**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Darlene Oliver :

 :

 v. : C-2022-3033691

 :
Philadelphia Gas Works :

**PREHEARING ORDER**

An Initial Telephonic Hearing has been scheduled in this matter on:

**WEDNESDAY, AUGUST 31, 2022,** beginning at **10:00 a.m.**

To participate in the hearing, you must dial the toll-free number listed below. You will be prompted to enter a PIN number, which is also listed below. You will be asked to speak your name and then the telephone system will connect you to the hearing. If you have any witnesses you want to have present during the hearing who are participating from a separate phone, you must provide them with the telephone number and PIN Number.

 **Toll-free Bridge Number: 1.877.940.9742**

 **PIN Number: 50699259**

**FAILURE TO APPEAR**: If you fail to participate in the hearing on the scheduled day and time, the hearing will proceed in your absence. You will be deemed to have waived the opportunity to participate in the hearing. **The case may be dismissed “with prejudice,” whereby, you will be barred from filing another complaint raising the same claim(s) and issue(s) presented in the dismissed complaint.** 52 Pa. Code § 5.245.

THE PARTIES ARE HEREBY DIRECTED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

1. **CONTACT INFORMATION.** If your email address, address or telephone number changes during the course of this matter, you must immediately update the presiding officer by sending an email detailing the change(s) to kamaguire@pa.gov.
2. **CONTINUANCES.** You may request a continuance of the hearing if you have a good reason. **Continuances will be granted only for good cause**. To request a continuance, you must submit a **written** request (a “motion”) at least **five (5) days** before the hearing. 52 Pa. Code §1.15(b). Your motion should include:
3. The case name, case number, and hearing date;
4. State the reason you are requesting a continuance; and
5. State whether the other parties agrees or opposes the request (or if you do not know).

You must email the motion to me at:

**Special Agent Kailey B. Maguire**

**kamaguire@pa.gov**

You must also submit the motion to the other parties. For your convenience, a copy of the Commission’s current service list of all parties (with available email addresses) is attached to this Order.

1. **REPRESENTATION.**  If you are an individual(s), you do not need an attorney to

represent you. **You may represent yourself or you may have an attorney represent you.** All others, including a partnership, corporation, trust, association, or governmental agency or subdivision, must be represented an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *pro hac vice*. 52 Pa. Code §§ 1.21 & 1.22. And, unless you are an attorney, you may not represent someone else. 52 Pa. Code § 1.23. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa. Code § 1.24(b).

1. **PRESENTING EXHIBITS.** If you intend to present any documents or exhibits for my consideration during the hearing, you **must** email them to meat **kamaguire@pa.gov**.  You **must** also submit a copy of each document you submit to me to **all parties** in this case.  Your exhibits must be received by me and all parties at least five **(5)** days before the scheduled hearing.  As previously noted, a copy of the service list of all parties (with available email addresses) is attached to this Order.

Proposed exhibits should be properly pre-marked for identification, such as Complainant Exh.1, Complainant Exh. 2, etc. Note that attachments to your Complaint or Answer are not admitted into the record unless submitted separately. Please be sure to have all pre-served exhibits with you at the time of the hearing. This hearing may be your only opportunity to present evidence in support of your complaint.

1. **FILING AND SERVING DOCUMENTS DURING COVID-19**

FILING WITH THE COMMISSION.

**COVID-19**. Currently the Commission’s buildings are open for business; however, some operational restraints occasioned by the pandemic remain. Therefore, ALL Parties to proceedings pending are encouraged to EITHER open and use an e-Filing account through the Commission’s website at [www.puc.pa.gov](http://www.puc.pa.gov) OR to ensure timely arrival, submit the filing by overnight delivery as explained below.

**E-FILING**. The Commission offers a free e-Filing Subscription Service. This service allows a user to file documents electronically and receive an automatic email notification whenever a document is added, removed, or changed on the PUC website in a specific case. For information and to subscribe to this service, visit the PUC’s website at:

<https://www.puc.pa.gov/filing-resources/efiling/>

**PAPER FILING.** If you do not have the capability to open and use an e-Filing account, you may file paper documents with the Secretary of the Commission. Filing of paper documents must be sent by overnight delivery to:

Secretary

Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

It is important that you retain the tracking information as proof of submission. Emailed or faxed submissions filings to the Commission are not acceptable.

**CONFIDENTIAL MATERIAL**. If a filing contains confidential or proprietary material, the filing should be submitted by overnight delivery to ensure arrival. Large filings containing confidential or proprietary material may also be submitted through the Commission’s Share Point File system. These filings should be followed by a hard copy with a flash drive or CD for the Commission’s file. Filers should contact the Secretary’s Bureau in advance to set up a Share Point File before submitting the filing.

