



COMMUNITY LEGAL SERVICES
OF PHILADELPHIA

October 1, 2018

VIA E-Filing

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

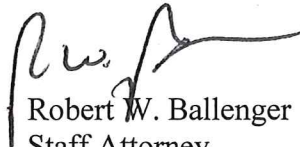
RE: Ines Rios v. Philadelphia Gas Works, Docket No: C-2018-3003457

Dear Secretary Chiavetta,

Enclosed for electronic filing is the Motion for Continuance of Ines Rios in the above-captioned matter. Please be advised that counsel for Ms. Rios has contacted counsel for PGW and confirmed that PGW has no objection to Ms. Rios' request for continuance.

Copies have been served on the parties of record in accordance with the Certificate of Service.

Sincerely,



Robert W. Ballenger
Staff Attorney

Enclosure

cc: Honorable Eranda Vero
Graciela Christlieb, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Ines Rios	:	
	:	
Complainant	:	
v.	:	Docket No. C-2018-3003457
	:	
	:	
Philadelphia Gas Works	:	
	:	
Respondent	:	

MOTION FOR CONTINUANCE

AND NOW comes Complainant, Ines Rios, by and through counsel, and files this Motion for Continuance in accordance with Section 1.15(b) of the Commission’s regulations, 52 Pa. Code §1.15(b). In support thereof, Complainant states as follows:

1. On July 17, 2018, Complainant filed a Formal Complaint (“Complaint”) against Philadelphia Gas Works (“Respondent”) denying the existence of any unauthorized usage,¹ asserting that she was incorrectly charged for alleged unauthorized usage, and alleging that Respondent improperly shut off and denied her gas service.
2. Complainant seeks an order from the Commission directing PGW to remove charges for alleged unauthorized use and restore service, finding PGW violated the Public Utility Code, imposing penalties on PGW and granting such other relief as is just and appropriate.
3. On August 13, 2018, Respondent answered the Complaint, asserting that a PGW technician discovered that Complainant’s gas meter “had been tampered with, indicting theft” and acknowledging that PGW shut off the gas, removed Complainant’s meter, and

¹ As used by Complainant, the term “unauthorized usage” or “unauthorized use” has the meaning ascribed to it in Commission Regulations, 52 Pa. Code §56.2, to wit: “Unreasonable interference or diversion of service, including meter tampering (any act which affects the proper registration of service through a meter), by-passing unmetered service that flows through a device connected between a service line and customer-owned facilities and unauthorized service restoral.”

billed Complainant for unauthorized usage due to an alleged “tampered meter bypass.”

PGW requested the Commission find against Complainant and dismiss the Complaint.

4. By hearing notice dated August 21, 2018, a Hearing in this matter was scheduled for October 16, 2018 at 10:00 am before Administrative Law Judge Eranda Vero.
5. Until recently, Complainant has been primarily represented by Joline Price, Esq., at Community Legal Services.
6. Ms. Price began a period of extended family leave on September 20, 2018, and is not anticipated to return to work until January 2019.
7. Effective upon Ms. Price’s commencement of family leave, the responsibilities associated with Complainant’s case shifted to Robert Ballenger, Esq., who is now serving as Complainant’s primary counsel.
8. Mr. Ballenger has an oral argument in another proceeding that is scheduled for October 16, 2018 at 10:00 am, directly conflicting with the scheduled hearing in this matter.
9. Complainant’s new primary counsel is also reviewing PGW’s responses to Complainant’s discovery, and intends to engage in further discovery with PGW regarding this matter.
10. Complainant’s counsel would require sufficient time to review any responses to ongoing discovery and to determine next steps prior to the hearing, which may include settlement discussions with Respondent.
11. Counsel for Respondent has confirmed it has no objection to the continuance requested hereby.

WHEREFORE, Complainant respectfully requests that the above-captioned matter be continued.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. W. Ballenger', is written over a horizontal line.

Robert W. Ballenger
Attorney for Complainant
COMMUNITY LEGAL SERVICES, INC.
1424 Chestnut Street
215-981-3788

October 1, 2018

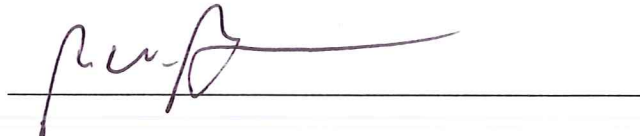
CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of Complainant's Motion for Continuance of the October 16, 2018 Hearing upon the parties, listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party).

Via First Class Mail (Courtesy Copy to Counsel by Email):

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

Administrative Law Judge Eranda Vero
Pennsylvania Public Utility Commission
801 Market Street, Suite 4063
Philadelphia, PA 19107



Robert W. Ballenger
Attorney for Complainant
COMMUNITY LEGAL SERVICES, INC.
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