



PHILADELPHIA GAS WORKS

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March 25, 2019

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Re: Motion to Compel Philadelphia Gas Works to Answer Complainant Tomisha Palmer's Interrogatories and Requests for Production of Documents – Set I; Tomisha Palmer v. Philadelphia Gas Works, Docket No. F-2018-3006197

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code § 5.342(g)(1), Philadelphia Gas Works hereby files its Answer to the Motion to Compel Philadelphia Gas Works to Answer Complainant Tomisha Palmer's Interrogatories and Requests for Production of Documents – Set I, in the above referenced case.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. Christlieb', is written over the typed name.

Graciela Christlieb

cc: Cert. of Service w/enc.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Tomisha Palmer	:	
Complainant	:	
v.	:	Docket No. F-2018-3006197
	:	
Philadelphia Gas Works	:	
Respondent	:	

**ANSWER OF PHILADELPHIA GAS WORKS TO COMPLAINANT’S MOTION TO
COMPEL ANSWERS TO TOMISHA PALMER’S INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF DOCUMENTS – SET I**

Philadelphia Gas Works (“PGW”) hereby files this Answer to the Motion to Compel Philadelphia Gas Works to Answer Complainant Tomisha Palmer’s Interrogatories and Requests for Production of Documents – Set I. For the reasons set forth below, Complainant’s Motion should be denied because the information sought is neither relevant to the issues raised in the above-captioned matter nor likely to lead to the discovery of relevant or admissible evidence. In support thereof, PGW states as follows:

I. BACKGROUND

This matter was initiated by a Formal Complaint filed by Tomisha Palmer (“Complainant” or “Ms. Palmer”) on November 26, 2018. In her Complaint, Ms. Palmer alleged that there are incorrect charges on her PGW bill due to PGW charging her for gas that had been stolen at her prior address (“4244 N. Hicks Street, Philadelphia PA” or “Property”). As relief, the Complaint asks that the Public Utility Commission (“Commission” or “PUC”) order PGW to provide her with service at 1763 N. Croskey Street, Philadelphia PA, without first requiring her to pay the theft charges.

On December 18, 2018, PGW filed its Answer to the Complaint wherein it denied the material allegations of the Complaint. By way of answer, PGW stated that the Complainant established service in her name at the Property as of September 26, 2012 and was subsequently terminated for non-payment on June 27, 2013. On November 19, 2013, the Complainant’s

common-law husband, Oliver Jackson, placed the service at the Property in his name. Service in Mr. Jackson's name was terminated for non-payment on July 30, 2014. PGW's Answer further stated that on June 27, 2017, the Department of Human Services along with the Complainant contacted PGW to report a strong odor of gas at the Property. Upon arrival, PGW found the gas "on." PGW also found that the gas meter had been removed from its place on the gas line and a bypassing device (stainless steel flex connector hose) installed in its place. PGW terminated the gas service to the Property at that time.

A hearing notice issued by the Commission informed the parties that an initial in-person evidentiary hearing in this matter was scheduled for February 4, 2019, before Administrative Law Judge Christopher P. Pell. On that day, the hearing convened as scheduled, but was continued when the Complainant requested a postponement in order to obtain legal counsel.

On February 26, 2018, Josie Pickens, Esq. of Community Legal Services entered her appearance in this matter as counsel for the Complainant.

On February 27, 2018, the Complainant served PGW with Tomisha Palmer's Interrogatories and Requests for Production of Documents – Set I. A true and correct copy of said document is attached hereto as "Appendix A."

On March 8 and March 11, 2019, PGW filed its Objections to Tomisha Palmer's Interrogatories and Requests for Production of Documents – Set I. True and correct copies of said documents are attached hereto as "Appendix B." Therein, PGW objected to Interrogatories 6, 8, 9, 11, 12, 13, 15, 19, 20, 21, 31, 35, and 36 either partially or in their entirety on the basis of scope and relevance (as well as an objection on the grounds of the nature of the material requested).

On March 18, 2019, the Complainant filed the instant Motion to Compel wherein she asks the Court to dismiss PGW's objections to Interrogatories 6, 9, 20, and 26, and compel PGW to provide answers and responsive documents. PGW's timely reply follows.

II. ARGUMENT

A. Tomisha Palmer's Interrogatories and Requests for Production of Documents – Set I; I-6

PGW withdraws its objection to I-6 and is providing its Answer as “Appendix C.”

B. Tomisha Palmer's Interrogatories and Requests for Production of Documents – Set I; I-9

I-9 states:

Please describe PGW's policy and procedure for investigating unauthorized usage, meter tampering, and gas theft. Please provide all current PGW manuals, training materials and documents pertaining to, but not limited to, the following:

- a. What triggers PGW to conduct an investigation;
- b. What notices are provided to the customer concerning the investigation;
- c. What PGW personnel and departments are involved in the investigation;
- d. How long the process takes; and
- e. What steps are taken to determine the reason for and the nature of the alleged unauthorized usage, meter tampering, or gas theft.

PGW objected as follows:

The scope of discovery is limited to “any matter, not privileged, which is relevant to the subject matter involved in the pending action.” 52 Pa.Code § 5.321(c). Relevant evidence is evidence that tends to make a fact at issue more or less probable. PGW objects to this interrogatory on the grounds that the bulk of the information sought is neither relevant to this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. The theft at the Property was effectuated by way of removing the meter and replacing it with a flex connector during a period of time when there were no active accounts at the property; PGW policies and procedures that do not relate to the investigation of gas theft by way of a meter bypass have no bearing on any fact at issue in this matter. As stated in the Complaint, PGW discovered the theft when the Department of Human Services did a walk-through of the Property and reported the odor of gas, which caused PGW to visit the property. Once in the Property, PGW observed its gas meter on the floor and a flex connector installed from the inlet to the outlet. The information sought that goes beyond the means of investigating the type of theft present at the Property is entirely unrelated to and would have no impact whatsoever on the issues to be decided in this case.

Complainant's position:

In paragraphs 27 and 28, Complainant argues that I-9 seeks information that is both relevant to the instant matter and reasonably calculated to lead to the discovery of admissible evidence because certain terms are used interchangeably.

PGW's Position:

PGW's Objection to I-9 was only with respect to "information sought that goes beyond the means of investigating the type of theft present at the Property." On March 19, 2019, PGW supplied Complainant with the information sought in I-9 that corresponds to thefts effectuated by way of meter removal and subsequent installation of a diversion device. PGW apologizes for any confusion or inconvenience caused by its oversight in not adding "Notwithstanding PGW's objections and without waiving same, PGW will provide the records sought with respect to theft effectuated by way of meter removal and subsequent installation of a diversion device." to its Objection to I-9.

