



PHILADELPHIA GAS WORKS

800 West Montgomery Avenue • Philadelphia, PA 19122

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April 2, 2019

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

RECEIVED

APR - 2 2019

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

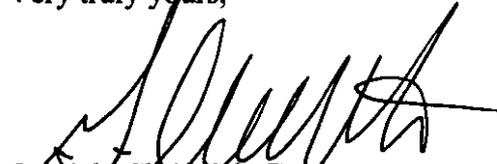
Re: Tomisha Palmer v. Philadelphia Gas Works, Docket No. F-2018-3006197

Dear Secretary Chiavetta:

Enclosed for filing is Philadelphia Gas Works' Application for Subpoena Ad Testificandum and Duces Tecum for PECO in the above-captioned matter.

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

Very truly yours,



Graciela Christlieb, Esq.

cc: Eileen McCarthy, PECO
Administrative Law Judge Christopher P. Pell
Josie Pickens, Esq.
Lydia Gottesfeld, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

NOTICE

TO: Eileen McCarthy
PECO
2301 Market Street, S23
Philadelphia, PA 19103

You are hereby notified that you may file a written objection to the attached Application for Subpoena Ad Testificandum and Duces Tecum within ten (10) days from the date of service hereof pursuant to 52 Pa. Code §5.421(f).

A copy of the written objection should be sent to the undersigned and to:

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

Administrative Law Judge Christopher P. Pell
Pennsylvania Public Utility Commission
801 Market Street
Suite 4063
Philadelphia, PA 19107

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



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

Dated: April 2, 2019

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**PHILADELPHIA GAS WORKS APPLICATION
FOR SUBPOENA AD TESTIFICANDUM AND
DUCES TECUM ADDRESSED TO PECO**

TO THE HONORABLE CHRISTOPHER P. PELL, ADMINISTRATIVE LAW JUDGE:

Pursuant to 52 Pa. Code §5.421, the Philadelphia Gas Works (“PGW”) hereby requests Administrative Law Judge Christopher P. Pell to issue the attached subpoena upon the custodian of records of PECO, an Exelon Company. In support of its application, PGW respectfully represents the following:

Materiality, Relevance, and Scope

1. On November 26, 2018, Tomisha Palmer filed a formal complaint with the Pennsylvania Public Utility Commission alleging that there are incorrect charges on her PGW bill.

2. Ms. Palmer further alleges that she is not responsible for the theft of natural gas service that occurred at 4244 N. Hicks Street, Philadelphia, PA (“the Property”) between July 30, 2014 and June 27, 2017 because there were periods of time, within that timeframe, when she did not live at the Property.

4. PGW seeks records of Complainant’s PECO account at the Property that pertain to the length of time Complainant had service at the Property as well as her payment history while at the Property.

5. The records sought are relevant and material as they contain information that would make a fact at issue (Complainant’s connection to and responsibility for the Property during the relevant time period) more or less probable.

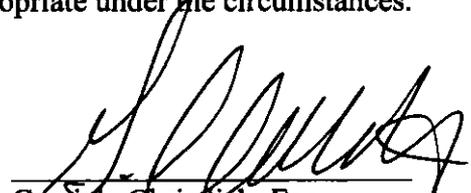
Facts to be Proved

6. Despite being the sole leaseholder during the relevant time period, Complainant has alleged that she spent significant lengths of time not living at the Property and has taken the position that this indicates that she was not connected to or responsible for the Property.

7. PGW believes that the requested records will show that Complainant maintained uninterrupted electric service in her name during the relevant time period and made regular payments, which would serve to prove that she was connected to and responsible for the Property during the relevant time period.

WHEREFORE, PGW respectfully requests Administrative Law Judge Christopher P. Pell to:

1. Issue the attached subpoena ad testificandum and duces tecum directing the custodian of records for PECO to appear at the scheduled Hearing with responsive documents; and
2. Grant any additional relief which is just and appropriate under the circumstances.



