



PHILADELPHIA GAS WORKS

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October 17, 2022

VIA ELECTRONIC FILING

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

Re: Rosa Brown v. Philadelphia Gas Works; Docket No. C-2022-3032000

Dear Secretary Chiavetta:

Enclosed for electronic filing please find Philadelphia Gas Works' Reply to Complainant's Exceptions to the Initial Decision issued in the above-referenced matter. Copies to be served in accordance with the attached Certificate of Service.

Sincerely,

/s/ Graciela Christlieb

Graciela Christlieb, Esquire

Enclosure

cc: Cert. of Service w/enc.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of Philadelphia Gas Works' Reply to Exceptions upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party).

Via Email Only

Rosa Brown

rbrown@temple.edu

Date: October 17, 2022

/s/ Graciela Christlieb

Graciela Christlieb, Esquire

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Rosa Brown,	:	
Complainant,	:	
v.	:	Docket No. C-2022-3032000
	:	
Philadelphia Gas Works,	:	
Respondent.	:	

**PHILADELPHIA GAS WORKS’
REPLY TO COMPLAINANT’S EXCEPTIONS**

Pursuant to 52 Pa. Code §5.535 and the Secretary’s Letter dated September 29, 2022, the Philadelphia Gas Works (“PGW” or “Respondent”) hereby submits the following Reply to the Exceptions filed by Rosa Brown (“Complainant”) to the Initial Decision in this matter issued on August 15, 2022 (“Initial Decision”).

I. INTRODUCTION

On April 14, 2022, Complainant filed a Formal Complaint with the Pennsylvania Public Utility Commission (“Commission”) against PGW wherein she requested a Commission -issued payment agreement (“Complaint”).

On May 9, 2022, PGW filed an Answer wherein it stated that Complainant’s balance included significant customer assistance program arrears and asked that the Complaint be dismissed.

By Hearing Notice dated May 12, 2022, an Initial Call-In Telephonic Hearing was scheduled for June 9, 2022 before Administrative Law Judge F. Joseph Brady.

On June 9, 2022, the hearing convened as scheduled. Both parties were in attendance and presented evidence. The record closed on June 22, 2022.

On September 16, 2022, Judge Brady issued the Initial Decision wherein he dismissed the Complaint.

By Secretarial Letter dated September 29, 2022, the Commission served PGW with exceptions to the Initial Decision filed by Complainant. PGW’s reply follows.

II. COMPLAINANT'S EXCEPTIONS AND PGW'S REPLY

Exceptions

Complainant's exceptions fail to identify any error in fact or law contained in the Initial Decision. Rather, Complainant's exceptions reiterate the claims and requests made in the Complaint.

Reply

Complainant's exceptions fail to demonstrate that the Initial Decision is unsupported by substantial evidence. More notably, however, Complainant fails to address the finding that she failed to meet her burden of proof that she is eligible for a Commission-issued payment agreement. The Commission is left with a record that clearly shows that Complainant has not only failed to make a good faith effort to pay her gas bill, she has abused the Commission's administrative process by filing multiple similar complaints in order to avoid the consequences of her non-payment.

III. CONCLUSION

WHEREFORE, PGW respectfully requests that this Commission deny Complainant's exceptions and adopt the Initial Decision.

Respectfully submitted,

/s/ Graciela Christlieb

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Date: October 17, 2022

Counsel for PGW