Complainant's argument as it pertains to the information not already supplied, is without merit. Complainant fails to address any of the points raised in PGW's objection, and instead argues semantics. Complainant's argument that PGW's use of the terms "theft," "gas theft," "tampering," and "bypass" somehow creates a scenario where the information requested need no longer be limited by the language of 52 Pa.Code § 5.321 is specious. Moreover, the result would leave every utility open to discovery regarding each and every type of theft regardless of the type of theft present in the case, which is clearly antithetical to the requirement that discovery be limited that "which is relevant to the subject matter involved in the pending action."¹ The meter at the Property was *tampered* with when it was removed from its place on the meter bar. A "device connected between a service line and customer-owned facilities"² was then installed to divert natural gas service, which is a *bypass*; it is entirely correct and appropriate to use these terms when describing the theft that occurred at the Property and doing so does not make information regarding all types of tampering and all kinds of bypasses relevant to the issues raised in this case. The information sought in I-9 that pertains to types of theft not present in this

¹ 52 Pa.Code § 5.321(c).

² Definition of Unauthorized Use of Utility Service; 52 Pa.Code § 56.2.

case (magnetic interference, ERT head manipulation, etc.) is not relevant or likely to lead to the discovery of relevant evidence because the evidence PGW looks for and the factors PGW uses to determine theft is different in each scenario. How PGW investigates whether an ERT head has been tampered with has no bearing on a case where the entire meter was removed and PGW's information regarding the investigation of magnetic interference has no bearing on a case where the gas was being stolen through a flex connector. The information sought in I-9, *which has not already been provided*, is entirely irrelevant and not likely to lead to the discovery of evidence relevant to the instant matter.

C. Tomisha Palmer's Interrogatories and Requests for Production of Documents – Set I; I-20

PGW withdraws its objection to I-20 and is providing its Answer as "Appendix D."

D. Tomisha Palmer's Interrogatories and Requests for Production of Documents – Set I; I-26

I-26 states:

Please provide complete records on the history of the meter that was removed from the property. Please include:

- a. The age of the meter;
- b. The date on which it was first placed into service (whether at the property or elsewhere);
- c. The date on which the meter was first installed at the Property (if different from the response to II-11(b));
- d. Whether PGW had, since first being placed into service through and including the date the meter was removed from the property, ever determined that the meter had been tampered with and on what date(s) PGW made this determination; and
- e. Records of any and all service performed on the meter since it was first placed into service, including but not limited to, records of any refurbishing, meter testing, ERT replacement or repair, or otherwise.

PGW objected as follows:

The scope of discovery is limited to "any matter, not privileged, which is relevant to the subject matter involved in the pending action." 52 Pa.Code § 5.321(c). Relevant evidence is evidence that tends to make a fact at issue more or less probable. PGW objects to this interrogatory on the grounds that the information sought is neither relevant to this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. The history of the meter that was removed from the property has no bearing on any fact at issue in this proceeding. The theft at the Property was effectuated by way of removing the meter and

replacing it with a flex connector during a period of time when there were no active accounts at the property; a method which effectively takes the meter and the attached AMR out of the equation entirely. There has been no allegation made by the Complainant that the issues she has raised in her Complaint are the result of the meter and/or AMR not being maintained properly or that some malfunction on the part of the meter and/or AMR is to blame for PGW terminating her service for theft. The information sought is entirely unrelated to and would have no impact whatsoever on the issues to be decided in this case.

Complainant's position:

In paragraph 40, Complainant argues that I-26 seeks information that is both relevant to the instant matter and reasonably calculated to lead to the discovery of admissible evidence because “when and how PGW installed, serviced, inspected repaired, or removed such meter is directly relevant to whether PGW can show Complainant actually bypassed or tampered with the meter and relevant to the calculation of the charges PGW is requesting of Complainant based on that tampering.”

PGW's Position:

Complainant's argument mischaracterizes the burden of proof as being on PGW to “show Complainant actually bypassed or tampered with the meter” and assumes that PGW needs the information sought to establish the Complainant's liability, which it does not. Complainant further argues that the relevance of the information sought stems from the necessity of obtaining “information that forms the basis of PGW's allegations that are the subject of the Formal Complaint.” However, the information sought in I-26 in no way forms the basis for any of PGW's allegations in this case. The meter itself does not figure into why PGW terminated service to the Property for theft or held Complainant responsible for the theft balance due.

Notwithstanding PGW's objections and arguments and without waiving same, PGW will provide all meter test results it has for the meter that was removed from the Property. PGW will also provide information responsive to I-26(a), (b), (c), and (e) in the form of an Answer. Meter test results as well as PGW's Answer to I-26(a), (b), (c), and (e) are attached hereto as “Appendix E.” Information responsive to I-26(d) will be supplied in PGW's Answer to I-6.

III. CONCLUSION

WHEREFORE, Respondent PGW respectfully requests that the Court deny Complainant's instant Motion to Compel and sustain PGW's Objections to Tomisha Palmer's Interrogatories and Requests for Production of Documents – Set I; Number 9 and Number 26.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Graciela Christlieb', is written over a horizontal line.

Graciela Christlieb, Esquire
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122

March 25, 2019

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Tomisha Palmer	:	
Complainant	:	
v.	:	Docket No. F-2018-3006197
	:	
Philadelphia Gas Works	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of Philadelphia Gas Works' Answer to Complainant's "Motion to Compel Philadelphia Gas Works to Answer Complainant Tomisha Palmer's Interrogatories and Requests for Production of Documents – Set I" in accordance with the requirements of 52 Pa.Code § 1.55 (relating to service on attorneys).

By electronic and first-class mail:

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March 25, 2019



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

Appendix

A

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

TOMISHA PALMER	:	
Complainant	:	
	:	
	:	F-2018-3006197
	:	
	:	
PHILADELPHIA GAS WORKS	:	
Respondent	:	

Tomisha Palmer’s Interrogatories and Requests for Production of Documents
SET I

Pursuant to 52 Pa. Code §§5.341, 5.349, Complainant Tomisha Palmer, through counsel Community Legal Services, Inc., hereby propounds the following Interrogatories and Requests for Production of Documents to Philadelphia Gas Works (hereinafter “PGW”) to be answered by those officers, employees or agents as may be cognizant of the requested facts and/or documents and who are authorized to answer on behalf of the Company. The due date for response to the Interrogatories is twenty (20) days from the date of service.

The following instructions apply to these interrogatories:

1. These interrogatories shall be deemed to be continuing. PGW is obliged to change, supplement and correct all answers to interrogatories to conform to available information, including such information as first becomes available to PGW after the answers hereto are served.
2. The answer should first restate the question asked and also identify the name and position of the individual who provided the answer.

3. Each interrogatory and request for production shall be answered fully and completely. All information is to be divulged that is within the knowledge, possession, control, or custody of PGW or may be reasonably ascertained thereby. The term “PGW” or “Company” as used herein includes PGW, its attorneys, agents, employees, or other representatives.

