

Docket No F-2021-3028044

January 3, 2022

**From Latia Walker****Response to Memorandum**

I want to start off by saying that as the property owner I understand that I am responsible for the bill. What I have questioned is PGW estimate of almost \$19,000 and that they do not have any kind of responsibility for this account falling between the cracks. I still believe my theory that someone new was hired to oversee terminated accounts or due to COVID someone actually took the time to review terminated accounts. They came across my account and put in an order to retrieve the meter (not replace the battery). The statement that they came out to replace the battery in a meter that was not functional makes no sense to me. That is like replacing the battery in a car that's been on the lot for sale for years. Why? Wouldn't it make more sense to replace the battery once some calls to restore services? How are they responsible for replacing the battery on a nonfunctional meter but not responsible/required to inspect that same meter every 3 years? It just does not make sense to me.

When I went back to review all the paperwork submitted, I noticed the under PGW Exhibit 4, page 1, Order Type is Meter Reclamation Program. Its further explained under PGW Exhibit B, Page 2, Paragraph 4, that PGW came out to the property to remove the meter as part of the Meter Reclamation Program. It mentions nothing about replacing a battery. This proves that PGW does have a follow up procedure for terminated accounts (PGW stated, under Oath, that they do not have a follow up procedure for terminated accounts), which goes back to my theory that someone let this account fall thru the cracks. This meter reclamation should have been attempted years ago. If the meter was tampered with it would have been discovered back then. For them (PGW) denying a follow up procedure and telling an untruth about the reason they visited the property (both statements were under Oath), I believe this warrants a reduction of the balance.

Tampering with the meter is a known issue to PGW. It's so known that they have a box to check on the shut off notice. Since this is a known problem, why are they not doing everything that they can to reduce/possibly eliminate the issue. What I mean by reducing/eliminating is, turn off the gas at all outlets (outside/inside) and remove the meter. Just turning off the gas inside is like locking all the doors on your house but leaving the windows unlock and you wonder how someone broke in. Again, this does not make sense to me. I feel like PGW should be held responsible for not doing all that they can to stop "unauthorized usage." They can update the meters and have a bell go off if the meter is moved or tampered with, something. If they did everything that they could do and someone still finds a way to tamper with it, then I understand being held responsible for whatever happens. I have seen PGW turn off services from the outside, it takes about 3 seconds, removing the meter does not seems like a huge ask either, so why are they not held liable for something. The post office had a problem with people stealing mail out the mailbox. Now you barely fit an envelope in the slot its so small. They realized the problem and acted, that's all I'm asking PGW to do. If not for me, then for the next person that finds themselves in this situation.

It seems to me that PGW is only worried about money. I say that because it cost zero dollars to turn the gas off at all outlets (unless they have to dig up the street, they didn't in my case) and remove the meter. I'm thinking that is not done because they would rather catch someone with a tampered meter and back bill them for whatever amount they want to. As long as they are allowed to do the bare

minimum and charge people thousands of dollars, this will continue to happen. I ask that you encourage PGW to review and revamp their process. We all know tampered meters are dangerous hazards for everyone in that house and their neighbors. So why isn't PGW doing more to stop this?

PGW does not show any care or concern for the public. Knowing all the health risks involved with going without heat in winter and the possible pipe damage. Why do I have to fight for service? How can a person be denied warmth in the winter for a situation that can't be proven? Why have a winter moratorium and still deny service in the winter? How can it be humane to force someone, who is willing pay for services, rely on a space heater? I called PGW (after the hearing) to ask what happens if we get frost bite or some other medical condition, due to sitting in a cold house, she told me that PGW would not be responsible since services were turned off before winter. But you are denying service now, in winter. I have asked to have the services turned on in my mothers name while I pay the balance, I was told no. I asked to have services restored just for the winter months and I was told no. Although you can get a different gas supplier it still has to go thru PGW, so its like they have a monopoly over gas services. How is this legal. How am I the only one that sees a problem with this? Its not like I can go elsewhere for services. Everyone falls on hard times and PGW should have to work with people for the above reasons.

Regarding case law, I found this article online (attached at the end) from 2017 about a family that called PGW for a gas leak. When PGW inspected the meter, they found that it was "tampered with" and the family was charged for "unauthorized usage" for 13 years in the amount of \$14,000. In that case, they were only held responsible for \$9,000 and PGW allowed them to make payment arrangements on that amount. I ask that you keep that in mind when reviewing this case. I also ask that you look outside of past cases and view this on its on merit. The cases referenced in PGW Memo did not happen during a worldwide pandemic. The world has changed. All you can really do is sit in the house. I bring that up because that is one reason services are needed now. I am permanently working from home. My job is selling the building by 2023 and they are programing robots to do work that is done by humans now. Retiring from there was the goal but suddenly that is going to change. I must prepare myself for the unknown. The unknown with my job status and the unknown with this case.

