

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG PENNSYLVANIA 17120**

**Michelle Lescouflair
v.
Philadelphia Gas Works**

**Public Meeting held October 8, 2020
3013391-OSA
Docket No. C-2019-3013391**

DISSENT OF VICE CHAIRMAN DAVID W. SWEET

Before the Commission are the Exceptions of Michelle Lescouflair to the Initial Decision of Administrative Law Judge Joseph Brady which dismissed her complaint with prejudice after she failed to appear at the scheduled evidentiary hearing.

I recognize that the Initial Decision is legally sound and that the Commission is within its rights to deny the Exceptions, but under the unique circumstances of this case, we would also be within our rights to grant Ms. Lescouflair another hearing. In fact, it was her lack of utility service that played a large part in this matter, as she left her home because of no hot water, presumably because her gas service had been terminated. This caused her to miss picking up the hearing notice and prehearing order in time to participate in the hearing. It is unfair for the Commission to deny her the ability to seek a payment arrangement to pay her utility bill because she had no utility service.

Accordingly, I would grant the Exceptions and remand the case for the scheduling of another hearing.

October 8, 2020
DATE



DAVID W. SWEET
VICE CHAIRMAN