



**PHILADELPHIA GAS WORKS**

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March 13, 2020

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

**Re: Alibeya Taylor v. PGW, Docket No. C – 2020 – 3018837**

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code §§ 5.61 and 5.101, the Philadelphia Gas Works ("PGW") hereby files the original Preliminary Objections to the Complaint 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.

Sincerely,

  
Danielle Leva

Enclosure

cc: Alibeya Taylor

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Alibeya Taylor**

*Complainant*

v.

**Philadelphia Gas Works**

*Respondent*

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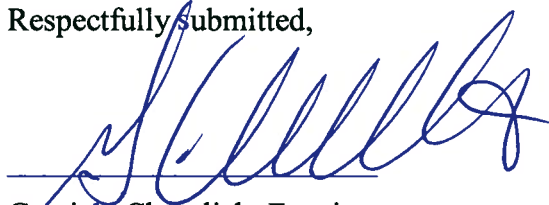
**Docket No. C-2020-3018837**

**NOTICE TO PLEAD**

**To: Alibeya Taylor,**

Pursuant to 52 Pa. Code §5.101, you are hereby notified to file a written response to the enclosed Preliminary Objections, within ten (10) days from service hereof or you may be deemed to be in default and relevant facts stated in these pleadings may be deemed admitted and a judgment may be entered against you.

Respectfully submitted,



Graciela Christlieb, Esquire  
Philadelphia Gas Works  
800 W. Montgomery Avenue  
Philadelphia, PA 19122  
(215) 684-6164

March 13, 2020

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Alibeya Taylor</b>	:	
<i>Complainant</i>	:	
	:	
	:	
v.	:	<b>Docket No. C-2020-3018837</b>
	:	
<b>Philadelphia Gas Works</b>	:	
<i>Respondent</i>	:	

**Preliminary Objections of Philadelphia Gas Works  
to the Complaint of Alibeya Taylor**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Philadelphia Gas Works (PGW) by and through its counsel, Graciela Christlieb, hereby files Preliminary Objections to the Formal Complaint of Alibeya Taylor (Complainant) pursuant to Section 701 of the Public Utility Code (“Code”), 66 Pa. C.S. §701, and pursuant to Sections 5.101(a)(1) & (4) and 5.22 of the Pennsylvania Public Utility Commission (“Commission” or “PUC”) Regulations, 52 Pa. Code §§5.101(a)(1) & (4) and 5.22, and in support thereof states as follows:

**I. Preliminary Objections**

1. These Preliminary Objections request the dismissal of the instant Complaint because it is legally insufficient as a matter of law and requests, as relief, monetary damages, which the Commission is without jurisdiction to award. Complainant has failed to claim, as required by Section 701 of the Code, that PGW has taken any action or failed to take an action in violation of the Code or a Commission Regulation or Order. Further, the instant Complaint should be dismissed because the Complainant is seeking monetary damages in a forum that is not empowered to grant such relief.

2. The averments contained in PGW’s Answer and New Matter are incorporated herein as if fully set forth.

3. In her Complaint, the Complainant states “I don’t know who is the responsible party. I need my pipe fixed and my water restored” and the attachments

included with her Complaint indicate that PGW responded to her inquiries with information regarding what she would need to do to have PGW make a liability determination.

4. The instant Complaint fails to state “[t]he act or omission being complained of” with respect to PGW as is required by Section 5.22(a)(5) of Commission regulations. The Complainant does not allege any facts that would implicate PGW in any manner nor does it state how the issues involved pertain to the applicable Code, rules, or regulations.

5. The Commission is granted discretion to dismiss a complaint without a hearing if a hearing is not necessary or in the public interest. 66 Pa. C.S. §703(b); 52 Pa. Code §5.21(d). Because a hearing in this case is not necessary, as there is no way it will result in the gaining the Complainant the relief she seeks, or in the public interest, as it would be a poor use of time a resources, the Complaint should be dismissed until such a time as the Complainant complies with the procedure necessary to permit PGW to make a liability determination.

## **II. Conclusion**

WHEREFORE, PGW requests that the Commission sustain its Preliminary Objections and dismiss the Complaint.

Respectfully submitted,



Graciela Christlieb, Esquire  
Philadelphia Gas Works  
800 W. Montgomery Avenue  
Philadelphia, PA 19122  
(215) 684-6164

March 13, 2020

## 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 Preliminary Objections are true and correct to the best of my knowledge, information and belief. I expect to be able to prove these facts at a hearing held in this matter. This verification is made subject to the penalties of 18 Pa. C.S. §4904, concerning false statements to authorities.

March 13, 2020



Graciela Christlieb, Esquire

**CERTIFICATE OF SERVICE**


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

Service List:

For Complainant:

Ms. Alibeya Taylor  
1324 Greeby Street  
Philadelphia, PA 19111

March 13, 2020

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

Graciela Christlieb, Esquire  
Philadelphia Gas Works  
800 W. Montgomery Avenue  
Philadelphia, PA 19122  
(215) 684-6164