



**PHILADELPHIA GAS WORKS**

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December 21, 2020

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Your Life Your Choice, LLC c/o Nicole Joyner v. PGW,  
Docket No. C- 2020 - 3021849**

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code §5.421, the Philadelphia Gas Works (“PGW”) hereby files an Application for a Subpoena from the Pennsylvania Public Utility Commission.

If additional information is required, please do not hesitate to contact the undersigned. Thank you for your assistance in the matter.

Sincerely,

*/s/ Danielle Leva*

Enclosure

Cc: Administrative Law Judge Eranda Vero ([ever@pa.gov](mailto:ever@pa.gov))  
Pamela McNeila ([pmcneal@pa.gov](mailto:pmcneal@pa.gov))  
PECO- Legal Department  
Nicole Joyner, Your Life Your Choice ([nicolejoyner@letsholdon.com](mailto:nicolejoyner@letsholdon.com))

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Your Life Your Choice, LLC</b>	:	:	
<b>c/o Nicole Joyner,</b>		:	
	Complainant	:	
v.		:	<b>Docket No. C – 2020 – 3021849</b>
		:	
<b>Philadelphia Gas Works,</b>		:	
	Respondent	:	

**NOTICE TO PLEAD**

**To: PECO Energy Company, (non-party)  
Your Life Your Choice, LLC c/o Nicole Joyner, Complainant**

Pursuant to 52 Pa. Code §5.421, you are hereby notified that you have ten (10) days from the date of service hereof to file a written Objection to this Application for a Subpoena from the Pennsylvania Public Utility Commission in the above captioned matter or you may be deemed to not object to the issue of a subpoena. This application for subpoena seeks from the PECO Energy Company a listing of customers of record and contact information for electricity service for the property located at 1327 South Wilton Street, Philadelphia, Pennsylvania for the period January 2017 through December 2019.

Any objection to this application for the issue of a subpoena as described herein may be made to:

Rosemary Chiavetta, Secretary (see website for electronic filing information)  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

And

Administrative Law Judge Eranda Vero (send to: [pmcneal@pa.gov](mailto:pmcneal@pa.gov))  
Pennsylvania Public Utility Commission  
Office of Administrative Law Judge – Philadelphia Office  
Suite 4062  
801 Market Street  
Philadelphia, PA 19107

Respectfully submitted,

December 21, 2020

/s/ Laureto Farinas  
Laureto Farinas, Esquire  
Attorney I.D. No. 50415  
Philadelphia Gas Works  
800 W. Montgomery Avenue  
Philadelphia, PA 19122

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Your Life Your Choice, LLC</b>	:	
<b>c/o Nicole Joyner,</b>	:	
<b>Complainant</b>	:	
<b>v.</b>	:	<b>Docket No. C – 2020 – 3021849</b>
	:	
<b>Philadelphia Gas Works,</b>	:	
<b>Respondent</b>	:	

**Philadelphia Gas Works’ Application for  
Subpoena of PECO Records Regarding Customer(s)  
At 1327 South Wilton Street, Philadelphia, Pennsylvania**

Pursuant to 52 Pa. Code §5.421, the Philadelphia Gas Works (“PGW”) hereby files this application for the issue of a Subpoena to the PECO Energy Company for customers of record and contact information for electricity service for the property located at 1327 South Wilton Street, Philadelphia, Pennsylvania for the period January 2017 through December 2019 and whether there is any theft of electric service associated with the accounts of any of those customers of record.

In support of its application for a subpoena, PGW hereby avers the following:

1. In December 2019, the PGW discovered theft of gas service at 1327 South Wilton Street, Philadelphia, Pennsylvania (“Service Address”).
2. On or about December 16, 2019, a PGW technician arrived at the Service Address to conduct an Unbilled Usage Investigation. The PGW technician found a tampered meter bypass with the electronic meter transmitting device removed from the PGW meter.
3. The PGW technician terminated gas service and secured it with multiple locking devices and curbed with expander and removed the meter.
4. The PGW technician found several operating gas fired appliances with the following BTU values: house heater 75,000, water heater 36,000 and the cooking range 56,000.