4. As used in these discovery requests, the following terms shall have the meanings provided below, unless the context clearly requires otherwise:

- a. “Account” means the PGW gas account associated with Tomisha Palmer, Account No. 0365315463 and all charges attributed to such Account, at the Property.
- b. “Commission” means the Pennsylvania Public Utility Commission, including, without limitation, the Commission’s Bureau of Consumer Services and the natural persons providing services as investigators thereto.
- c. “Complainant” means Tomisha Palmer.
- d. “Document” or “workpaper” means and includes, but is not limited to, the original and all copies (regardless of origin and whether or not including additional writing thereon or attached thereto) of memoranda, reports, books, manuals, instructions, directives, records, forms, notes, letters, notices, confirmations, telegrams, pamphlets, notations of any sort concerning conversations, telephone calls, meetings or other communications, bulletins, transcripts, diaries, analyses, summaries, correspondence and enclosures, circulars,

opinions, studies, investigations, questionnaires, surveys, drawings, graphs, charts and photographs and all drafts, preliminary versions, alterations, modifications, revisions, changes, amendments and written comments concerning the foregoing, in whatever form stored or contained in or on whatever medium including computerized memory or magnetic media.

- e. "Property" means that certain dwelling located at 4244 North Hicks Street Philadelphia, PA 19140.
- f. "Record" means any and all documents or workpapers in the possession, custody or control of PGW.

Tomisha Palmer v. Philadelphia Gas Works

Docket No. F-2018-3006197

Tomisha Palmer's Interrogatories and Request for Production of Documents
Set I

I-1. Please provide all Records of contacts between PGW and Complainant since September 2012, including but not limited to, a printout of contacts and credit and collections events for any PGW accounts at the Property.

I-2. Please provide all Records of contacts between PGW and Complainant including but not limited to, a printout of contacts and credit and collections events for any applications for gas service or requests to initiate gas service at 1763 N. Croskey Street Philadelphia, PA 19121.

I-3. Please provide all information pertaining to Account activity during September 26, 2012 and June 27, 2017. Please include all documents pertaining to any gas usage, the amount of usage, when the usage began, and all notices sent to the Complainant about the usage occurring during this time period.

I-4. Please provide a complete copy of all Records in PGW's Meter Investigation Unit relating to the Property since September 2012 including, but not limited to, handwritten notes and phone logs.

I-5. Please provide all Records supplied by PGW to the Commission regarding the Commission's investigation of the informal complaint filed by Complainant on September 25, 2018 regarding which the Commission issued BCS decision # 3655035 on October 15, 2018.

I-6. Please provide all information, documents and records pertaining to any alleged unauthorized usage, meter tampering, or gas theft at the Property, including but not limited to, documents and records which contain the following information:

- a. The date(s) any alleged unauthorized usage, meter tampering, or gas theft was discovered;
- b. How the alleged unauthorized usage, meter tampering, or gas theft was discovered;
- c. Any notices concerning alleged unauthorized usage, meter tampering, or gas theft provided to Complainant;
- d. How it was determined that there had been unauthorized usage, meter tampering, or theft of gas;
- e. The names and position titles of all employees connected with determining that there had been unauthorized usage, meter tampering or gas theft; and
- f. The method by which the alleged unauthorized usage, meter tampering, or gas theft was accomplished.

I-7. Please outline the step by step process necessary to effectuate the type of unauthorized use, meter tampering, or gas theft that PGW alleges in this case.

I-8. Does PGW have the records of any readings taken with a Gas Detection Instrument (GDI) at the Property? If yes, provide all records.

I-9. Please describe PGW's policy and procedure for investigating unauthorized usage, meter tampering, and gas theft. Please provide all current PGW manuals, training materials and documents pertaining to, but not limited to, the following:

- a. What triggers PGW to conduct an investigation;
- b. What notices are provided to the customer concerning the investigation;

- c. What PGW personnel and departments are involved in the investigation;
- d. How long the process takes; and
- e. What steps are taken to determine the reason for and the nature of the alleged unauthorized usage, meter tampering, or gas theft.

I-10. Please state PGW's procedure for handling customers when PGW discovers they have been using gas without authorization. Please provide all current PGW manuals, training materials and documents including but not limited to copies of notices and other documents provided to the customer, and procedures for terminating service.

I-11. Please state any specific health and safety issues involved with the illegal usage, meter tampering, or gas theft alleged in this case, and provide any supporting documents in PGW's possession.

I-12. Please provide all records of any instances, if any, of suspected unauthorized use, meter tampering, or gas theft at the Property prior to June 27, 2017.

I-13. Please provide all information, documents and records concerning the maintenance or inspection of the curb box located outside of the Property.

I-14. Please provide the name(s) of the PGW employee(s) who removed the meter from the Property on or about June 27, 2017 and any reports generated by the employee(s) about the meter in question.

I-15. Please state if a bonus was paid to the employee(s) who removed the meter from the Property. If a bonus was paid, please provide the following:

- a. The name(s) of the employee(s) who received the bonus;
- b. The amount of this bonus and any documentation relating to payment of this bonus;

- c. The number of bonuses paid to the employee(s) during the course of employment with the Company; and
- d. All documents, manuals and memos that relate to such type of bonus, including but not limited to, information about when and under what conditions such a bonus would be paid.

I-16. Please explain how PGW determined the amount of natural gas use attributable to unauthorized use, meter tampering, or gas theft at the Property.

I-17. Please state the payment amount PGW is now requesting from the Complainant prior to initiation of gas service at 1763 N. Croskey Street and explain how the amount was calculated.

I-18. Please state the total amount Complainant currently owes to PGW. Please itemize the different segments of this debt including:

- a. what portion of this total debt is for service for which Complainant has not paid, and
- b. what portion of the total debt is for other fees charged by PGW.

I-19. Please provide all documents pertaining to the assignment of Complainant's PGW debt to collection agencies.

I-20. Please describe PGW's policy for routine maintenance and/or inspection of meters and AMR devices. Please provide all current PGW manuals, training materials and documents pertaining to the maintenance and/or inspection of meters and AMR devices.

I-21. Please describe any unauthorized usage detection or theft detection software, policy, or protocol currently utilized by PGW. Please provide all current PGW manuals, training materials and documents pertaining to PGW's unauthorized usage detection or gas theft detection software, policy, or protocol.

I-22. Please state whether any system that PGW has in place to detect unauthorized usage, meter tampering, gas theft, or zero usage was used to detect unauthorized use, meter tampering, or gas theft at the Property. Please provide all documents that pertain to PGW's use of such a system at the Property.