## SERVING OTHER PARTIES. When you file documents with the Commission, you must also

serve a copy on the other party. During COVID-19, you can serve a copy by e-Service or e-mail. [For your convenience, a copy of the Commission’s current service list of all parties to this proceeding is enclosed with this Order].

SERVING THE PRESIDING OFFICER. Be sure that you serve me directly with a copy of any document that you file in this proceeding at the time of its filing. You must email one (1) copy at **kamaguire@pa.gov**. If you send me any correspondence or document, you must also send a copy of that correspondence or document to every other party.

1. **DOMESTIC VIOLENCE VICTIM**. If you are a domestic violence victim and you want to be considered for protections that may be available to domestic violence victims, you must submit a copy of your Protection from Abuse (PFA) Order or a Court Order issued by a court of competent jurisdiction in Pennsylvania, which provides clear evidence of domestic violence against you. In the case of a PFA Order, we will take precautions to ensure that your address is not made public.
2. **WITNESSES.** If you intend to call anyone as a witness, you must either:

(1) have the witness in the same room as yourself when you are contacted by the presiding officer for participation in the hearing, or (2) provide the presiding officer with the phone number of the witness so that your witness may be reached and connected to the hearing conference phone line for participation in the hearing.

1. **SETTLEMENT.** Commission policy encourages settlements. 52 Pa. Code § 5.231(a). **The utility shall contact the Complainant at least one week before the scheduled hearing to talk over a possible settlement of this case**. Even if you are unable to settle this case, you may still resolve many questions or issues during your talks. If an agreement is reached on all the issues, a formal hearing will not be necessary, and the scheduled hearing will be cancelled.
2. **BURDEN OF PROOF.**  The Complainant (the one filing the Complaint) bears the burden of proof and must present evidence sufficient to demonstrate that the utility has violated the Public Utility Code, or a regulation or order of the Commission. 66 Pa.C.S. § 332(a).
3. **PAYMENT ARRANGEMENT CASES.** If you have requested a payment

arrangement, Chapter 14 of the Public Utility Code will be applied. 66 Pa.C.S. §§ 1401-1419. You must be prepared to testify about the total gross monthly income of the household. A household includes all adults living at the service address and benefiting from the utility service. The **“total gross monthly household income”** includes, but is not limited to, the following: (a) the “before taxes or other deductions” pay from salaries, wages, tips or other compensation; (b) pension, retirement or social security benefits; (c) Supplemental Security Income (SSI); (d) unemployment compensation benefits; (e) workers’ compensation benefits; (f) alimony; and (g) any other source(s) of income.

The utility must prepare and submit the following documents at least five (5) business days before the hearing: (a) an account statement, showing the history of the account for a minimum of 24 months or the entire history of the account, whichever is less; (b) a copy of the most recent BCS decision, if any; (c) a brief summary of any payment arrangement(s) made between the utility and the customer.

The customer **MUST** make monthly payments for current usage on or before the billing due date while this complaint is pending. Failure to make payments may result in the utility terminating your service.

1. **BILLING COMPLAINT**. If you are claiming that there are incorrect charges on

your utility bill, then you must be prepared to provide the dates that are important and an explanation about any amounts or charges that you believe are not correct.

1. **HEARING PROCEDURES.** The hearing will be conducted in accordance with the Commission’s Administrative Rules of Practice and Procedure at 52 Pa. Code, Chapters 1, 3, and 5.
2. **TELEPHONE CASES.** Although the hearing is being conducted telephonically for the convenience of the parties, it is still a formal hearing and will be conducted in accordance with the Commission’s Administrative Rules of Practice and Procedure. Please be sure to participate from a location, and using a phone, where background noise will be minimized, and the reception is clear.
3. **ACCOMMODATION.**  Any party who needs an accommodation for a disability in order to participate in this hearing process may request one. Please email me at least **five** (5) business days prior to your hearing to submit your request.

If you require an interpreter to participate in the hearing, we will make every reasonable effort to have an interpreter present. Please email the presiding officer at least **ten** (10) business days prior to your hearing to submit your request.

The AT&T Relay Service number for persons who are deaf or hearing-impaired is:

1.800.654.5988.

1. **THIS COMPLAINT MAY BE DISMISSED IF THE COMPLAINANT FAILS TO PARTICIPATE IN THE HEARING AND PRESENT EVIDENCE IN SUPPORT OF THE COMPLAINT.**
2. **FURTHER INFORMATION.** For generalfurther information about the formal

complaint hearing process, you may visit the PUC’s website at:[www.puc.state.pa.us](http://www.puc.state.pa.us).

Date: August 22, 2022 /s/

 Kailey B. Maguire Special Agent

**C-2022-3033691 - DARLENE OLIVER v. PHILADELPHIA GAS WORKS**DARLENE OLIVER5541 REGENT STPHILADELPHIA PA 19143**215.980.1127**DarleneOliver45@gmail.com

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Accepts eService
*(Counsel for Philadelphia Gas Works)*