Hughey v PGW

March 13, 2017

To: Judge David A Salapa,
Administrative Law Judge
P. O. Box 3265
Harrisburg, PA 17105-3265

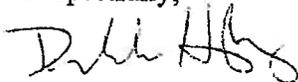
Motion to Change the Telephone Hearing of March 22, 2017

Dear Judge Salapa:

Due to my own illnesses, financial demises, Cyber Attacks to my Computer and my Printer, and etc..., I need additional time for the above listed case. Therefore, I am requesting a postponement in the Telephone Hearing of March 22, 2017.

Last week, I had two Medical Appointments; in which, one was manipulatively cancelled, and I am awaiting the results of my studies that were done over a week ago. This week, I had three additional Medical Appointments; in which, I had to cancel one, and will have to re-schedule that one later as well as the other one, and next week, I have one more Medical Appointment. Thus, things are still very overwhelming for the Complainant, and she is requesting additional time as well as a re-scheduling of the Telephone Hearing Date.

Respectfully,



Debbie Hughey, Pro se

cc: files

P.S. Ms. Graciela Christlieb, Esq for PGW is being served today via electronically.

B

THE PENNSYLVANIA'S PUBLIC UTILITY COMMISSION

Debbie Hughey, Complainant

vs.

Docket No. C - 2016-2567445

PGW - Philadelphia Gas Works, Public Utility

MOTION STILL NEEDING ADDITIONAL TIME FOR A HEARING

1. The Complainant is requesting additional time for another hearing based upon Complainant's worsening conditions.
2. The Complainant has worsening Spinal Damages; in which, she is still having problems with her Spine as well as now with problems with the anterior and posterior of her Spine, especially the Cervical Spine area again, that it has been very difficult to talk, and she is due for follow up today with one doctor, hope to be able to see the other physician later this week or next week. Previously, the Complainant had already complained about how her Trachea is going in one direction; while, her Cervical Spine going in the opposite direction. Recently, something has placed more pressure on the Complainant's Throat area that they Complainant was delayed in obtaining studies due to medical insurance denials and later approvals.
3. Thus, the Complaint needs more time; in which, to effectively litigate this case, and she is requesting postponement of the hearing for 60 days.

Sign Debbie Hughey Date April 19, 2017
Debbie Hughey, Pro se

PROOF OF SERVICE

I, Debbie Hughey, stated that I electronically serve a copy of Plaintiff's Request for additional time for another hearing to PGW's Attorney on April 19, 2017.

Sign Debbie Hughey Date 04/19/17

Emailed to: dsalapa@pa.gov
From: Debbie Hughey
To: Judge Salapa of PA Public Utility Commission
RE: Graciela C. Christieb - Attorney for PGW
Docket No. C - 2016-2567445
April 20, 2017

Dear Judge Salapa:

First of all, I am writing you in reference to what Ms. Christieb have written, and emailed to you yesterday. The first time that I had contacted Ms. Christieb about the first hearing postponement, I had to keep calling, and emailing, with no returns. Eventually, I was able to finally get in contact with her. This time, I did not have a chance to contact her before submitting my requests because I was already rushing to attend my doctor's appointment. My Internet Service was even giving me so much delay that I had to try to submit my Motions, while trying to submit a copy to her; however, I was able to finally succeed in my submissions to both the PUC as well as to Ms. Christieb, and I objects to her objects, the truth must come out, and justice needs more time to prevail.

Secondly, I had already faxed you a copy (yesterday) of the motion that I had already emailed her regarding my request for more time. Also, I had already served her with a copy of my Motion to Compel as well as my Re-Submitted and Additions Motion to Compel. Please see attachment.

Thirdly, I did not fully wanted to list most of the things that I had as well as still are being subjected to that still necessities my needs for additional time; especially, additional time to obtain witnesses, documents, answers from PGW, affidavits, evidence, and etc..., but I will list some of them within this letter.

Fourthly, as of December 05, 2011, I remained out of work due to injuries on the job. Some of my injuries were and still are: Bilateral Sacroiliitis; whereas, I can not sit for long or short periods of time; sometimes, without being numbered in the sacral, vaginal, rectal, hips, thighs, legs, feet, ankles, and etc... areas; Myofasciitis, Cervical and Lumbar Herniations; which, affect my ability to urinate and defecate. I am a woman of over 50 years old of age that has been forced to wear diapers due to being incontinence of bowel and bladder based on my Spinal Damages, Neurology Problems, and etc... Also, due to the herniations, I can barely walk sometimes. I walk with a cane or a rollator. I also have Bilateral Shoulder Tears, and etc... My Left Shoulder Tendons are hanging out of it's sock, and surgery still has not been done; Heart and Lungs Issues; Muscle Damages, Muscle Weakness, Muscle Electrocution, Mytosis, Myglia, and etc... Further proof of worsening Spinal Damages and additional Herniations were finally proven by MRIs of September, 2016. Due to Attorneys' and Judges' Violations, Abuses of Power, and etc..., I was **forced** to handle my WC (Workers' Compensation) Cases Pro se. Also, I have been **forced** to handle my WCAB (Workers' Compensation Appeal Board Bureau) Cases Pro se; likewise, handling my cases to the Commonwealth Court of Pa, Supreme Court of PA as Pro se. I am not a lawyer, and I have to learn as I go. Presently, I am **FORCED** to handle the following cases as Pro se as well: Court of Common Pleas, Commonwealth Court of PA, Superior Court, Supreme Court, Writ of Certiorari to the Untied States of America Supreme Court, back to Workers'

