

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17105-3265**

**Marta Abrantes
v.
Philadelphia Gas Works**

**Public Meeting held March 15, 2018
2613845-ALJ
Docket No. F-2017-2613845**

MOTION OF CHAIRMAN GLADYS M. BROWN

On June 30, 2017, Marta Abrantes (Complainant) filed a formal Complaint against Philadelphia Gas Works (PGW) alleging incorrect charges on her bill. The Complainant alleged that her gas bills increased as a result of a gas leak that she reported to PGW on December 1, 2016. Complainant further alleged that PGW investigated her concerns and declared her home safe, only to come to her home in February 2017 in response to her high bill concerns, at which time PGW determined she did have a leak. Complainant requested that PGW adjust her bills to account for the leak that should have been fixed in December 2016.

The matter was scheduled for hearing on October 6, 2017. On the evening of October 5, 2017, the Complainant left a message for the ALJ stating that she was unable to attend due to a work conflict. The hearing was convened on October 6, 2017, and the Complainant did not appear. PGW moved for dismissal for lack of prosecution. The ALJ dismissed the Complaint, with prejudice, for failure to prosecute.

Because the ALJ's August 14, 2017 Prehearing Order warned of the consequences of not appearing at hearing and advised the Parties that any continuances should be sent at least five days in advance of the evidentiary hearing, I agree with dismissing the Complaint. However, I note that this Complaint, if verified, raises serious safety concerns. Therefore, I believe the dismissal should be without prejudice, and the matter of PGW's response to the gas leak inquiry made on December 1, 2016 and any related billing inconsistencies, should be referred to our Bureau of Investigation and Enforcement for such further action as deemed appropriate.

THEREFORE, I MOVE:

1. That the ALJ's Initial Decision be modified consistent with this Motion.
2. That the Office of Special Assistants draft an Opinion and Order consistent with this Motion.

March 15, 2018
Date



Gladys M. Brown, Chairman