



PHILADELPHIA GAS WORKS

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November 13, 2017

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

Re: Debbie Hughey v. PGW, Docket No. C-2016-2567445

Dear Secretary Chiavetta:

The Philadelphia Gas Works ("PGW") hereby files its reply to the Complainant's Petition to Reopen the Record.

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

Sincerely,


Danielle Leva

Enclosure

cc: Debbie Hughey (Regular Mail)
Wendy Vacca (PGW Mail)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Debbie Hughey

v.

Philadelphia Gas Works

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Docket No. C – 2016 – 2567445

**PHILADELPHIA GAS WORKS' REPLY TO
COMPLAINANT'S PETITION TO REOPEN THE RECORD**

The Philadelphia Gas Works (PGW) hereby files its Reply to the Complainant's Petition to Reopen the Record filed on October 30, 2017.

I. HISTORY OF PROCEEDINGS RELEVANT TO REPLY

On September 21, 2016, the Complainant filed her Formal Complaint with the Pennsylvania Public Utility Commission (Commission) against PGW.

On October 11, 2016, PGW filed an 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 Notice issued May 18, 2017, the evidentiary hearing in this case was scheduled for June 15, 2017.

On June 15, 2017, the hearing convened as scheduled and the Complainant presented her case testified on her own behalf.

On October 30, 2017, the Complainant filed this Petition to Reopen the Record.

II. REPLY

While Commission Regulations allow a party to petition to reopen the proceeding any time after the record is closed but before a final decision is issued for the purpose of taking additional evidence (52 Pa. Code § 5.571(a)), the burden is on the petitioner to show grounds for reopening the proceeding, including changes of fact or law that have occurred since the conclusion of the hearing. 52 Pa. Code § 5.571(b) see

e.g., Application of Kris Eckerl t/b/a Michael's Moving and Storage, Docket No. A-2014-2429336 (Order entered November 19, 2015). Moreover, to reopen the record pursuant to 52 Pa. Code § 5.571, a party must demonstrate that the evidence could not have been discovered in the exercise of due diligence prior to the hearing. See, *e.g., Douglass Bedell v. Verizon Pennsylvania Inc.*, Docket No. C-20016189 (Order entered June 27, 2002). The Complainant's Petition fails to demonstrate either that any changes of fact or law have occurred since the conclusion of the hearing, or that there is evidence that she could not have discovered, prior to the hearing through the exercise of due diligence. Instead, the Complainant's Petition consists of 11 numbered reasons for why she filed the Complaint against PGW and a few paragraphs worth of baseless accusations against PGW and the ALJs who have presided over portions of this matter.

Wherefore, PGW respectfully requests that this Commission deny the Petition.

November 13, 2017

Respectfully submitted,



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.

November 13, 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

November 13, 2017



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