I-23. Please describe PGW's policy and procedure for removing a meter from a property where PGW has discovered unauthorized usage, meter tampering, or theft of gas. Please provide all current PGW manuals, training materials and documents pertaining to, but not limited to, the following:

- a. How the meter is removed;
- b. Where the meter is stored upon removal from the property;
- c. How the meter is transported to PGW;
- d. Where the meter is stored upon return to PGW; and
- e. Whether recovered meters are refurbished and/or reused.

I-24. Please describe how the meter at the Property was removed, transported and stored.

I-25. Please identify the current location of the meter that was removed from Complainant's address on or about June 27, 2017.

I-26. Please provide complete records on the history of the meter that was removed from the Property. Please include:

- a. The age of the meter;
- b. The date on which it was first placed into service (whether at the Property or elsewhere);

- c. The date on which the meter was first installed at the Property (if different from the response to II-11(b));
- d. Whether PGW had, since first being placed into service through and including the date the meter was removed from the Property, ever determined that the meter had been tampered with and on what date(s) PGW made this determination; and
- e. Records of any and all service performed on the meter since it was first placed into service, including but not limited to, records of any refurbishing, meter testing, ERT replacement or repair, or otherwise.

I-27. Please describe the condition of the meter when PGW entered the Property on or about June 27, 2017.

I-28. Please provide any photographs of the meter that was removed from the Property on or about June 27, 2017. On each photograph, please identify the date on which the photograph was taken and identify the person who took the photograph.

I-29. Please provide any Records that PGW has relied on to associate Tomisha Palmer with the Property.

I-30. Please provide any Records that PGW has relied on to conclude that Tomisha Palmer is responsible for unauthorized use, meter tampering, or gas theft at the Property.

I-31. Please provide all Records of Complainant's application for or establishment of service with PGW at the Property.

I-32. Please provide the Complainant's monthly gas usage from September 26, 2012 and June 27, 2013.

I-33. Please provide monthly gas usage amounts at the Property from November 19, 2013 through July 30, 2014.

I-34. Please provide all documents and records pertaining to the Account's gas service termination on or about June 27, 2017. This includes, but is not limited to, documents and records pertaining to the following:

- a. All termination notices provided to the Complainant prior to and subsequent to the shut-off.
- b. All visits made to the Complainant's service address prior to termination.
- c. All telephone calls made to the Complainant's service address prior to termination.
- d. All telephone calls made by the Complainant to PGW concerning service termination prevention, service termination, and service restoration.
- e. All visits made by the Complainant to PGW customer service centers concerning service termination prevention, service termination, and service restoration.
- f. All records arising from the actual terminations of service at Complainant's residence.
- g. The names and position titles of each employee involved in the termination process, from shut off notices to physical equipment shut off.

I-35. Please provide all documents and records pertaining to the gas service termination at the Property that occurred on or about June 27, 2013. This includes, but is not limited to, documents and records pertaining to the following:

- h. All termination notices provided to the Complainant prior to and subsequent to the shut-off.
- i. All visits made to the Complainant's service address prior to termination.
- j. All telephone calls made to the Complainant's service address prior to termination.
- k. All telephone calls made by the Complainant to PGW concerning service termination prevention, service termination, and service restoration.

- l. All visits made by the Complainant to PGW customer service centers concerning service termination prevention, service termination, and service restoration.
- m. All records arising from the actual terminations of service at Complainant's residence.
- n. The names and position titles of each employee involved in the termination process, from shut off notices to physical equipment shut off.

I-36. Please provide all documents and records pertaining to the gas service termination at the Property that occurred on or about July 30, 2014. This includes, but is not limited to, documents and records pertaining to the following:

- o. All termination notices provided to the Complainant prior to and subsequent to the shut-off.
- p. All visits made to the Complainant's service address prior to termination.
- q. All telephone calls made to the Complainant's service address prior to termination.
- r. All telephone calls made by the Complainant to PGW concerning service termination prevention, service termination, and service restoration.
- s. All visits made by the Complainant to PGW customer service centers concerning service termination prevention, service termination, and service restoration.
- t. All records arising from the actual terminations of service at Complainant's residence.
- u. The names and position titles of each employee involved in the termination process, from shut off notices to physical equipment shut off.

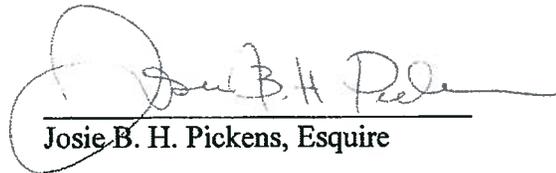
I-37. Please describe PGW's policy for initiating gas service at a new address when the applicant formerly resided at a property as an adult occupant non-account holder and an unpaid balance had accumulated in a third party account holder's name at the former address.

I-38. Please provide all information, documents, and records not yet produced in response to the above interrogatories, which PGW has relied on to determine that there was unauthorized use, meter tampering, or gas theft at the Property.

I-39. Please provide all information, documents, and records not yet produced in response to the above interrogatories, which PGW has relied on to conclude that Complainant is responsible for charges associated with unauthorized use, meter tampering, or gas theft at the Property.

I-40. Please provide all information, documents, and records not yet produced in response to the above interrogatories, which PGW will introduce at the initial hearing on Palmer v. PGW, F-2018-3006197.

Respectfully submitted,



Josie B. H. Pickens, Esquire

Attorney for Complainant
COMMUNITY LEGAL SERVICES, INC.
1410 W. Erie Avenue
Philadelphia, PA
215-227-4378

February 27, 2019

Appendix

B

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Tomisha Palmer	:	
Complainant	:	
v.	:	Docket No. F-2018-3006197
	:	
Philadelphia Gas Works	:	
Respondent	:	

**PHILADELPHIA GAS WORKS' OBJECTIONS TO
TOMISHA PALMER'S INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF DOCUMENTS – SET I**

Pursuant to 52 Pa. Code §§ 5.342(c) and (e), Philadelphia Gas Works (“PGW”) hereby objects to Nos. 6, 8, 11, 12, 13, 15, 19, 20, 21, 26, 31, 35, and 36 of “Tomisha Palmer’s Interrogatories and Requests for Production of Documents – Set I” served upon PGW on February 27, 2019.

March 8, 2019



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

Tomisha Palmer v. Philadelphia Gas Works
Docket No. F-2018-3006197

Tomisha Palmer's Interrogatories and
Requests for Production of Documents
Set 1

Palmer to PGW I-6

Please provide all information, documents and records pertaining to any alleged unauthorized usage, meter tampering, or gas theft at the Property, including but not limited to, documents and records which contain the following information:

- a. The date(s) any alleged unauthorized usage, meter tampering, or gas theft was discovered;
- b. How the alleged unauthorized usage, meter tampering, or gas theft was discovered;
- c. Any notices concerning alleged unauthorized usage, meter tampering, or gas theft provided to Complainant;
- d. How it was determined that there had been unauthorized usage, meter tampering, or theft of gas;
- e. The names and position titles of all employees connected with determining that there had been unauthorized usage, meter tampering or gas theft; and
- f. The method by which the alleged unauthorized usage, meter tampering, or gas theft was accomplished.

