

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, Pennsylvania 17120

Rosine Pollack
vs.
Philadelphia Gas Works

Public Meeting December 3, 2020
3014732-ALJ
Docket Number: F-2019-3014732

STATEMENT OF CHAIRMAN GLADYS BROWN DUTRIEUILLE

The Complainant in this case alleges that she did not authorize Philadelphia Gas Works (PGW) to place her tenant's account in the Landlord Cooperation Program (LCP) and that PGW improperly placed the tenant's utility bill in the Complainant's name.

The ALJ in this case correctly recognized that this matter is time-barred under Section 3314 of the Public Utility Code, 66 Pa. C.S. § 3314. However, I disagree with the ALJ's conclusion that because the LCP is essentially a contract for private services that supplements the public utility services provided by PGW, the Commission has no jurisdiction over the LCP.¹ On the contrary, although a service voluntarily provided to benefit landlords, the LCP's many features, including continuity of service, access to meters, meter maintenance, and leak survey access, are inextricably intertwined with the provision of PGW's utility service.

In this case, the Complainant argued that PGW improperly made her the ratepayer of record. I believe that it is within this Commission's jurisdiction to consider whether PGW's action of enrolling the Complainant in a program, designed to give PGW access to its rate-based facilities, was consistent with Section 1501 of the Public Utility Code, 66 Pa. C.S. § 1501, which requires public utilities to provide reasonable service.

That being said, I agree with the dismissal of this matter based on this Complaint falling outside of the three-year statute of limitations for filing a complaint.



December 3, 2020
Date

Gladys Brown Dutrieuille, Chairman

¹ The LCP allows residential rental property owners to avoid the imposition of municipal gas liens on their registered properties in exchange for helping PGW gain prompt access to meters "for any reason, including but not limited to shutoff or turn-on of service, meter maintenance, performance of a leak survey, or for other safety or operational reasons." https://www.pgworks.com/uploads/media/LCP_TermsConditions.pdf