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February 5, 2020

**Via Electronic Filing**

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

Re: Dwayne Ackie, Miguel J. Chavarria, Jr., Maurice A. Goodwin and Wayne Rauceo  
v. Philadelphia Gas Works, Docket No. C-2019-3013933

Dear Secretary Chiavetta:

Enclosed for electronic filing please find Philadelphia Gas Works' ("PGW") Prehearing Conference Memorandum with regard to the above-referenced matter. Copies to be served in accordance with the attached Certificate of Service.

Sincerely,



Karen O. Moury

KOM/lww  
Enclosure

cc: Cert. of Service w/enc.

**CERTIFICATE OF SERVICE**

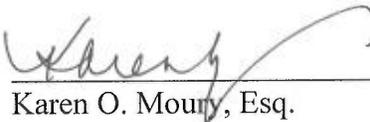
I hereby certify that this day I served a copy of PGW's Prehearing Conference Memorandum upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

**Via First Class Mail and Email**

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Hon. Darlene Heep  
Pennsylvania Public Utility Commission  
Office of Administrative Law Judge  
801 Market Street, Suite 4063  
Philadelphia, PA 19107  
[dheep@pa.gov](mailto:dheep@pa.gov)

Dated: February 5, 2020

  
\_\_\_\_\_  
Karen O. Moury, Esq.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Dwayne Ackie, Miguel J. Chavarria, Jr.,	:	
Maurice A. Goodwin and Wayne Rauceo,	:	Docket No. C-2019-3013933
Complainants	:	
	:	
v.	:	
	:	
Philadelphia Gas Works,	:	
Respondent	:	

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**PHILADELPHIA GAS WORKS'  
PREHEARING CONFERENCE MEMORANDUM**

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TO THE HONORABLE ADMINISTRATIVE LAW JUDGE DARLENE HEEP:

Pursuant to 52 Pa. Code § 5.222(d) of the regulations of the Pennsylvania Public Utility Commission (“Commission”) and the Prehearing Order dated January 17, 2019, Philadelphia Gas Works (“PGW”) submits this Prehearing Conference Memorandum.

**I. BACKGROUND**

This proceeding was initiated on October 31, 2019 with the filing of a Complaint against PGW by Dwayne Ackie, Miguel J. Chavarria, Jr., Maurice A. Goodwin and Wayne Rauceo (“Complainants”). PGW timely filed an Answer on November 20, 2019 and filed Preliminary

Objections on that date. The Administrative Law Judge (“ALJ”) issued an Order Granting in Part and Denying in Part Preliminary Objections on January 3, 2020 (“January 3, 2020 Order”).

A prehearing conference is scheduled for February 6, 2020 at 1:30 p.m. Per a directive from the ALJ sent by electronic mail dated January 23, 2020, this prehearing conference memorandum is due by Noon on February 5, 2020.

**II. SERVICE OF DOCUMENTS**

PGW requests that all documents be served on:

Karen O. Moury  
Kristine E. Marsilio  
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213 Market Street, Eighth Floor  
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**III. DISCOVERY**

PGW does not propose any modifications to the discovery rules that are set forth in the Commission’s regulations.

**IV. ISSUES**

The Complaint raises issues relating to the operation by PGW of the Passyunk Gas Processing Plant (“Plant”), where the Complainants are currently employed. The January 3, 2020 Order struck allegations relating to employment discrimination. Issues described by the January 3, 2020 Order as concerning the adequacy, safety and efficiency of PGW’s operations remain to

be litigated in this proceeding. PGW maintains that it it operates the Plant in a safe, adequate and reasonable manner and provides safe, adequate and reasonable service to its customers. To the extent that Complainants allege otherwise, PGW demands specific proof of such instances and how they have resulted in the provision of inadequate or unsafe service to PGW's end user customers.

**V. PROPOSED SCHEDULE**

To aid in the orderly development of a record in this proceeding, PGW proposes that the ALJ direct the service of written testimony by the parties pursuant to 52 Pa. Code § 5.412. PGW envisions the service of Direct Testimony by the Complainants, followed by the service of Rebuttal Testimony by PGW. As the party with the burden of proof, the Complainants would then have the opportunity to serve Surrebuttal Testimony. Evidentiary hearings would thereafter convene for the purpose of cross-examination.

As to a proposed schedule, PGW proposes the following:

Complainants' Direct Testimony	March 6, 2020
PGW's Rebuttal Testimony	May 1, 2020
Complainants' Surrebuttal Testimony	May 15, 2020
Evidentiary Hearings	May 20-22, 2020 or May 27-29, 2020

**VI. WITNESSES**

PGW had not yet identified its witnesses for this proceeding. PGW proposes to identify its witnesses following a review of Complainants' written Direct Testimony.

Respectfully submitted,



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February 5, 2020