



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
400 NORTH STREET, HARRISBURG, PA 17120

IN REPLY PLEASE
REFER TO OUR FILE

August 12, 2020

VIA ESERVICE AND EMAIL ONLY

TO ALL PARTIES OF RECORD:

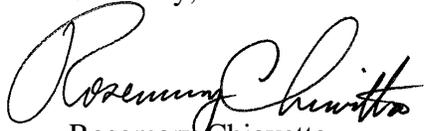
RE: Dwayne Ackie et. al., Complainants
v.
Philadelphia Gas Works
Docket Number C-2019-3013933

On August 5, 2020, the Office of Chairman Gladys Brown Dutrieuille of the Pennsylvania Public Utility Commission received a faxed letter from Karin Gunter, Esq., one of the Complainants in the above captioned complaint case.

Since this matter is now pending before the Commission, and due to the statutory prohibition on ex-parte communications at 66 Pa. C.S. Section 334(c), please be advised that I am serving under cover of this Secretarial Letter, a copy of Ms. Gunter's fax and the letter she sent to Mayor James Kenney of Philadelphia and to Chairman Derek Green of the Philadelphia Gas Commission in order to cure any possible ex-parte communication caused by Ms. Gunter faxing this letter to Chairman Dutrieuille.

Furthermore, the Complainants and outside interested parties are advised to refrain from sending any further ex parte communications to the Commission while this matter is still pending adjudication. Ms. Gunter's faxed communication will also be placed on the record of the docket with this Secretarial Letter and published to the Commission's website.

Sincerely,


Rosemary Chiavetta
Secretary of the Commission

Attachment

CC: All Parties of Record to Docket Number C-2019-3013933
The Honorable James Kenney, Mayor of Philadelphia
The Honorable Derek S. Green, Chairman, Philadelphia Gas Commission
Administrative Law Judge Darlene Heep



LAW OFFICE OF KARIN M GUNTER

PERSONAL AND CONFIDENTIAL

FAX COVER SHEET

TO: *The Honorable Gladys Brown Dutrieuille, Chairwoman, PUC*

PHONE NUMBER: (717)

FAX NUMBER: (717) 783-0698

FROM: KARIN M. GUNTER, ESQ.

PHONE NUMBER: (215) 548-9992

FAX NUMBER: (215) 548-7277

DATE: March 30, 2020

THIS FAX HAS 6 PAGES INCLUDING THIS COVER SHEET. IF THERE ARE ANY PROBLEMS, PLEASE CALL (215) 548-9992.

THE ORIGINAL _____ WILL X WILL NOT FOLLOW.

Message: Re: PGW Passyunk Plant – Safety Violations and Other Concerns Response to November 1, 2019 letter from PGW CEO

RECEIVED
2020 AUG -5 PM 3:46
CHAIRMAN'S OFFICE

KARIN M. GUNTER

Attorney at Law
Kgunterlaw2@gmail.com
www.kgunterlaw.com

85 Old Cedarbrook Road
Wyncote, PA 19095

TELEPHONE (215) 548-9992
FACSIMILE (215) 548-7277

March 30, 2020

The Honorable Mayor James Kenney
Mayor of the City of Philadelphia
City Hall, Office 215
Philadelphia, PA 19107

The Honorable Derek S. Green
Chairman, Philadelphia Gas Commission
One Parkway Building
1515 Arch Street, 9th Floor
Philadelphia, PA 19102

RE: PGW Passyunk Plant – Safety Violations and Other Concerns
November 1, 2019 Letter from PGW President & CEO Craig White

Dear Messrs. Kenney and Green:

It has come to my attention that PGW President and CEO Craig E. White sent a follow up letter dated November 1, 2019 to my October 17, 2019 correspondence. I only became aware of this document on or about March 5, 2020 and am deeply troubled by the tone and vitriol contained therein. Needless to say, I am equally disappointed that the head of a major employer in this City and Commonwealth would pen and send such correspondence, which is unprofessional at best.

Enclosed please find a copy of the Dismissal and Notice of Rights letters that accompanied the correspondence from the EEOC for each of my clients. Mr. White neglected to include these documents as part of his exhibit. The EEOC did not certify that PGW was indeed in compliance with the regulations it is commissioned to enforce, which include in this dual filing, Title VII and PHRA. Furthermore, my clients' separate matters of PUC safety violations and other concerns are not meant as any type of leverage for their discrimination lawsuits. My clients are long term PGW employees, who are in fact "boots on the ground" and eyewitnesses to the matters they raise in their current PUC formal complaint matter.