Objection:

The scope of discovery is limited to "any matter, not privileged, which is relevant to the subject matter involved in the pending action." 52 Pa.Code § 5.321(c). Relevant evidence is evidence that tends to make a fact at issue more or less probable. PGW objects to this interrogatory on the grounds that the bulk of the information sought is neither relevant to this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. The scope of this interrogatory is not limited to either a timeframe or a party and, as such, requests information that has no bearing on any fact at issue in this proceeding. There has been no allegation that the bypass at the Property predates the Complainant moving into the Property. Records of instances of suspected unauthorized use, meter tampering or gas theft at the Property prior to June 27, 2017 that do not involve the Complainant are entirely unrelated to and would have no impact whatsoever on the issues to be decided in this case. Any records of instances of suspected unauthorized use, meter tampering or gas theft at the Property after June 27, 2017 that do not involve the Complainant are similarly irrelevant.

Notwithstanding PGW's objections and without waiving same, PGW will provide the records sought with respect to theft discovered at the Property on June 27, 2017.

Tomisha Palmer v. Philadelphia Gas Works
Docket No. F-2018-3006197

Tomisha Palmer's Interrogatories and
Requests for Production of Documents
Set 1

Palmer to PGW I-8

Does PGW have the records of any readings taken with a Gas Detection Instrument (GDI) at the Property? If yes, provide all records.

Objection:

The scope of discovery is limited to "any matter, not privileged, which is relevant to the subject matter involved in the pending action." 52 Pa.Code § 5.321(c). Relevant evidence is evidence that tends to make a fact at issue more or less probable. PGW objects to this interrogatory on the grounds that the information sought is neither relevant to this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. GDI readings have no bearing on any fact at issue in this proceeding. GDIs are designed to detect the concentration of gas in the air of the specific area in which they are being used. GDIs detect gas leaks. Records of all the GDI readings ever taken at the Property have no bearing on any fact at issue in this proceeding. Gas leaks can and do exist where there is no theft and theft can and does exist where there are no gas leaks. The information requested is entirely unrelated to and would have no impact whatsoever on the issues to be decided in this case.

PGW further objects to this interrogatory on the grounds that it is so broad as to be unreasonably burdensome. This interrogatory fails to establish a timeframe for the requested materials and reviewing the history of the property to determine if and when GDI readings were taken and then pulling those records would create an unreasonable burden.

Notwithstanding PGW's objections and without waiving same, PGW will provide the records of any GDI readings taken in the Property on June 27, 2017 as PGW was called to the property due to an odor of gas.

Tomisha Palmer v. Philadelphia Gas Works
Docket No. F-2018-3006197

Tomisha Palmer's Interrogatories and
Requests for Production of Documents
Set 1

Palmer to PGW I-11

Please state any specific health and safety issues involved with the illegal usage, meter tampering, or gas theft alleged in this case, and provide any supporting documents in PGW's possession.

Objection:

52 Pa.Code § 5.361(a)(2) states that discovery is not permitted which would cause unreasonable annoyance or burden to a party. This interrogatory is asking PGW to educate the Complainant on the nature of natural gas, which would be both unreasonably annoying and unreasonably burdensome. This request is unreasonably annoying because of the wealth of materials available to general public on the health and safety issues inherent in illegal gas usage, meter tampering, and gas theft.¹ These issues are not case specific, they are involved anytime the integrity of the structures put in place to safely transport gas from one place to another are violated. This request is unreasonably burdensome because illegal usage, meter tampering, and gas theft all interfere with the safe and proper transportation of natural gas into a building; because PGW is a natural gas utility, an enormous number of the documents in its possession in some way or another relate to the health and safety issues that arise when natural gas is not safely and properly transported into a building. Moreover, 52 Pa.Code § 5.361(a)(1) states that discovery is not permitted which is sought in bad faith. If the Complainant wishes to argue that tampering with a meter and stealing gas is safe, she is free to do so; it does not follow that PGW should be put in the position of expending the time and resources to establish something that is so widely accepted as to be common knowledge.

¹ For example: <http://www.opusenergyblog.com/energy-theft-dangers-need-to-know/>

Tomisha Palmer v. Philadelphia Gas Works
Docket No. F-2018-3006197

Tomisha Palmer's Interrogatories and
Requests for Production of Documents
Set 1

Palmer to PGW I-12

Please provide all records of any instances, if any, of suspected unauthorized use, meter tampering or gas theft at the Property prior to June 27, 2017.

Objection:

The scope of discovery is limited to "any matter, not privileged, which is relevant to the subject matter involved in the pending action." 52 Pa.Code § 5.321(c). Relevant evidence is evidence that tends to make a fact at issue more or less probable. PGW objects to this interrogatory on the grounds that the information sought is neither relevant to this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. There has been no allegation that the bypass at the Property predates the Complainant moving into the Property. Records of instances of suspected unauthorized use, meter tampering or gas theft at the Property prior to June 27, 2017 are entirely unrelated to and would have no impact whatsoever on the issues to be decided in this case.

Tomisha Palmer v. Philadelphia Gas Works
Docket No. F-2018-3006197

Tomisha Palmer's Interrogatories and
Requests for Production of Documents
Set 1

Palmer to PGW I-13

Please provide all information, documents and records concerning the maintenance or inspection of the curb box located outside of the Property.

Objection:

The scope of discovery is limited to “any matter, not privileged, which is relevant to the subject matter involved in the pending action.” 52 Pa.Code § 5.321(c). Relevant evidence is evidence that tends to make a fact at issue more or less probable. PGW objects to this interrogatory on the grounds that the bulk of the information sought is neither relevant to this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. The scope of this interrogatory is not limited to a timeframe and, as such, requests information that has no bearing on any fact at issue in this proceeding.

PGW further objects to this interrogatory on the grounds that it is so broad as to be unreasonably burdensome. This interrogatory fails to establish a timeframe for the requested materials and reviewing the history of the property to determine if and when there was maintenance done on the curb box and then pulling those records would create an unreasonable burden.

Notwithstanding PGW's objections and without waiving same, PGW will provide the records sought with respect to the period of time between July 30, 2014 and June 27, 2017.

Tomisha Palmer v. Philadelphia Gas Works
Docket No. F-2018-3006197

Tomisha Palmer's Interrogatories and
Requests for Production of Documents
Set 1

Palmer to PGW I-15

Please state if a bonus was paid to the employee(s) who removed the meter from the Property. If a bonus was paid, please provide the following:

- a. The name(s) of the employee(s) who received the bonus;
- b. The amount of this bonus and any documentation relating to payment of this bonus;
- c. The number of bonuses paid to the employee(s) during the course of employment with the Company; and
- d. All documents, manuals and memos that relate to such type of bonus, including but not limited to, information about when and under what conditions such a bonus would be paid.

