

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17120**

Nidza Negron
v.
Philadelphia Gas Works

Public Meeting: October 4, 2018
2637116-ALJ
Docket No. C-2017-2637116

STATEMENT OF VICE CHAIRMAN ANDREW G. PLACE

Before the Commission for consideration is the Initial Decision (I.D.) of Administrative Law Judge (ALJ) Pell in the Complaint of Nidza Negron regarding Philadelphia Gas Works (PGW or Company) in the above-captioned proceeding. The I.D. denied the Complaint wherein Ms. Negron seeks a Commission payment arrangement for her non-CAP arrearage.

ALJ Pell indicated that, "Based on the Complainant's poor payment history, as well as the Complainant's failure to keep the terms of three separate company issued payment arrangements, it is unlikely that she would be able to keep the terms of a three-year payment arrangement where she would be required to pay \$396.81 per month in addition to her regular monthly payments".¹ Inability to pay or likeliness to default, are not standards set out in either statute or regulation that guide how the Commission rules on payment arrangements. The Commission cannot prejudge whether a complainant will stay current with a payment arrangement nor should this be a deciding factor in whether or not to award one.

However, I do agree with the final disposition of the case and agree with ALJ Pell that Ms. Negron has not established a good faith effort which is the current guidance on deciding whether a Commission based payment arrangement is warranted in a case where termination has already occurred.

October 4, 2018

Date


Andrew G. Place, Vice Chairman

¹ Initial Decision. p.12.