



**PHILADELPHIA GAS WORKS**

800 West Montgomery Avenue • Philadelphia, PA 19122

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Graciela Christlieb, Senior Attorney  
Legal Department  
Direct Dial: 215-684-6164  
FAX: 215-684-6798

September 7, 2017

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

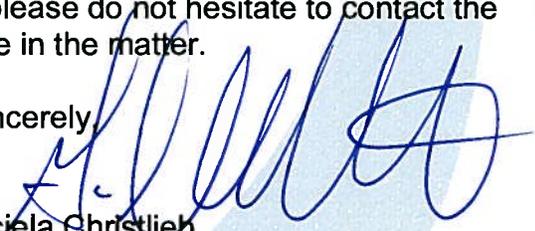
**Re: Arnold Neubauer v. Philadelphia Gas Works, Docket No. C-2017- 2595708**

Dear Secretary Chiavetta:

The Philadelphia Gas Works hereby files its Reply to the Complainant's Motion to Change Venue, 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: Arnold Neubauer

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Arnold Neubauer**

**v.**

**Philadelphia Gas Works**

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**Docket No. C – 2017 – 2595708**

**PHILADELPHIA GAS WORKS'  
REPLY TO COMPLAINANT'S  
MOTION TO CHANGE VENUE**

The Philadelphia Gas Works ("PGW") hereby files its Reply to the Complainant's Motion to Change Venue ("Motion"). PGW objects to the Motion.

**I. HISTORY OF PROCEEDINGS RELEVANT TO REPLY**

On March 13, 2017, the Complainant filed his Formal Complaint with the Pennsylvania Public Utility Commission ("Commission") against PGW generally alleging that there are incorrect charges on his bill.

On April 19, 2017, PGW filed an Answer with New Matter as well as a Motion for Summary Judgment.

By Hearing Order dated June 22, 2017, a telephonic hearing was scheduled for August 17, 2017.

On August 7, 2017, the Court directed the Secretary's Bureau to file a letter it had received from the Complainant requesting an in-person hearing and title the letter as a Motion to Change Venue.

PGW's Motion for Summary Judgment has not yet been ruled on.

**II. REPLY**

PGW objects to the Complainant's Motion on the grounds that the Complainant's reasons for requesting a change of venue are insufficient to grant such a Motion. The Complainant's Motion asserts that there is too much data/documents involved as well as too many dates and times, however, the documents, data, and timeframe that will be

covered in this hearing are minimal. The Complainant filed a factually similar complaint in 2016, Docket No. C-2016-2547227, that was resolved by way of a settlement between the parties. A Certificate of Satisfaction was filed for that complaint on August 10, 2016. Under *Titus Wright v. Philadelphia Gas Works* (Docket No. C-2013-2368462), the instant Complaint should be dismissed, but even if it is not, the Complainant is barred from relitigating the issues raised in his prior complaint, which would limit the timeframe encompassed in his instant Complaint to the events between August 10, 2016 and March 13, 2017, which is only 7 months. PGW, as the respondent, intends to submit 4 or 5 exhibits and only one witness.

Also, the Complainant's demeanor during his interactions with PGW staff and employees indicate that the interests of all parties would be better served by having this hearing conducted telephonically.

**Wherefore**, PGW respectfully requests that this Commission deny the Complainant's Motion to Change Venue, Grant PGW's Motion for Summary Judgement, and dismiss the instant Complaint.

September 7, 2017

Respectfully submitted,



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

**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 Reply 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.

September 7, 2017

  
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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:

Mr. Arnold Neubauer  
430 Fern Street  
Philadelphia, PA 19120

September 7, 2017



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