

Yvonne A. Whisenant
1521 Inverness Drive, Mechanicsburg, PA 17050
Home Phone: 717-737-7385; Email: discodancer3752@verizon.net
Date: 20 September 2017

Judge Joel H. Cheskis
Pennsylvania Public Utility Commission
Office of Administrative Law Judge
P.O. BOX 3265
Harrisburg, PA 17105-3265

RECEIVED

SEP 21 2017

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Akeem Simmons v. UGI Utilities, Inc.
Complaint Docket No. C-2017-2605783

Dear Judge Cheskis,

Please consider scheduling a courtroom hearing to hear additional facts, objections and rebuttals that I was not able to be present at the telephonic hearing conducted on 22 August 2017. I submit the following reasons and facts to support a courtroom hearing. If you cannot grant a courtroom hearing, then please add these reasons and facts to the formal case record.

1. In my letter of 19 June 2017 to Secretary Rosemary Chiavetta, I strongly requested a "PHYSICAL" (courtroom hearing). Due to my disability and during the telephonic hearing, I could not always hear the conversations clearly that left me at a disadvantage and the length of that hearing caused much discomfort.
2. In the formal PUC complaint, we listed several key witnesses to be subpoenaed that could have been accommodated with a courtroom hearing. I do not have subpoena authority and the logistics to have witnesses, hostile or otherwise, present for a telephonic hearing would have been impossible. (I have enclosed another list of witnesses that should be subpoenaed if granted a courtroom hearing.)
3. I did not receive Attorney Crayne's letter of 14 August 2017 with exhibits R1-R10 until the day before the hearing which did not allow me sufficient time to arrange an escorted inspection of Ashley's property so I could properly respond. Also, Ashley Mowery had not received this documentation and could not follow along with discussions nor properly respond. Your hearing notices advised that exhibits must be received at least 5 days before the hearing.
4. Attorney Crayne and UGI personnel repeatedly stated that Ashley Mowery, Akeem Simmons and myself had a responsibility to protect their utility system, quoting from ambiguous Pennsylvania regulations. Ashley Mowery had been arrested and incarcerated since 10 October 2015 making it impossible for her to protect the utility system. **A violent crime was committed at Ashley's property where she was almost killed.** Law enforcement knew of this violent crime yet refused my repeated requests for a police escort to inspect Ashley's property. On 26 October, the locksmith, realtor, and I noticed the emptiness, vandalism, and evidence of squatters which made us fearful: we had no way of knowing if

someone was hiding in the basement with a weapon. The lack of response from police intensified our fear and we left the property immediately after the locks were changed. I did my best to protect Ashley's property and to find the people responsible for her stolen property to include the tampering and theft of utilities.

I know of no Pennsylvania regulation that would require persons to put their lives in danger to inspect and protect property, including utilities.

5. In a response email to me on 25 July 2017, Captain Olivera told me that he would meet with Det. Licata to advise him of the PUC telephonic hearing; I was expecting Det. Licata to participate in the hearing and to testify to his investigation into the theft of Ashley's property including the theft of utilities. In any event, it was negligent of both the Harrisburg Police Department and the Detective Bureau to never inspect Ashley's property during their investigations, and I should have had the opportunity to question officers and detectives on their methods of investigation. It is absolutely relevant that I alerted the Harrisburg Police Department and Detective Bureau to report suspicious activity and possible criminal activity at Ms. Mowery's property to include filing a formal complaint on 23 November 2016, and did so prior to the lease with Mr. Simmons. This attest directly to my diligence in trying to protect Ms. Mowery's property.
6. UGI neglected to have their technician, Justin (610-842-3277) available for testimony and cross examination. Justin was the first UGI personnel to report to Ashley's property on 7 February 2017 and the best witness to the condition of the gas and water equipment/utilities. Justin had been working on the furnace for at least 20 minutes before he detected the tampered (rigged) gas and water system. Justin advised both Akeem Simmons and I that novices/laypersons, such as ourselves, would not have been able to detect the tampered systems. The fact that Justin no longer works for UGI is no excuse to exclude his testimony and he should be subpoenaed to testify.
7. UGI consistently spoke of "rigged" systems in prior correspondence that led me to imagine some elementary connections; however, Attorney Crayne's exhibits R-8.1, .2, .3 And .4 showed very sophisticated connectivity that could not be identified as "rigged" or "tampered" by a novice or layman. Also, I could not identify a gas meter laying on the ground in those pictures. With the delay of Attorney Crayne's 14 August letter, I had no time to inspect the property with a protective escort. Whether or not the illegal bypass could have been installed by a "novice or layman" is critically relevant because those were sophisticated connections that neither I nor Mr. Simmons had the expertise to accomplish. Further, I was only ever in the basement with Capital Region Water Company personnel who delivered the new water meter, and they also could not identify that the gas system was tampered. These are additional personnel that could be subpoenaed.
8. UGI admittedly made several services calls to Ashley's property from 29 October 2016 through 22 June 2016, yet they did not respond to my questions as to who made those service calls, what was the nature of those service calls, and who gave UGI access to the property. I have provided exhibits of UGI invoices for services calls made during that timeframe. It is curious, even suspicious, that UGI Mr. Klopp and Mr. Huber testified to performing service at the property on 22 June

