



PHILADELPHIA GAS WORKS

800 West Montgomery Avenue • Philadelphia, PA 19122

Graciela Christlieb, Senior Attorney
Legal Department
Direct Dial: 215-684-6164
FAX: 215-684-6798
graciela.christlieb@pgworks.com

April 27, 2021

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

Re: Ruben Tehrani v. PGW; Docket No. C-2021-3025071

Dear Secretary Chiavetta:

Pursuant to 52 Pa. Code § 5.101, the Philadelphia Gas Works hereby files its Preliminary Objections to the Complaint in the above captioned matter.

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

Sincerely,

/s/ Graciela Christlieb

Enclosure

cc: Ruben Tehrani

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Ruben Tehrani

v.

Philadelphia Gas Works

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Docket No. C-2021-3025071

NOTICE TO PLEAD

To: Ruben Tehrani, Complainant

Pursuant to 52 Pa. Code § 5.101, you are hereby notified to file a written response to the enclosed Preliminary Objections and Motion to Strike, within ten (10) days from service hereof or you may be deemed to be in default and relevant facts stated in these pleadings may be deemed admitted and a judgment may be entered against you.

Respectfully submitted,

April 27, 2021

/s/ Graciela Christlieb

Graciela Christlieb, Esquire
Attorney I.D. 200760
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122
(215) 684-6164

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Ruben Tehrani

v.

Philadelphia Gas Works

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Docket No. C-2021-3025071

Philadelphia Gas Works Preliminary Objections

Pursuant to 52 Pa. Code § 5.101, the Philadelphia Gas Works (“PGW”) hereby files its Preliminary Objections to the Complaint filed in the above captioned matter on the grounds that the Commission lacks jurisdiction over subject matter in the Complaint as the issues raised in the Complaint are beyond the statute of limitations at 66 Pa.C.S. § 3314.

In support of its preliminary objections and motion to strike, PGW hereby avers the following:

1. The Complainant established service at 1820 N. 69th Street, Philadelphia, PA (“Service Address”), as of January 5, 2001.
2. On 07/14/2017, the Complainant visited PGW’s West Philadelphia District Office and applied for the Customer Responsibility Program (“CRP”).
3. The Complainant’s application was rejected as income documents showed that his household was over the income guidelines for CRP.
8. The statute of limitations at 66 Pa.C.S. § 3314 provides that no action for recovery of penalties or forfeitures, or any prosecution, may be maintained unless brought within three years from the date the liability arose.
9. The statute of limitations at 66 Pa.C.S. § 3314 divests the Commission of jurisdiction to hear an action brought more than three years from the date the liability arose.
10. The Complainant has lost his right to pursue litigation before the Commission regarding PGW’s 2017 decision on his CRP application, as any cause of action falls outside the statute of limitations.

11. As the Commission is without jurisdiction to decide on matters falling outside of the statute of limitations, the portions of the Complaint that fall outside the statute of limitations should be dismissed and the Complainant's request for relief stemming from those portions should be deemed "impertinent matter" within the use and meaning of 52 Pa. Code §5.101(a)(2) and stricken from the Complaint.

Wherefore, PGW respectfully requests that this Commission sustain PGW's preliminary objections.

Respectfully submitted,

April 27, 2021

/s/ Graciela Christlieb

Graciela Christlieb, Esquire
Attorney I.D. 200760
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122
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VERIFICATION

I, Graciela Christlieb, 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 Motion 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.

April 27, 2021

/s/ Graciela Christlieb

Graciela Christlieb, Esquire
Attorney I.D. 200760
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800 W. Montgomery Avenue
Philadelphia, PA 19122
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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 via Email:

Reuben Tehrani
1820 N. 69th Street
Philadelphia, PA 19151
trbrynmawr@yahoo.com

April 27, 2021

/s/ Graciela Christlieb

Graciela Christlieb, Esquire
Attorney I.D. 200760
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Philadelphia, PA 19122
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