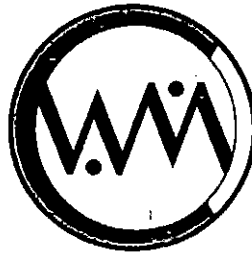


Paul Jay Cohen, Esq.+
Robert J. Willwerth, Esq.*
Jénel R. Marraccini, Esq.+
Jessica O. Shawaluk, Esq.*
Jonathan E. Mayer, Esq.*
Julie E. Goodchild, Esq.*
Alison G. deMedeiros, Esq.*



COHEN,
WILLWERTH &
MARRACCINI LLC
LAW OFFICES

Antranig Garibian, Esq.
Of counsel
Member DE, PA, NJ & NY Bars

* Member PA & NJ Bars
+ Member PA, NJ & NY Bars

August 24, 2017

Secretary Rosemary Chiavetta
Pa. Public Utility Commission
400 North Street
Commonwealth Keystone Building, 2nd Floor
Harrisburg, PA 17120

RECEIVED

AUG 24 2017

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Re: Liberty Towers Phily LP v. Philadelphia Gas Works; C-2017-2582869
Petition for Rehearing and Notice of Appearance

Dear Secretary Chiavetta,

Please be advised that my office has been retained in the above captioned matter. Enclosed please find an original and one copy of my Notice of Appearance as well as an original and one copy of my client's Petition for Rehearing, pursuant to 52 Pa. Code § 5.572(a). Please return a time stamped copy in the enclosed self addressed, postage prepaid envelope.

If you have any questions or concerns, do not hesitate to contact me.

Very Truly Yours,


JONATHAN E. MAYER, ESQ.
COHEN, WILLWERTH & MARRACCINI, LLC

Enclosure

cc: Laureto Farinas, Esq. (Attorney for PGW)

New Jersey Office
7930 National Hwy, Suite 204
Pennsauken, NJ 08110

660 Second Street Pike
Southampton, PA 18966
Tel: 215-887-8100 Fax: 215-355-2550

New York Office
18 E. 41st Street, 6th Fl
New York, NY 10017

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

LIBERTY TOWERS PHILLY LP	:	
	:	
v.	:	Docket No. C-2017-2582869
	:	
PHILADELPHIA GAS WORKS	:	

PETITION OF LIBERTY TOWERS PHILLY LP TO HEHEAR CASE

Pursuant to 52 Pa. Code § 5.572(a), Liberty Towers Philly LP (Liberty Towers or Complainant), hereby files this Petition for Rehearing and in support thereof avers as follows:

1. On or about December 30, 2016, Liberty Towers filed a formal Complaint with the Pennsylvania Public Utility Commission (PUC) against Philadelphia Gas Works (PGW), alleging that there were incorrect charges on its bills and requested that PGW readjust the bill.
2. On or about January 25, 2017, PGW filed an Answer denying the material allegations of the Complaint.
3. On March 6, 2017, the matter was scheduled for an initial hearing on April 11, 2017.
4. On March 17, 2017, Administrative Law Judge Marta Guhl issued a Prehearing Order, that among other things required Liberty Towers to have an attorney enter an appearance on or before April 5, 2017.
5. Liberty Towers failed to have an attorney enter an appearance by April 5, 2017.
6. Thereafter, ALJ Guhl issued an Initial Decision on July 11, 2017 dismissing the case.
7. On August 11, 2017, the Final Order was issued, dismissing the Complaint of Liberty Towers and marking the record closed.

8. Now, pursuant to 52 Pa. Code § 5.572(a), Liberty Towers respectfully requests that the matter be scheduled for a rehearing.

9. This Petition is timely in that it is being filed within fifteen (15) days of the date of the August 11, 2017 Final Order.

10. The matter was dismissed and hearing canceled due to Liberty Tower's failure to retain counsel by April 5, 2017.

11. This failure has now been cured by counsel's entry of appearance submitted with this Petition for Rehearing.

12. Additionally, Liberty Towers had valid reasons for failing to retain counsel by April 5, 2017.

13. First, Tristan Sylk, the manager of Liberty Towers, was not in the Commonwealth at the time the March 17, 2017 Order was issued, and never received it.

14. Second, Liberty Towers reasonably believed that it would be able to reach an amicable solution to this matter with PGW, making the hearing unnecessary.

15. Third, Mr. Sylk was unfamiliar with the processes of the PUC.


16. Finally, Liberty Towers' initial complaint against PGW is meritorious.

17. As further stated in Liberty Towers' Complaint, the usage for the period in question was over three (3) times the amount typically charged for the period, far exceeding any excess that could have been caused by unseasonably cold weather.

WHEREFORE, for these reasons, Liberty Towers respectfully requests that the Commission schedule this matter for Rehearing.