Objection:

The scope of discovery is limited to "any matter, not privileged, which is relevant to the subject matter involved in the pending action." 52 Pa.Code § 5.321(c). Relevant evidence is evidence that tends to make a fact at issue more or less probable. PGW objects to this interrogatory on the grounds that the information sought is neither relevant to this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. Whether the PGW employee(s) who removed the meter from the Property received a bonus has no bearing on any fact at issue in this matter. As stated in the Complaint, PGW discovered the theft when the Department of Human Services did a walk-through of the Property and reported the odor of gas, which caused PGW to visit the property. Once in the Property, PGW observed its gas meter on the floor and a flex connector installed from the inlet to the outlet. The information sought is entirely unrelated to and would have no impact whatsoever on the issues to be decided in this case.

Tomisha Palmer v. Philadelphia Gas Works
Docket No. F-2018-3006197

Tomisha Palmer's Interrogatories and
Requests for Production of Documents
Set 1

Palmer to PGW I-19

Please provide all documents pertaining to the assignment of Complainant's PGW debt to collection agencies.

Objection:

The scope of discovery is limited to "any matter, not privileged, which is relevant to the subject matter involved in the pending action." 52 Pa.Code § 5.321(c). Relevant evidence is evidence that tends to make a fact at issue more or less probable. PGW objects to this interrogatory on the grounds that the information sought is neither relevant to this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. There are no issues raised in the Complaint that in any way involve collection agencies. The information sought is entirely unrelated to and would have no impact whatsoever on the issues to be decided in this case.

Tomisha Palmer v. Philadelphia Gas Works

Docket No. F-2018-3006197

Tomisha Palmer's Interrogatories and
Requests for Production of Documents
Set 1

Palmer to PGW I-20

Please describe PGW's policy for routine maintenance and/or inspection of meters and AMR devices. Please provide all current PGW manuals, training materials and documents pertaining to the maintenance and/or inspection of meters and AMR devices.

Objection:

The scope of discovery is limited to "any matter, not privileged, which is relevant to the subject matter involved in the pending action." 52 Pa.Code § 5.321(c). Relevant evidence is evidence that tends to make a fact at issue more or less probable. PGW objects to this interrogatory on the grounds that the information sought is neither relevant to this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. PGW's policy for routine maintenance and/or inspection of meters and AMR devices and the documentation pertaining thereto has no bearing on any fact at issue in this proceeding. The theft at the Property was effectuated by way of removing the meter and replacing it with a flex connector during a period of time when there were no active accounts at the property; a method which effectively takes the meter and the attached AMR out of the equation entirely. There has been no allegation made by the Complainant that the issues she has raised in her Complaint are the result of the meter and/or AMR not being maintained properly or that some malfunction on the part of the meter and/or AMR is to blame for PGW terminating her service for theft. The information sought is entirely unrelated to and would have no impact whatsoever on the issues to be decided in this case.

Tomisha Palmer v. Philadelphia Gas Works

Docket No. F-2018-3006197

Tomisha Palmer's Interrogatories and
Requests for Production of Documents
Set 1

Palmer to PGW I-21

Please describe any unauthorized usage detection or theft detection software, policy, or protocol currently utilized by PGW. Please provide all current PGW manuals, training materials and documents pertaining to PGW's unauthorized usage detection or gas theft detection software, policy, or protocol.

Objection:

The scope of discovery is limited to "any matter, not privileged, which is relevant to the subject matter involved in the pending action." 52 Pa.Code § 5.321(c). Relevant evidence is evidence that tends to make a fact at issue more or less probable. PGW objects to this interrogatory on the grounds that the information sought is neither relevant to this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. This interrogatory is an improper fishing expedition. The nature of this request becomes even more obvious by the fact that it is followed up by a request that PGW "state whether any system that PGW has in place to detect unauthorized usage, meter tampering, gas theft, or zero usage was used to detect unauthorized use, meter tampering, or gas theft at the Property. Please provide all documents that pertain to PGW's use of such a system at the Property." (I-22). Information pertaining to any unauthorized usage detection or theft detection software, policy, or protocol currently utilized by PGW, *which was not used* to detect unauthorized use, meter tampering, or gas theft at the Property is entirely unrelated to and would have no impact whatsoever on the issues to be decided in this case. Information pertaining to whether any system that PGW has in place to detect unauthorized usage, meter tampering, gas theft, or zero usage *was used* to detect unauthorized use, meter tampering, or gas theft at the Property and all documents that pertain to PGW's use of such a system at the Property will be provided as an answer to I-22.

PGW further objects to this interrogatory on the grounds that the information sought is highly confidential, proprietary, and safety sensitive. The information sought provides a roadmap for any individual wishing to avoid detection while stealing gas; a situation which would not only have a financial impact on PGW, but would also create any number of incredibly dangerous situations while simultaneously putting PGW at a disadvantage in its attempts to detect and remedy them.

Tomisha Palmer v. Philadelphia Gas Works
Docket No. F-2018-3006197

Tomisha Palmer's Interrogatories and
Requests for Production of Documents
Set 1

Palmer to PGW I-26

Please provide complete records on the history of the meter that was removed from the property.
Please include:

- a. The age of the meter;
- b. The date on which it was first placed into service (whether at the property or elsewhere);
- c. The date on which the meter was first installed at the Property (if different from the response to II-11(b));
- d. Whether PGW had, since first being placed into service through and including the date the meter was removed from the property, ever determined that the meter had been tampered with and on what date(s) PGW made this determination; and
- e. Records of any and all service performed on the meter since it was first placed into service, including but not limited to, records of any refurbishing, meter testing, ERT replacement or repair, or otherwise.

Objection:

The scope of discovery is limited to "any matter, not privileged, which is relevant to the subject matter involved in the pending action." 52 Pa.Code § 5.321(c). Relevant evidence is evidence that tends to make a fact at issue more or less probable. PGW objects to this interrogatory on the grounds that the information sought is neither relevant to this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. The history of the meter that was removed from the property has no bearing on any fact at issue in this proceeding. The theft at the Property was effectuated by way of removing the meter and replacing it with a flex connector during a period of time when there were no active accounts at the property; a method which effectively takes the meter and the attached AMR out of the equation entirely. There has been no allegation made by the Complainant that the issues she has raised in her Complaint are the result of the meter and/or AMR not being maintained properly or that some malfunction on the part of the meter and/or AMR is to blame for PGW terminating her service for theft. The information sought is entirely unrelated to and would have no impact whatsoever on the issues to be decided in this case.