Compensation again, and the PUC Case. Even though my IFP - In Forma Pauperis has been approved in the courts' system, I still do not have enough money to continue to fight all of these entities, living off of \$148.59 per month, but about \$102.00 has already claimed for repayment of loan. Thus, I have been during this all as a Pro se Litigant with less than \$150.00 month and \$194.00 in food stamps. Thus, money needed for copies, mailing, faxing, and etc... I must borrow. Then as of January 17, 2017, the Judge in my SEPTA Cases forced me to functioned as a Pro se Litigant, based on her efforts of duplicity of trying to allow SEPTA to win over the Plaintiff, and as of last week, I had to prepare documents for the Superior Court Battle. Please keep in mind that I had already borrow over \$125.00 at the beginning of the month, just to handle what I had already handled.

Fifthly, if you may recall, we had to handle a family member illness, Mr. James Hughey (owner of said property); whereas, we stayed a couple of days and nights at the hospital; while, he was in the Intensive Care as well as when he was moved to a heart monitoring floor. Then he had to go back and forth for doctors appointments. Then, my injuries continued to take a toll on my body, and started to be even more worst. I had heart issues that needed to be addressed, and yesterday, I obtained the results of my 2D Echo; even though, my follow-up with the Cardiologist would have to be when I obtain additional money for transportation, and the earliest appointment that I could obtain was for May, 2017. Also, additional Heart Study (Stress Test) is pending. Every since November, 2015, I have been complaining about how my Trachea had shifted to one side; while my Cervical Spine has shifted in the opposite direction. My employer as well as the WC's Judge continued to allow my employer to violate the laws by refusing to provide me with Medical Care and Treatments for my Work Related Injuries and Worsening Conditions. Also, my employer as well as the WC Judge continued to violate the laws by illegally terminating my WC Indemnity Checks, since January 19, 2015; whereas, my injuries did not and have not improved, and my doctor kept me out of work due to being totally and permanently disabled. Due to the Herniations in my Cervical and Lumbar Spines, I am not able to do a lot of work on my computer. It takes me a while to produce the necessary documents. My hands, fingers, arms, wrists, and etc... still becomes numbed, fatigued, swollen, and etc... that it takes me a long time; in order, to submit a document or two. I have been juggling all of this, and that is why, I never had the opportunity to effectively response to the judge or PGW's previous objectives; even though, I obtained a great deal of research that proved PGW's illegal moves of violating the laws, but due to my **FORCED** Pro se Status, my injuries as well as other issues, I continue to do my best, and hold my head above water. I feel as though with my other medical and legal scheduling, I will be able to litigate this PUC, if the hearing of April 25, 2017 is post pone, just one last time, by rescheduling the hearing for 60 days from now, pending PGW's willingness to honor discovery, and provide the requested documents, questions, and etc..., and as stated, please see attachment of Motion to Compel that was recently filed.

Recently, within the last two weeks, I started having more problems; whereas, I started feeling pressure and pain anteriorly and posteriorly on my Aorta, Neck, Throat, and thyroid, but it took over a week and a half before evening receiving a denial of medical treatment/studies from my Medicaid Insurance. However, because I kept pressuring the issues with problems swallowing, talking, and food keeps coming back up my throat, another doctor finally called the insurance company, and did a peer review; in which, the two studies were finally ordered, and one is pending, and one confirmed what

is pressing on my throat, and I have a follow-up with the medical doctors next week, pending funds for transportation. I barely had enough money to fax a copy of my Motion for additional time, yesterday.

Lastly, I hope that you would please give me enough time of more than 30 days, preferably 60 days or more to continue to effectively litigate our case with the PUC against PGW. In addition to our lives being at stake, our home and property are at stake as well. I look forward to your respond. Thank you.

