



PHILADELPHIA GAS WORKS

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June 3, 2020

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

Re: Michelle Lescouflair v. Philadelphia Gas Works; Docket No. C-2019-3013391

Dear Secretary Chiavetta:

Enclosed for filing is Philadelphia Gas Works' Reply to the Exceptions of the Complainant, Michelle Lescouflair submitted pursuant to 52 Pa. Code § 5.535. This document has been served on the parties in accordance with the attached Certificate of Service.

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

Enc

cc: Michelle Lescouflair

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Michelle Lescouflair	:	
Complainant	:	
v.	:	Docket No. C-2019-3013391
	:	
Philadelphia Gas Works	:	
Respondent	:	

**PHILADELPHIA GAS WORKS’
REPLY TO COMPLAINANT’S EXCEPTIONS**

Pursuant to 52 Pa. Code §5.535, and the Secretarial Letter dated May 22, 2020, the Philadelphia Gas Works, (“PGW”) hereby files its reply to the Complainant’s exceptions to the Initial Decision issued on March 10, 2020.

I. INTRODUCTION

On October 7, 2019, the Complainant, Michelle Lescouflair (“Ms. Lescouflair” or “Complainant”), filed a Complaint with the Pennsylvania Public Utility Commission (“Commission” or “PUC”) against PGW wherein she alleged that PGW was threatening to terminate her service and that there were incorrect charges on her bill.

On November 20, 2019, PGW filed an Answer to the Complaint wherein it admitted that a termination notice had been sent to the Complainant, but denying that there were incorrect charges on her bill; PGW asked that the Complaint be dismissed.

Pursuant to the Hearing Notice and the Pre-Hearing Order, the initial hearing in this matter was convened on January 24, 2020 before Administrative Law Judge F. Joseph Brady. Ms. Norton failed to appear to prosecute her case. PGW moved to dismiss the Complaint with prejudice.

On March 10, 2020, Judge Brady issued his Initial Decision in the above captioned matter wherein he granted PGW’s motion to dismiss.

The Complainant filed exceptions on May 21, 2020, but failed to serve PGW. On May 22, 2020, the Commission served PGW with the Complainant’s exceptions. PGW’s reply follows.

II. EXCEPTIONS AND PGW'S REPLY

Exceptions

Complainant appears to allege that she failed to appear for her hearing because she did not receive her mail despite her biweekly and/or monthly visits to her mailing address. She states that she had to leave her home, but fails to state where she was staying or explanation why, knowing she had a pending complaint, she did not update her mailing address with the Commission. She also does not address why she did not at least contact the Commission since October of 2019 to follow-up or ask about the status of her complaint.

Reply Exceptions

In his Initial Decision, Judge Brady gives a through and compelling analysis of the factual and legal basis for his granting of PGW's motion to dismiss. Complainant's exceptions fail to address any error in fact or law contained in the Initial Decision refuting the conclusions made by Judge Brady; they also fail to demonstrate that the Initial Decision is unsupported by substantial evidence.

III. CONCLUSION

For the reasons stated above, the PGW requests that the Commission deny Complainant's exceptions and adopt the Initial Decision as written.

Respectfully submitted,

June 3, 2020

/s/ Graciela Christlieb

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CERTIFICATE OF SERVICE

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

Service List:

For Complainant:

Ms. Michelle Lescouflair
1314 N 53rd Street
Philadelphia, PA 19131
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June 3, 2020

/s/ Graciela Christlieb

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