Tomisha Palmer v. Philadelphia Gas Works
Docket No. F-2018-3006197

Tomisha Palmer's Interrogatories and
Requests for Production of Documents
Set 1

Palmer to PGW I-31

Please provide all Records of Complainant's application for or establishment of service with PGW at the Property.

Objection:

The scope of discovery is limited to "any matter, not privileged, which is relevant to the subject matter involved in the pending action." 52 Pa.Code § 5.321(c). Relevant evidence is evidence that tends to make a fact at issue more or less probable. PGW objects to this interrogatory on the grounds that the bulk of the information sought is neither relevant to this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. The scope of this interrogatory is not limited a timeframe and, as such, requests information that has no bearing on any fact at issue in this proceeding. The allegations in the Complainant regarding application for or establishment of service concern the period of time after service was terminated on June 27, 2017. Records of Complainant's application for or establishment of service prior to June 27, 2017 are entirely unrelated to and would have no impact whatsoever on the issues to be decided in this case.

Notwithstanding PGW's objections and without waiving same, PGW will provide the records sought with respect to the period of time after June 27, 2017.

Tomisha Palmer v. Philadelphia Gas Works

Docket No. F-2018-3006197

Tomisha Palmer's Interrogatories and
Requests for Production of Documents
Set 1

Palmer to PGW I-35

Please provide all documents and records pertaining to the gas service termination at the Property that occurred on or about June 27, 2013. This includes, but is not limited to, documents and records pertaining to the following:

- h. All termination notices provided to the Complainant prior to and subsequent to the shut-off.
- i. All visits made to the Complainant's service address prior to termination.
- j. All telephone calls made to the Complainant's service address prior to termination.
- k. All telephone calls made by the Complainant to PGW concerning service termination prevention, service termination, and service restoration.
- l. All visits made by the Complainant to PGW customer service centers concerning service termination prevention, service termination, and service restoration.
- m. All records arising from the actual terminations of service at Complainant's residence.
- n. The names and position titles of each employee involved in the termination process, from shut off notices to physical equipment shut off.

Objection:

The scope of discovery is limited to "any matter, not privileged, which is relevant to the subject matter involved in the pending action." 52 Pa.Code § 5.321(c). Relevant evidence is evidence that tends to make a fact at issue more or less probable. PGW objects to this interrogatory on the grounds that the information sought is neither relevant to this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. The circumstances surrounding the gas service termination that occurred on or about June 27, 2013 have no bearing on any fact at issue in this proceeding. There has been no allegation made by the Complainant that the issues raised in the Complaint are the result of improper termination of service in 2013. Moreover, if the Complainant wished to contest the circumstances surrounding the gas service termination that occurred at the Property on or about June 27, 2013, she had three years from that date to do so and did not. The information sought is entirely unrelated to and would have no impact whatsoever on the issues to be decided in this case.

Tomisha Palmer v. Philadelphia Gas Works

Docket No. F-2018-3006197

Tomisha Palmer's Interrogatories and
Requests for Production of Documents
Set 1

Palmer to PGW I-36

Please provide all documents and records pertaining to the gas service termination at the Property that occurred on or about July 30, 2014. This includes, but is not limited to, documents and records pertaining to the following:

- o. All termination notices provided to the Complainant prior to and subsequent to the shut-off.
- p. All visits made to the Complainant's service address prior to termination.
- q. All telephone calls made to the Complainant's service address prior to termination.
- r. All telephone calls made by the Complainant to PGW concerning service termination prevention, service termination, and service restoration.
- s. All visits made by the Complainant to PGW customer service centers concerning service termination prevention, service termination, and service restoration.
- t. All records arising from the actual terminations of service at Complainant's residence.
- u. The names and position titles of each employee involved in the termination process, from shut off notices to physical equipment shut off.

Objection:

The scope of discovery is limited to "any matter, not privileged, which is relevant to the subject matter involved in the pending action." 52 Pa.Code § 5.321(c). Relevant evidence is evidence that tends to make a fact at issue more or less probable. PGW objects to this interrogatory on the grounds that it goes beyond the scope of permissible discovery and that the bulk of the information sought is neither relevant to this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. The bulk of the information sought has no bearing on any fact at issue in this proceeding. There has been no allegation made by the Complainant that the issues raised in the Complaint are the result of improper termination of service in 2014. Moreover, if the Complainant wished to contest the circumstances surrounding the gas service termination that occurred at the Property on or about July 30, 2014, she had three years from that date to do so and did not. The bulk of the information sought is entirely unrelated to and would have no impact whatsoever on the issues to be decided in this case.

Notwithstanding PGW's objections and without waiving same, PGW will provide its Records of the physical termination of service that occurred on or about July 30, 2014.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Tomisha Palmer	:	
Complainant	:	
v.	:	Docket No. F-2018-3006197
	:	
Philadelphia Gas Works	:	
Respondent	:	

**PHILADELPHIA GAS WORKS' OBJECTIONS TO
TOMISHA PALMER'S INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF DOCUMENTS – SET I**

Pursuant to 52 Pa. Code §§ 5.342(c) and (e), Philadelphia Gas Works (“PGW”) hereby objects to No. 9 of “Tomisha Palmer’s Interrogatories and Requests for Production of Documents – Set I” served upon PGW on February 27, 2019.

March 11, 2019



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

Tomisha Palmer v. Philadelphia Gas Works
Docket No. F-2018-3006197

Tomisha Palmer's Interrogatories and
Requests for Production of Documents
Set 1

Palmer to PGW I-9

Please describe PGW's policy and procedure for investigating unauthorized usage, meter tampering, and gas theft. Please provide all current PGW manuals, training materials and documents pertaining to, but not limited to, the following:

- a. What triggers PGW to conduct an investigation;
- b. What notices are provided to the customer concerning the investigation;
- c. What PGW personnel and departments are involved in the investigation;
- d. How long the process takes; and
- e. What steps are taken to determine the reason for and the nature of the alleged unauthorized usage, meter tampering, or gas theft.

Objection:

The scope of discovery is limited to "any matter, not privileged, which is relevant to the subject matter involved in the pending action." 52 Pa.Code § 5.321(c). Relevant evidence is evidence that tends to make a fact at issue more or less probable. PGW objects to this interrogatory on the grounds that the bulk of the information sought is neither relevant to this proceeding nor reasonably calculated to lead to the discovery of admissible evidence. The theft at the Property was effectuated by way of removing the meter and replacing it with a flex connector during a period of time when there were no active accounts at the property; PGW policies and procedures that do not relate to the investigation of gas theft by way of a meter bypass have no bearing on any fact at issue in this matter. As stated in the Complaint, PGW discovered the theft when the Department of Human Services did a walk-through of the Property and reported the odor of gas, which caused PGW to visit the property. Once in the Property, PGW observed its gas meter on the floor and a flex connector installed from the inlet to the outlet. The information sought that goes beyond the means of investigating the type of theft present at the Property is entirely unrelated to and would have no impact whatsoever on the issues to be decided in this case.