Mr. White's spurious comments and vitriol belies the true nature of any of the legal matters for which I represent clients (current and former employees) against PGW. There are real concerns regarding the operations at PGW. Attacking my character before you, the courts and/or the Public Utilities Commission does not change those facts.

Thank you.

Yours truly,



Enclosures

cc: The Honorable Gladys Brown Dutrieuille, Chairwoman, PUC (via facsimile (717) 783-0698)
Craig E. White, PGW President & CEO (via email Craig.White@pgworks.com)

EEOC Form 161 (11/16)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Dwayne W. Ackie
5000 Woodbine Ave Apt#301
Philadelphia, PA 19131

From: Philadelphia District Office
801 Market Street
Suite 1300
Philadelphia, PA 19107

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No. 530-2018-04318
EEOC Representative Legal Unit, Legal Technician
Telephone No. (215) 440-2828

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- The facts alleged in the charge fall to state a claim under any of the statutes enforced by the EEOC.
Your allegations did not involve a disability as defined by the Americans With Disabilities Act.
The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.
[X] The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
Other (briefly state)

- NOTICE OF SUIT RIGHTS -
(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

On behalf of the Commission

Jamie R. Williamson

Jamie R. Williamson,
District Director

06/25/2019

(Date Mailed)

Enclosures(s)

cc: PHILADELPHIA GAS WORKS
Brett Zahorchak, Esq. (For Respondent)
Senior Attorney
800 W. Montgomery Ave
Philadelphia, PA 19122

Karin M. Gunter, Esq. (For Charging Party)
Attorney at Law
85 Old Cedarbrook Road
Wyncote, PA 19095

EEOC Form 181 (11/16)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Miguel Chavarria, Jr.
131 E. Durham Street
Philadelphia, PA 19119

From: Philadelphia District Office
801 Market Street
Suite 1300
Philadelphia, PA 19107

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No. 530-2018-05271
EEOC Representative Legal Unit, Legal Technician
Telephone No. (215) 440-2828

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
Your allegations did not involve a disability as defined by the Americans With Disabilities Act.
The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
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The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
Other (briefly state)

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On behalf of the Commission

Jamie R. Williamson

Jamie R. Williamson, District Director

07/01/2019

(Date Mailed)

Enclosures(s)

cc: PHILADELPHIA GAS WORKS
Brett A. Zahorchak, Esq. (For Respondent)
Senior Attorney
800 W. Montgomery Avenue, 4th Floor
Philadelphia, PA 19122

Karin Gunter, Esq. (For Charging Party)
Attorney at Law
85 Old Cedarbrook Road
Wyncote, PA 19095

EEOC Form 161 (11/18)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Wayne Rauceo
6123 Greene ST.
Philadelphia, PA 19144

From: Philadelphia District Office
801 Market Street
Suite 1300
Philadelphia, PA 19107

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(e))

EEOC Charge No. 530-2018-04216
EEOC Representative Legal Unit, Legal Technician
Telephone No. (215) 440-2828

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
Your allegations did not involve a disability as defined by the Americans With Disabilities Act.
The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
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The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
Other (briefly state)

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On behalf of the Commission

Jamie R. Williamson

Jamie R. Williamson,
District Director

06/24/2019

(Date Mailed)

Enclosures(s)

cc: PHILADELPHIA GAS WORKS
Brett Zahorchak, Esq. (For Respondent)
Senior Attorney
800 W. Montgomery Ave, 4th Floor
Philadelphia, PA 19122

Karin Gunter Esq. (For Charging Party)
Attorney at Law
85 Old Cedarbrook Road
Wyncote, PA 19095

Enclosure with EEOC
Form 161 (11/18)

INFORMATION RELATED TO FILING SUIT

EEOC Form 161 (11/16)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Maurice A. Goodwin
2111 bridge st
Philadelphia, PA 19124

From: Philadelphia District Office
801 Market Street
Suite 1300
Philadelphia, PA 19107

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No. 530-2018-04754
EEOC Representative Legal Unit, Legal Technician
Telephone No. (215) 440-2828

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
Your allegations did not involve a disability as defined by the Americans With Disabilities Act.
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On behalf of the Commission

Jamie R. Williamson

Jamie R. Williamson,
District Director

07/02/2019

(Date Mailed)

Enclosures(s)

cc: PHILADELPHIA GAS WORKS
Brett Zahorchak, Esq. (For Respondent)
Senior Attorney
800 W. Montgomery Ave, 4th Floor
Philadelphia, PA 19122

Karin Gunter, Esq. (For Charging Party)
Attorney at Law
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