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

Dated: April 2, 2019

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In the Matter of:
Tomisha Palmer
Complainant

Docket No. F-2018-3006197

v.

Philadelphia Gas Works
Respondent

SUBPOENA

To: Eileen McCarthy or appropriate custodian of records, PECO, 2301 Market Street, S23, Philadelphia, PA 19103

Pursuant to the authority of this Commission under §§309, 331(d)(2) and 333(j) of the Public Utility Code:

1. YOU ARE ORDERED by the Commission to come to The Pennsylvania Public Utility Commission, at 801 Market Street, 4th floor, Philadelphia, PA 19107, on May 7, 2019, at 10:00 a.m., in the above case, to testify on behalf of PGW and to remain until excused;
2. And bring with you and produce the following: Documents pertaining to the account for electric service of Tomisha Palmer at 4244 North Hicks Street, Philadelphia, PA 19140, which references the length of time she was the ratepayer at that location as well as her payment history.

This subpoena is issued subject to the provisions of 52 Pa. Code §5.421 (with regard to issuance, notice, service and witness fees).

BY THE COMMISSION

Date _____

Administrative Law Judge Christopher P. Pell

Commonwealth of Pennsylvania)
) SS:
Count of)

AFFIDAVIT OF SERVICE

Before me, the undersigned authority, personally appeared _____
who, being duly sworn according to law, deposes and says that he/she served a true and correct
copy of the within SUBPOENA upon _____
by handing the same to him/her at _____ on the
_____ day of _____, 20 at _____ a.m./p.m.

(Signature)

Sworn to and subscribed before me
this _____ day of _____, 20

Notary Public

**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' Application for Subpoena Ad Testificandum and Duces Tecum addressed to PECO upon the participants listed below, in accordance with the requirements of 52 Pa.Code §§ 1.55 and 5.421(b)(4):

By electronic and first-class mail:

Eileen McCarthy
PECO
2301 Market Street, S23
Philadelphia, PA 19103

Administrative Law Judge Christopher P. Pell
Pennsylvania Public Utility Commission
801 Market Street
Suite 4063
Philadelphia, PA 19107
cpell@phila.gov

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


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

Dated: April 2, 2019

ORIGIN ID:BBXA (215) 684-6164
GRACIELA CHRISTLIEB, ESQ.
PHILADELPHIA GAS WORKS
800 WEST MONTGOMERY AVENUE
4TH FLOOR - LEGAL
PHILADELPHIA, PA 19122
UNITED STATES US

SHIP DATE: 02APR19
ACTWGT: 1.00 LB
CAD: 3975663/NET4100

BILL SENDER

TO SECRETARY
PA PUC
400 NORTH ST

565.1107E52340

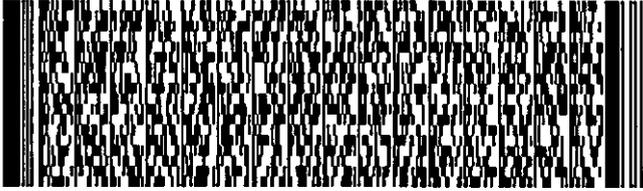
HARRISBURG PA 17120

(717) 772-7777

REF: 01.1701.9210.0000.0501.00.000

INV:
PO:

DEPT:

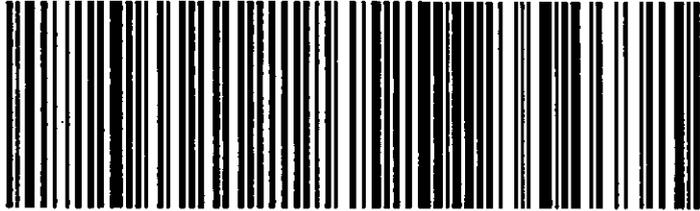


WED - 03 APR 3:00P
STANDARD OVERNIGHT

TRK# 7748 6193 4270
0201

EN MDTA

17120
PA-US MDT



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