2016; yet Attorney Crayne did not submit any record or invoice for that date. It certainly indicates that a person or persons had unauthorized access to the property to which Attorney Deb Hannon has privileged information, but I could not question her because she did not call back to the telephonic hearing after the interruption. The answers to these questions is key to the issue of stolen utilities. Other persons having known access to Ashley's property is indeed relevant. The theft of Ashley's property DID NOT occur during my involvement with Ashley's property. Attorney Deb Hannon was Ashley's attorney and power of attorney since April 2016 and Ms. Hannon repeatedly told me that she could not discuss Ashley's case with me. I only found out that Ashley's property was stolen on 26 October 2016 when I went to Ashley's property to change the locks (the locksmith had to open Ashley's property with a master lock mechanism). Attorney Crayne keeps ignoring the fact that Attorneys Deb Hannon and William Balaban were Ashley's attorneys and that Deb Hannon was also Ashley's power of attorney since April 2016. Deb Hannon advised me that she had numerous conversations with UGI personnel, but never got to testify to this fact during the telephonic hearing. I NEVER had custody or control of Ashley Mowery's property and that fact was never stated in the hand scribed power of attorney piece of paper that was provided to me.

9. Tracie Sullivan signed a lease with Attorney Deb Hannon to rent Ashley's property at 429 Crescent Street, Harrisburg, Pa. on 12 July 2017. Both Tracie Sullivan and Deb Hannon witnessed that all Ashley's property was in place. Tracie Sullivan had just been **released from prison**, she had motive, and was desperate for cash, transportation, and a place to live. Shortly thereafter, during Tracie Sullivan's rental of Ashley's property, most of Ashley property went missing including two vehicles. Attorney Deb Hannon had conversations and has critical text messages from both Ida Torres and Tracie Sullivan wherein they incriminated themselves as to criminal activity regarding Ashley's cash and property. Ashley Mowery also has evidentiary, prison recorded, telephone conversations with Ida Torres and Tracie Sullivan. Tracie Sullivan admitted to both Ashley and Attorney Deb Hannon that her father had done construction work at Ashley's property including the basement where utilities are housed. Tracie Sullivan's mother, Janette (717-939-2980), admitted to me that her father was doing construction work in Ashley's home. Again, I did not have an opportunity to question Attorney Deb Hannon at the telephonic hearing concerning those facts.
10. UGI testified that they had a copy of Tracie Sullivan's lease, but that she never requested UGI services to be transferred to her name. That fact should have been a "red flag" to UGI who should have investigated and protected their own property. UGI was woefully negligent with regards to their utilities at 429 Crescent Street, Harrisburg, PA.
11. The Chronology of Events shows that I did not ignore my responsibilities and was diligent in protecting Ashley's property; but I was, not then nor now, compelled to put my life at risk to protect said property or utilities. Since April 2016, Deb Hannon had been dealing with Ashley's affairs along with Attorney William Balaban: paid, legal professionals who had more jurisdiction and responsibility

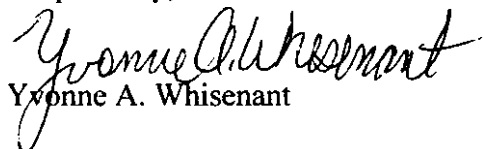
over Ashley's affairs and property. They had been involved with Tracie Sullivan and Ida Torres, having conversations, texting and drafting all leases and other legal documentation. I merely agreed to collect rent from any future renters (in this case Akeem Simmons) and arrange for any necessary repairs to be paid from the accumulation of rent. I did not seek out Mr. Simmons: Mr. Simmons and his mother, Lisa Harding were friends of Ashley Mowery and Ashley asked me to contact, Lisa Harding (717-608-9128) so that her son, Akeem, could rent Ashley's property.