5. On December 16, 2019, the Complainant, Nicole Joyner contacted PGW stating she was part owner of “My Life My Choice” but now has a new company and entity.

6. On December 17, 2019, PGW noted the PGW account of “My Life My Choice” c/o Nicole Joyner is responsible for the unauthorized usage charges from May 30, 2017 to December 11, 2019, in the amount of \$5,726.53

7. On or about August 26, 2020, the Complainant, Nicole Joyner filed the complaint in the above captioned matter with and seemingly on behalf of “Your Life Your Choice, LLC” a newer entity with which the Complainant, Joyner is now associated. The Complainant seeks to have service placed in her name. She maintains that she has nothing to do with “My Life My Choice” and seeks reimbursement of \$5,726.53 she paid to PGW to turn gas service on.

8. The Complaint avers that the Service Address was occupied by two other tenants, seemingly on different lease terms for the period from May 30, 2017 to December 11, 2019.

9. The Complainant has informed PGW that she is no longer associated with the entity known as ‘My Life My Choice.’ That organization was the customer of record for the gas service to the Service Address up until the discovery of the tamper meter bypass and unauthorized usage.

10. The Complainant states that she is the owner of the Service Address as of the approximate date that she called to have gas service placed in her name during the week following the discovery of unauthorized usage and meter tampering when the gas service was terminated and locked.

11. PGW has propounded a set of formal discovery upon the Complainant, Nicole Joyner, seeking information on the Complainant’s purported ownership of the Service Address and the involvement of the two entities “My Life My Choice” and Your Life Your Choice, LLC. PGW seeks information on other tenants of the Service Address and the nature of their leaseholds. The parties’ efforts to engage in informal discovery have been unsuccessful.

12. The record of occupancy and use of utility service would be most helpful in discerning who or what entity had ownership and possession of the Service Address.

**Wherefore**, PGW respectfully requests that this Commission issue a subpoena to the PECO Energy Company to obtain the customer of record information for electric service at 1327 South Wilton Street, Philadelphia, Pennsylvania for the period January 2017 through December 2019 in order to ascertain the parties that occupied or had possession and control of that address during the period of unauthorized gas usage and whether there is any theft of electric service associated with the accounts of any of those customers of record.

Respectfully submitted,

December 21, 2020

/s/ Laureto Farinas  
Laureto Farinas, Esquire  
Attorney I. D. No. 50415  
Philadelphia Gas Works  
800 W. Montgomery Avenue  
Philadelphia, PA 19122  
(215) 684-6982

**VERIFICATION**

I, Laureto Farinas, hereby declare that I am counsel for the Philadelphia Gas Works. I am authorized to make this verification on its behalf. The facts set forth in the foregoing Answer are true and correct to the best of my knowledge, information, and belief. I expect to be able to prove these facts at a hearing held in this matter. This verification is made subject to the penalties of 18 Pa. C.S. §4904, concerning false statements to authorities.

December 21, 2020

/s/ Laureto Farinas  
Laureto Farinas, Esquire

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY THAT I HAVE THIS DAY SERVED A TRUE COPY OF THE FOREGOING DOCUMENT **Application for Subpoena of PECO Records Regarding Customer(s) At 1327 South Wilton Street, Philadelphia, Pennsylvania** UPON THE PARTICIPANT AND NON-PARTY LISTED BELOW, IN ACCORDANCE WITH THE REQUIREMENTS OF 52 PA CODE §§1.54, (relating to service by a participant) 5.341, 5.361 AND THE COMMISSION'S EMERGENCY ORDER AT M-2020-3019262 (relating to service via email)

PECO Energy Company  
Legal Department  
2301 Market Street  
Philadelphia, PA 19101

Ms. Nicole Joyner  
Your Life Your Choice  
P.O. Box 54870  
Philadelphia, PA 19134

via email: ([nicolejoyner@letsholdon.com](mailto:nicolejoyner@letsholdon.com))

December 21, 2020

/s/ Laureto Farinas  
Laureto Farinas, Esquire  
Philadelphia Gas Works  
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