Appendix

C

Tomisha Palmer v. Philadelphia Gas Works
Docket No. F-2018-3006197

Tomisha Palmer's Interrogatories and
Requests for Production of Documents
Set 1

Palmer to PGW I-6

Please provide all information, documents and records pertaining to any alleged unauthorized usage, meter tampering, or gas theft at the Property, including but not limited to, documents and records which contain the following information:

- a. The date(s) any alleged unauthorized usage, meter tampering, or gas theft was discovered;
- b. How the alleged unauthorized usage, meter tampering, or gas theft was discovered;
- c. Any notices concerning alleged unauthorized usage, meter tampering, or gas theft provided to Complainant;
- d. How it was determined that there had been unauthorized usage, meter tampering, or theft of gas;
- e. The names and position titles of all employees connected with determining that there had been unauthorized usage, meter tampering or gas theft; and
- f. The method by which the alleged unauthorized usage, meter tampering, or gas theft was accomplished.

Response:

There are no Records that are responsive to this request.

Response Provided by: Timothy Sullivan – PGW Superintendent, Revenue Protection and Meters

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 document (PGW's Answer to Tomisha Palmer's Interrogatories and Requests for Production of Documents – Set I; I-6) are true and correct to the best of my knowledge, information and belief. I expect to be able to prove the same at a hearing held in this matter. This verification is made subject to the penalties of 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).

March 25, 2019

A handwritten signature in blue ink, appearing to read 'Graciela C. Christlieb', is written over a horizontal line.

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

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Tomisha Palmer	:	
Complainant	:	
v.	:	Docket No. F-2018-3006197
	:	
Philadelphia Gas Works	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of Philadelphia Gas Works' Answer to Tomisha Palmer's Interrogatories and Requests for Production of Documents – Set I; I-6, in accordance with the requirements of 52 Pa.Code § 1.55 (relating to service on attorneys).

By electronic and first-class mail:

Josie B. H. Pickens, Esq.
Community Legal Services of Philadelphia
1410 West Erie Avenue
Philadelphia, PA 19140
jpickens@clsphila.org

Lydia Gottesfeld, Esq.
Community Legal Services of Philadelphia
1410 West Erie Avenue
Philadelphia, PA 19140
lgottesfeld@clsphila.org

March 25, 2019



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

Appendix

D

Tomisha Palmer v. Philadelphia Gas Works
Docket No. F-2018-3006197

Tomisha Palmer's Interrogatories and
Requests for Production of Documents
Set 1

Palmer to PGW I-20

Please describe PGW's policy for routine maintenance and/or inspection of meters and AMR devices. Please provide all current PGW manuals, training materials and documents pertaining to the maintenance and/or inspection of meters and AMR devices.

Response:

PGW has no policy that is responsive to this request.

Response Provided by: Timothy Sullivan – PGW Superintendent, Revenue Protection and Meters

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 document (PGW's Answer to Tomisha Palmer's Interrogatories and Requests for Production of Documents – I-20) are true and correct to the best of my knowledge, information and belief. I expect to be able to prove the same at a hearing held in this matter. This verification is made subject to the penalties of 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).

March 25, 2019



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

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Tomisha Palmer	:	
Complainant	:	
v.	:	Docket No. F-2018-3006197
	:	
Philadelphia Gas Works	:	
Respondent	:	

CERTIFICATE OF SERVICE

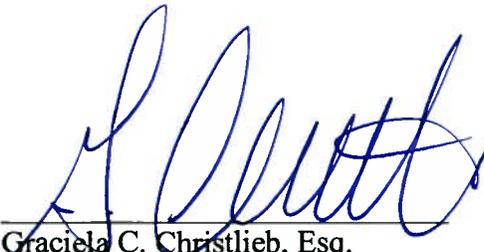
I hereby certify that I have this day served a true copy of Philadelphia Gas Works' Answer to Tomisha Palmer's Interrogatories and Requests for Production of Documents – Set I; I-20, in accordance with the requirements of 52 Pa.Code § 1.55 (relating to service on attorneys).

By electronic and first-class mail:

Josie B. H. Pickens, Esq.
Community Legal Services of Philadelphia
1410 West Erie Avenue
Philadelphia, PA 19140
jpickens@clsphila.org

Lydia Gottesfeld, Esq.
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March 25, 2019


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

Appendix

E

Tomisha Palmer v. Philadelphia Gas Works
Docket No. F-2018-3006197

Tomisha Palmer's Interrogatories and
Requests for Production of Documents
Set 1

Palmer to PGW I-26

Please provide complete records on the history of the meter that was removed from the property. Please include:

- a. The age of the meter;
- b. The date on which it was first placed into service (whether at the property or elsewhere);
- c. The date on which the meter was first installed at the Property (if different from the response to II-11(b));
- d. Whether PGW had, since first being placed into service through and including the date the meter was removed from the property, ever determined that the meter had been tampered with and on what date(s) PGW made this determination; and
- e. Records of any and all service performed on the meter since it was first placed into service, including but not limited to, records of any refurbishing, meter testing, ERT replacement or repair, or otherwise.

Response:

Meter No. 2034935 was approximately 14 years old when it was removed from the Property. It was purchased in 2003 and added to PGW's meter stock on August 15th of that year. It was first put into service on December 26, 2003 when it was installed in the Property. It has not been installed anywhere other than at the Property. There are no records of any service performed on this meter.

Response Provided by: Timothy Sullivan – PGW Superintendent, Revenue Protection and Meters

Find_Meter_Number

<i>Mtr_Nbr</i>	<i>DATE</i>	<i>Mtr_Index</i>	<i>Proof_Check</i>	<i>Proof_Open</i>	<i>Reason</i>
2034935	07/11/2017	3127	98.743	99.109	
2034935	07/14/2017	3127	98.966	99.31	

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 document (PGW's Answer to Tomisha Palmer's Interrogatories and Requests for Production of Documents – Set I; I-26) are true and correct to the best of my knowledge, information and belief. I expect to be able to prove the same at a hearing held in this matter. This verification is made subject to the penalties of 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).

March 25, 2019

A handwritten signature in blue ink, appearing to read 'G. Christlieb', written over a horizontal line.

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

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Tomisha Palmer	:	
Complainant	:	
v.	:	Docket No. F-2018-3006197
	:	
Philadelphia Gas Works	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of Philadelphia Gas Works' Answer to Tomisha Palmer's Interrogatories and Requests for Production of Documents – Set I; I-26, in accordance with the requirements of 52 Pa.Code § 1.55 (relating to service on attorneys).

By electronic and first-class mail:

Josie B. H. Pickens, Esq.
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Lydia Gottesfeld, Esq.
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March 25, 2019



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