

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17120**

Roslyn Wrotten

Public Meeting April 30, 2020

3008245-OSA

v.

Docket No. F-2019-3008245

Philadelphia Gas Works
(Complaint/Appellant)

MOTION OF COMMISSIONER JOHN F. COLEMAN, JR.

Before the Pennsylvania Public Utility Commission for consideration and disposition are Exceptions filed to the Initial Decision (ID) in the above-captioned proceeding. The ID sustained the appeal of Philadelphia Gas Works (PGW) from an informal decision of the Commission's Bureau of Consumer Services (BCS) and vacated said decision with prejudice because the Complainant failed to appear for the hearing and prosecute her original complaint.

In her Exceptions, the Complainant explains that she was unable to attend the hearing due to illness. She also notes that she tried to contact the Commission but was unable to reach anyone. PGW, in its Reply Exceptions, asserts that the Complainant has not substantiated her reason for failing to attend the hearing, nor does she explain how she attempted to contact the Commission or the presiding Administrative Law Judge. PGW requests that its appeal be sustained and the BCS decision be vacated.

Based on a review of the record and the Exceptions and Replies thereto, the Complainant's Exceptions should be denied. The Complainant has not shown that her failure to attend the hearing was unavoidable¹ or that she made a good faith attempt to attend the hearing.² As such, there is no basis to excuse her absence. The Exceptions raise no other objection to the ID; thus, the ID should be affirmed without modification.

THEREFORE, I move that:

1. The Complainant's Exceptions be denied, consistent with this Motion.
2. The Initial Decision be adopted, consistent with this Motion.
3. The Office of Special Assistants prepare an Opinion and Order consistent with this Motion.

Date: April 30, 2020



JOHN F. COLEMAN, JR.
COMMISSIONER

¹ 66 Pa. C.S. § 332(f); 52 Pa. Code § 5.245(a)-(b).

² See, *Yomari Then v. Philadelphia Gas Works*, Docket No. F-2012-2318264 (Order entered June 13, 2013)