



**PHILADELPHIA GAS WORKS**

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October 4, 2018

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

**Re: James Rich v. PGW, Docket No. F-2018-3002258**

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code §5.535, the Philadelphia Gas Works hereby files its Reply to the Complainant's Exceptions to the Initial Decision issued September 17, 2018.

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

Sincerely,

  
Graciela Christlieb

cc: James Rich

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>James Rich</b>	:	
	:	
v.	:	<b>Docket No. F-2018-3002258</b>
	:	
<b>Philadelphia Gas Works</b>	:	

**PHILADELPHIA GAS WORKS’  
REPLY TO COMPLAINANT’S EXCEPTIONS**

Pursuant to 52 Pa. Code §5.535, the Philadelphia Gas Works, (“PGW”) hereby files its Reply to the Complainant’s Exceptions to the Initial Decision issued September 17, 2018.

**I. INTRODUCTION**

On May 22, 2018, the Complainant, James Rich, filed a Complaint with the Pennsylvania Public Utility Commission (“Commission” or “PUC”) against PGW wherein the Complainant alleged that PGW was threatening to terminate his service and indicated that he wanted a payment agreement as well as a medical hold on his account.

On May 31, 2018, Graciela Christlieb, Esquire, counsel for the Respondent, filed an Answer to the Complaint.

The initial in-person hearing in this matter was convened, as scheduled, on August 1, 2018. The Complainant was present, but insisted that he was not available to be present for the hearing and stated that he wanted the hearing continued. PGW objected to the hearing being continued. The Complainant’s request to continue the hearing was denied.

On September 17, 2018, Judge Brady issued his Initial Decision in the above captioned matter wherein he found that the Complainant had failed to carry his burden of proving that he was entitled to a new or subsequent Commission-issued Payment arrangement or medical hold and dismissed the formal Complaint.

The Complainant filed Exceptions on September 27, 2018. This timely Reply follows.

**II. PGW’S REPLY**

The Complainant’s exceptions fail to address any error in fact or law contained in the Initial Decision refuting the conclusions that the Complainant failed to sustain his burden of

proving that he was entitled to another payment arrangement from the commission or that he was entitled to a further medical hold on his account.

### **Exceptions**

The Complainant's Exceptions are that he does not agree with the Court's decision to deny his request for a continuance.

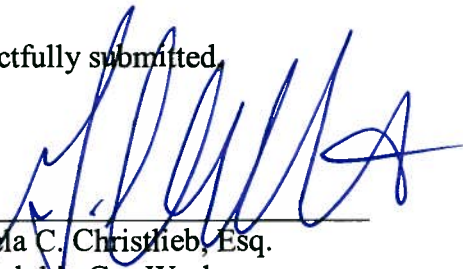
### **PGW's Reply Exceptions**

The Exceptions fail to demonstrate that the Initial Decision is unsupported by substantial evidence. Moreover, the Exceptions do not address in what way, if any, the Complainant's state of mind impacted the information he presented to the Court or allege that there was information he wished to present, but failed to do so because of his mental state. The record of this matter clearly indicates that the Complainant's state of mind was such that he was able to appear for his hearing at the appointed date and time prepared with his most recent paystub, which he was able to present (Complainant's Exhibit 1) along with the necessary relevant testimony.

### **CONCLUSION**

For the reasons stated above, the PGW requests that the Commission deny the Complainant's Exceptions to the Initial Decision and adopt the Initial Decision issued September 17, 2018 in this matter, as written.

Respectfully submitted,



Graciana C. Christlieb, Esq.  
Philadelphia Gas Works  
800 W. Montgomery Avenue  
Philadelphia, PA 19122

October 4, 2018

**CERTIFICATE OF SERVICE**

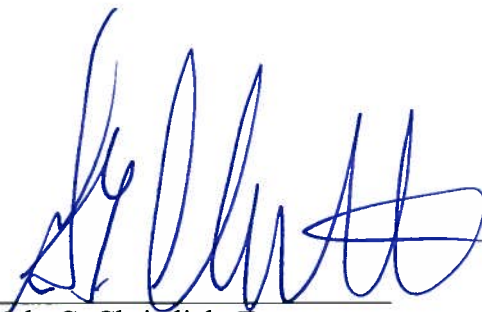
I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY OF THE FOREGOING DOCUMENT UPON THE PARTICIPANTS LISTED BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF 52 PA CODE §1.54 (RELATING TO SERVICE BY A PARTICIPANT).

Service List:

For Complainant:

Mr. James Rich  
1144 East Mt. Airy Avenue  
Apt. 2  
Philadelphia, PA 19150

October 4, 2018



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