Respectfully Submitted,

Date: August 24, 2017



Jonáthán E. Máyer, Esq.
Attorney ID 316340
Cohen, Willwerth & Marraccini, LLC
660 2nd Street Pike
Southampton, PA 18966
(215)887-8100
Attorney for Liberty Towers Philly LP

RECEIVED

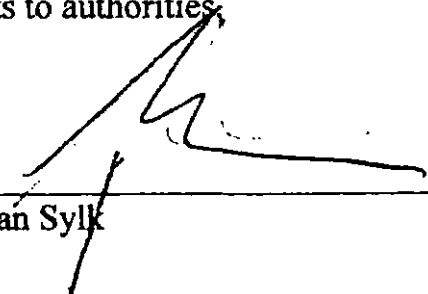
AUG 24 2017

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

VERIFICATION

I, Tristan Sylk, hereby declare that I am the authorized agent for Liberty Towers Philly LP. I am authorized to make this verification on its behalf. The facts set forth in the foregoing Petition 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.

August 24, 2017



Tristan Sylk

RECEIVED

AUG 24 2017

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing
Petition to Rehear and Notice of Appearance 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 Respondent:

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

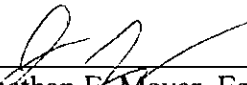
RECEIVED

AUG 24 2017

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Respectfully Submitted,

Date: August 24, 2017



Jonathan E. Mayer, Esq.
Attorney ID 316340
Cohen, Willwerth & Marraccini, LLC
660 2nd Street Pike
Southampton, PA 18966
(215)887-8100
Attorney for Liberty Towers Philly LP

1 From
 Date 8/27/17
 Sender's Name _____ Phone 717 887-8100
 Company OWEN & WILLMARTH PC
 Address 560 SAND STEEP PIKE
 City FOUNTAIN BL State PA ZIP 19765-0275

2 Your Internal Billing Reference

3 To
 Recipient's Name Secretary B... , ... Phone _____
 Company PA Public Utilities Commission
 Address 410 ... Street 2nd Fl
 We cannot deliver to P.O. boxes or P.O. ZIP codes _____ Dept./Floor/Suite/Room _____
 Address _____
 Use this line for the HOLD location address or for continuation of your shipping address.
 City Harrisburg PA State PA ZIP 17120

0137E17016



8119 3137 0453

4 Express Package Service * To most locations. Packages up to 150 lbs. For packages over 150 lbs., see the FedEx Express Freight US Airbill.

Next Business Day

FedEx First Overnight
 Earliest next business morning delivery to select locations. Friday shipments will be delivered on Monday unless Saturday Delivery is selected.

FedEx Priority Overnight
 Next business morning. Friday shipments will be delivered on Monday unless Saturday Delivery is selected.

FedEx Standard Overnight
 Next business afternoon. Saturday Delivery NOT available.

2 or 3 Business Days

FedEx 2Day A.M.
 Second business morning. Saturday Delivery NOT available.

FedEx 2Day
 Second business afternoon. Thursday shipments will be delivered on Monday unless Saturday Delivery is selected.

FedEx Express Saver
 Third business day. Saturday Delivery NOT available.

5 Packaging * Declared value limit \$500.

FedEx Envelope* **FedEx Pak*** **FedEx Box** **FedEx Tube** **Other**

6 Special Handling and Delivery Signature Options Fees may apply. See the FedEx Service Guide.

Saturday Delivery
 NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.

No Signature Required
 Package may be left without obtaining a signature for delivery.

Direct Signature
 Someone at recipient's address may sign for delivery.

Indirect Signature
 If no one is available at recipient's address, someone at a neighboring address may sign for delivery. For residential deliveries only.

Does this shipment contain dangerous goods?
 One box must be checked.
 No **Yes** As per attached Shipper's Declaration. **Yes** Shipper's Declaration not required. **Dry Ice** Dry Ice, S, UN 1845 _____ x _____ kg
 Restrictions apply for dangerous goods — see the current FedEx Service Guide. **Cargo Aircraft Only**

7 Payment Bill to: Enter FedEx Acct. No. or Credit Card No. below. Obtain recip. Acct. No.

Sender Acct. No. in Section 7 will be billed. **Recipient** **Third Party** **Credit Card** **Cash/Check**

Total Packages 1 Total Weight 01 lbs. Credit Card Auth. _____

*Our liability is limited to US\$100 unless you declare a higher value. See the current FedEx Service Guide for details.

Rev. Date 5/15 • Part #162134 • ©1994-2015 FedEx • PRINTED IN U.S.A. SRM

earthsmart
 FedEx cardboard envelope solutions
 CMPC
 SECRETARY BUREAU

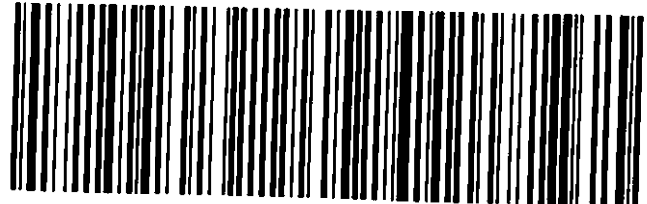
RT 205
 FZ 229
 6 15:00
 B 0453 08.25

TRK# 0215 8119 3137 0453

FRI - 25 AUG AA
 STANDARD OVERNIGHT

EN MDTA

17120
 PA-US
 MDT



FED-EXP-001 1800 GO FEDEX 1800-453-3339