I am not asking for a pass, what I am asking for is a fair decision based on the facts of this case and the world we live in now. A world where the President had to raise the debt ceiling, milk is \$5, jobs are shaky, everything is inflated and the asking price for basic row home is \$250,000 to \$300,000. Paying almost \$19,000 up front is not possible. Also, I think PGW should be held responsible for their role in this situation.

Thank you,

*LaTia Walker*

**Article referenced above from Consumerist website 1/6/17 by Mary Beth Quirk**

On Wednesday, we wrote about Consumerist reader Norma, whose family has been without gas service in Philadelphia — which means no heat — in their apartment for a few days. Since then, Norma says the local utility has demanded they pay \$14,000 in order to get their meter returned and service turned back on.

Soon after Norma's story was published, she wrote to say she was told the meter would be restored on Saturday. The family bundled up, and hunkered down with space heaters.

"We are going on 97 hours without heat, hot water or cooking gas," Norma told Consumerist on Friday, calling it the "coldest day yet."

Writing just a few hours later, Norma said PGW has claimed they owe \$14,000 for gas that PGW says was not recorded by the meter. She had no idea they were using any gas outside of the \$100 worth they paid for every month, writing that she's "totally panicked."

"It must be from before we lived here," she writes, adding that they moved in 13 years ago. "I swear on everything we never touched it."

While a PGW spokesperson declined to comment on any specific amounts or figures related to the family's account, citing privacy provisions, he did assert that the meter had indeed been tampered with, which was why it was leaking gas and had to be removed, per safety protocols.

"We know that the operation of the meter was interfered with, and we know that it was causing an unsafe situation," he told Consumerist. "We've subsequently confirmed that an amount of previously unaccounted for gas was used at the property, but was not paid for. We were also able to calculate what that amount of unaccounted for gas is."

Typically, this means billing the customer of record for that unaccounted for gas, the spokesperson explained, adding that a customer is only responsible for unaccounted gas at their property while the account was in their name. That would be 13 years for Norma's family.

"However it happened, the gas was used at the property by the account holder, and so the cost of it must be recouped from the account holder – the beneficiary of the natural gas that was used," PGW's spokesperson told Consumerist. "For PGW, as a municipal utility, there is no other source of payment: the natural gas used must be paid for by those who use it, or by those who own the properties that benefit from it. Otherwise the cost is borne by every other ratepayer in the city."

So even if Norma's family had no idea that the meter had been tampered with, as she maintains, that gas was still technically being used while they were paying for what the meter *did* record, which comes down to about \$100 per month as part of the Budget Billing program. With that option, PGW

looks at historical usage and then pro-rates your annual gas costs more evenly across the full 12 months.

PGW's spokesperson said he would be looking into what next steps are available to the family.

For now, Norma says at least the kids will be warm — because they won't be in the home. She and her husband are "stuck," however.

"We are sending our kids with relatives this weekend. But Monday they have to come back," Norma tells Consumerist. "We are looking at temperatures around 18 degrees this weekend and snow... I don't know what to do."

Having your gas cut off in the middle of winter isn't just an annoyance; it can put your health and life at risk. So when your utility company claims you owe them thousands of dollars, you might feel pressured into paying just to keep warm. If you try to dispute the bill and refuse to pay, you may be without heat for months. But if you make a deal to pay *some* of what you allegedly owe, will you be able to plead your case later?

This is an issue we began looking into after our recent stories on a [Philadelphia family who was hit with a \\$14,000 bill from the utility company for "unauthorized gas usage."](#)

The utility alleged that the family had tampered with the meter. The family denied any wrongdoing and pointed out that *they* were the ones who brought the problem to the utility's attention in the first place.

The issues and policies raised in this story are going to vary from state to state, so we looked at the options available for this Pennsylvania family.

### Payment Agreements

In their case, the family got their gas restored after agreeing to pay Philadelphia Gas Works (PGW) \$9,000 — \$5,000 less than the original PGW demand. The still-hefty amount is to be paid down in smaller monthly installments.

As PGW notes, this sort of payment plan isn't just for customers with disputed or outrageously large gas bills. Anyone who is facing a shut-off notice or have lost service can contact the company about payment agreements.