Respectfully your,



Ms. Debbie Hughey

cc: files

cc: Ms. Christieb

P. S. Please inform me of how to obtain a Subpoena for this case; when, I called the PUC, no one knows how.

Subject: Confirmation of your E-Filing #1704042697
From: cp-efiling@courts.phila.gov (cp-efiling@courts.phila.gov)
To: debbie_hughey@yahoo.com;
Date: Wednesday, April 19, 2017 12:11 PM

Dear Debbie Hughey,

The legal paper you electronically presented for filing has been received by the Office of Judicial Records. The following information will assist you in tracking the status of the pleading:

Caption:

HUGHEY VS SOUTHEASTERN PENNSYLVANIA TRANSPORTATION
Case Number: 160202286

Date Presented to the Office of Judicial Records for Filing:
April 19, 2017 12:11 pm EDT/DST

Type of Pleading/Legal Paper:
MOTION TO DEMAND JURY TRIAL

E-File No.: 1704042697
Confirmation No.: 4B24075F6
Personal Reference No.:

Filing Fee: \$ 52.68
(Waived) IFP Previously Granted

The requisite filing fees will only be charged to your credit card upon acceptance of your legal paper by the Prothonotary. No charge will be posted to your credit card if your legal paper is rejected.

Please be advised that the above legal paper will not be deemed to have been "filed" until it has been reviewed and accepted by the Prothonotary. You will be notified by email when your legal paper has been approved or rejected by the Prothonotary. If you do not receive an approval or rejection email within two (2) business days you may contact the Office of Judicial Records at (215) 686-6645 to determine the status of your electronic filing.

At any time, you may check the status of your electronic filing by logging in to the Electronic Filing Web Site at <http://courts.phila.gov> using the Court-issued User Name and Password.

You are reminded that Pa.R.C.P. No. 205.4 requires that a hard copy of the legal paper you have filed electronically be signed and, as applicable, verified concurrently with the electronic filing of the legal paper, and shall be maintained by you for two (2) years after

the later of: (i) the disposition of the case; (ii) the entry of an order resolving the issue raised by the legal paper; or (iii) the disposition by an appellate court of the issue raised by the legal paper.

At the request of any party, you must produce for inspection the original or a hard copy of a legal paper or exhibit within fourteen (14) days, or the court, upon motion, may grant appropriate sanctions.

THANK YOU,

ERIC FEDER
DEPUTY COURT ADMINISTRATOR
DIRECTOR, OFFICE OF JUDICIAL RECORDS

DISCLAIMER

The First Judicial District will use your electronic mail address and other personal information only for purposes of Electronic Filing as authorized by Pa. R.C.P. 205.4 and Philadelphia Civil *Rule 205.4.

Use of the Electronic Filing System constitutes an acknowledgment that the user has read the Electronic Filing Rules and Disclaimer and agrees to comply with same.

This is an automated e-mail, please do not respond!

Subject: Rejection of your E-Filing #1704042697
From: cp-efiling@courts.phila.gov (cp-efiling@courts.phila.gov)
To: debbie_hughey@yahoo.com;
Date: Wednesday, April 19, 2017 12:14 PM

Dear Debbie Hughey,

The legal paper you electronically presented for filing has been reviewed by the Office of Judicial Records and has been rejected for the following reasons:

1. **ADDITIONAL PAPERS REQUIRED:**
Memorandum of Law as provided in Phila Civ R *208(c) and *210
2. **PURSUANT TO PHILA LOCAL RULE 1303 (H) WE CANNOT ACCEPT A MOTION WHEN THE ARBITRATION HEARING IS LESS THAN 45 DAYS AWAY. PLEASE FILE A CONTINUANCE BY FILING AN ARBITRATION APPLICATION. ARBITRATION CENTER 215-686-9590 OR 9591.**

Please Note: Due to the fact that your pleading has not been accepted for filing, your credit card has NOT been charged. Your credit card is only charged when a pleading is accepted for filing.

This information is also available on the Civil, Criminal and Orphans' Electronic Filing System: log in to the EFS Web Site at <http://courts.phila.gov> using the Court-issued User Name and Password.

The following information is provided for your records:

Caption:
HUGHEY VS SOUTHEASTERN PENNSYLVANIA TRANSPORTATION
Case Number: 160202286

Date Presented to the Office of Judicial Records for Filing:
April 19, 2017 12:11 pm EDT/DST

Date Rejected:
April 19, 2017 12:14 EDT/DST

Type of Pleading/Legal Paper:
MOTION TO DEMAND JURY TRIAL

E-File No.: 1704042697
Confirmation No.: 4B24075F6
Personal Reference No.:

THANK YOU,

ERIC FEDER
DEPUTY COURT ADMINISTRATOR
DIRECTOR, OFFICE OF JUDICIAL RECORDS

DISCLAIMER

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Use of the Electronic Filing System constitutes an acknowledgment that the user has read the Electronic Filing Rules and Disclaimer and agrees to comply with same.

This is an automated e-mail, please do not respond!

VERIFICATION

I, Graciela Christlieb, 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 Response 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.

May 16, 2017



Graciela Christlieb, 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:

Ms. Debbie Hughey
P.O. Box 41842
Philadelphia, PA 19101

May 16, 2017



Graciela C. Christlieb, Esq.
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122