12. Attorney Crayne gave considerable testimony in his closing argument to which I was not afforded an opportunity to object or rebut.

CONCLUSION.

The real tragedy is the injustice to Ashley Mowery who was a victim of a violent crime to the point of death. Her property should have been rented as furnished, yielding a monthly rent of approximately \$800.00 that could have been used for her legal defense, and support for her young daughter. Instead, persons stole and vandalized her property; attorneys neglected to provide adequate counsel and protections; and law enforcement neglected to conduct adequate investigations to bring the "real" perpetrators to justice. I got involved to aide with Ashley's legal defense and ended up in this unwarranted nightmare. It is sad that we've had to endure this process without a beneficial and timely solution. There are so many people desperate for housing especially to relocate immigrants and survivors of natural disasters and accidents like the residents of Florida and Texas. Ashley's property would be ideal for just those instances. In addition to Catholic Relief services, I've posted advertisements seeking charities and social organizations that may be interested in this property and could use charitable contributions to pay UGI the funds they are seeking in order to get the gas restored and house worthy candidates. UGI, with all their resources, could use this situation to fulfill part of their annual charitable contributions making this a win/win situation for everyone and positive publicity for UGI instead of trying to extract exorbitant payment from innocent parties. No one in this country should be homeless or hungry.

Respectfully,


Yvonne A. Whisenant

File script: Letter-Motion Cheskis 20 September 2017

RECEIVED

SEP 21 2017

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Akeem Simmons v. UGI Utilities, Inc.
Complaint Docket No. C-2017-2605783

The following is a list of persons to be subpoenaed as witnesses if the request for a courtroom hearing is granted.

Officer Kreiser, Harrisburg Police Department, 123 Walnut St. Harrisburg, PA 17101

Detective Laura Green, Harrisburg Police Department, Detective Division, 123 Walnut St. Harrisburg, PA. 17101

Detective Nicholas Licata, 717-255-3186; nlicata@cityofhbg.com; Harrisburg Police Department, Detective Division, 123 Walnut St. Harrisburg, PA. 17101

Attorney Debra Hannon, 717-846-4850; cell 717-891-2942; debhannon@comcast.net; 55 S. Yale St. York, Pa. 17403

Attorney Bill Balaban, 717-695-2901; wbalaban@balabanandassociates.com; 27 N. Front St., Harrisburg, Pa. 17101

UGI Representatives: Maintenance Technician, Justin, 610-842-3277; Revenue Protection Department, Supervisor John and agent, Angie, 800-276-2722; UGI, P.O. Box 12407, Reading, Pa. 19612

Tracie Sullivan, and her daughter, Jasmine Benner, 717-839-0616; (parents address and phone number: 545 Highland St. Enhaut, Pa, 717-939-2980)

Etanalcia Torres (alias:Ida Tores) whereabouts unknown.

Please note that Akeem Simmons mother, Lisa Harding will also testify but does not require a subpoena. 717-608-9128; 249 Crescent St. Harrisburg, Pa. 17104

Certificate of Service

I hereby certify that I have served a true and correct copy of the foregoing documents upon the participants, listed below, in accordance with the requirements of Sec. 1.54 (b) (1) (relating to service by participant).


Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone building, 400 North Street
Harrisburg, PA 17120

Larry R. Crayne, PC, Attorney at Law
238 Johnston Road
Pittsburgh, PA 15241

Akeem Simmons
249 Crescent Street
Harrisburg, PA 17104

Ashley Mowery, Inmate # OX9536
State Correctional Institute
451 Fullerton Avenue
Cambridge Springs, PA 16403-1238

Dated this 20th day of September, 2017


Yvonne A. Whisenant
1521 Inverness Drive
Mechanicsburg, PA 17050

RECEIVED

SEP 21 2017

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



Joanne A. Wisenant
1521 Inverness Drive
Mechanicsburg, PA 17050

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
CERTIFIED MAIL



7015 1730 0000 8026 4103

CPU



U.S. POSTAGE
\$7.29
FCMF 0000
Orig: 17050
Dest: 17120
09/21/17
11082384 06 29

Rosemary Chiovetto, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
460 North Street
Harrisburg, PA 17120