

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DOCUMENT
FOLDER

James Rich

v.

Philadelphia Gas Works

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C-2017-2599266

I, James Rich, submit the following exception to Judge Pell's October 13, 2017 Initial Decision.

EXCEPTION 1:

Judge Pell finds that "on an undisclosed date, PGW issued a termination notice to Complainant for non-payment." Finding of Fact 14. Judge Pell also finds, without reviewing the notice, that it included the necessary information to inform me of the steps to avoid termination. Finding of Fact 15.

I believe Judge Pell made a mistake. As Judge Pell recognized, I filed a complaint for two reasons – because PGW threatened to terminate my service and because I wanted a payment arrangement. Although Judge Pell addressed the second issue, he failed to address the first.

The contents of PGW's termination notice are essential to resolving my dispute. Without examining PGW's termination notice, Judge Pell fails to conclude that PGW's demands are reasonable and consistent with the terms of the Public Utility Code.

Although Judge Pell is correct that I did not produce PGW's termination notice, my complaint specifically alleged that PGW was threatening to shut me off, which I believe is sufficient for me to shift to PGW the burden to prove that its termination threats are lawful. I do not have a lawyer and Judge Pell could have required PGW to provide a copy of its notices for examination in this proceeding.

Instead, Judge Pell assumed PGW's notices were appropriate. He failed to ensure that PGW's termination notice adequately apprised me of the steps to avoid termination, including by demanding no more in payment than PGW is permitted to request under the Public Utility Code.

I respectfully request further review of PGW's termination and notice practices, consistent with my complaint.

James J. Rich, Jr.
James Rich
11-3-17

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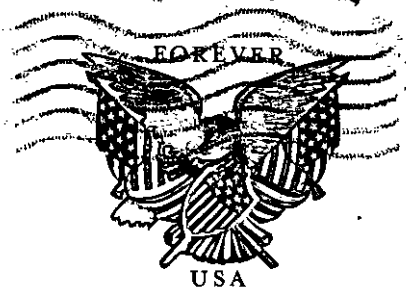
JAMES RICH
1144 E MT AIRY AVE
2ND FLR APT
PHILADELPHIA - PA 19150



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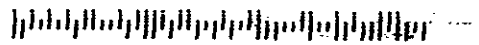
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