



**PHILADELPHIA GAS WORKS**

800 West Montgomery Avenue • Philadelphia, PA 19122

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**Graciela Christlieb, Senior Attorney**  
**Legal Department**  
Direct Dial: 215-684-6164  
FAX: 215-684-6798  
E-mail: [graciela.christlieb@pgworks.com](mailto:graciela.christlieb@pgworks.com)

October 24, 2023

**VIA ELECTRONIC FILING**

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

Re: Florence Ackridge v. Philadelphia Gas Works; Docket No. C-2022-3035899

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 and First Class Mail**

Florence Ackridge  
6713 N. Gratz Street  
Philadelphia, PA 19126  
[flossieack@gmail.com](mailto:flossieack@gmail.com)

Date: October 24, 2023

/s/ Graciela Christlieb

Graciela Christlieb, Esquire

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Florence Ackridge,	:	
Complainant,	:	
v.	:	Docket No. C-2022-3035899
	:	
Philadelphia Gas Works,	:	
Respondent.	:	

**REPLY EXCEPTIONS OF PHILADELPHIA GAS WORKS**

Pursuant to 52 Pa. Code §5.535 of the regulations of the Pennsylvania Public Utility Commission (“Commission”), the Philadelphia Gas Works (“PGW” or “Respondent”) hereby submits the following Reply to the Exceptions filed by Florence Ackridge (“Complainant”) to the Initial Decision of Administrative Law Judge Marta Guhl (“Judge Guhl”) in this matter (“Initial Decision”).

**I. INTRODUCTION**

On October 5, 2022, the Complainant filed a Formal Complaint (“Complaint”) with the Commission against PGW wherein she alleges *inter alia* that there are incorrect charges on her bills. The Complainant also requested a payment agreement.

On October 27, 2022, PGW filed its Answer wherein it averred that bills for service issued to the Complainant were based on actual meter readings and there were no incorrect charges on the bill for natural gas service to Complainant’s home.

On November 9, 2022, the Commission served an initial telephonic hearing notice setting a formal call-in telephonic hearing for this matter on January 12, 2023, at 10:00 a.m. and assigning Judge Guhl as the presiding officer. The hearing convened as scheduled on January 12, 2023, at 10:00 a.m. The Complainant appeared pro se. PGW appeared represented by counsel with one witness.

On May 15, 2023, Judge Guhl issued the Initial Decision wherein she dismissed the portion of the Complaint regarding incorrect billing as she failed to carry her burden with respect to that allegation, but granted the portion of the Complaint requesting a payment agreement.

On May 25, 2023 the Complainant filed Exceptions to the Initial Decision, but did not serve the exceptions on PGW. The Commission served PGW with Complainant’s Exceptions via email on October 11, 2023. PGW’s Reply to Complainant’s Exceptions follows.

## II. COMPLAINANT'S EXCEPTIONS AND PGW'S REPLY

### Exception

The stated purpose of Complaint's "Exceptions" is to "admit additional documents and evidence by Complainant Florence Ackridge to sustain her burden of proof." The "Exceptions" then proceed to make a number of allegations and arguments.

### Reply

The Complainant has failed to identify any error in law or fact that would support reversal of Judge Guhl's finding regarding the accuracy of Complaint's billing. Rather, the Complainant is attempting to supplement the record with additional documents and evidence. Additionally, the Complainant appears to be requesting monetary damages ("Ms. Ackridge is seeking...the amount for a heater...") and other issues not raised in her complaint and outside the Commission's jurisdiction ("Elder Fraud" and "overbilling" in the amount of "\$10,000 from the Private Contractor HVAC Green Sky and Adams Mechanics.").

The record clearly demonstrates that the Complainant's bills are correct and that they accurately reflect the usage of a heating account as well as Complainant's testimony that her house heater was not operational for a period of time during the cold months of 2021. PGW's Exhibit 9, a statement of the Complaint's account, shows that, despite there being 335 heating degree days during the billing period for the November 19, 2021 bill and 577 heating degree days during the billing period for the December 21, 2021 bill, those bills were only \$69.35 and \$29.49 respectively given the low usage recorded on the meter (presumably due to the issues Complainant was having with her heater and the period of time the gas was shut off to the heater by PGW). Moreover, any gas related appliances and fixtures after the gas meter are the customer's responsibility to maintain.<sup>1</sup> As such, any increase in the Complainant's gas bill relating to the condition of her appliances is the Complaint's responsibility.

With respect to the additional issues raised, PGW objects to those issues as outside the scope of this matter as well as on the grounds that the Commission is without jurisdiction to issue monetary damages or to adjudicate matters involving elder fraud and/or private contracts between the Complainant and her contractors.

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<sup>1</sup> PGW's Gas Service Tariff section 9.4 Division of Responsibility states "All piping, fixtures and **appliances** on the Customer's side of such delivery point must be installed and maintained by and at the expense of the Customer or Owner of the property..." (emphasis added).

**III. CONCLUSION**

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

Respectfully submitted,

*/s/ Graciela Christlieb*

Graciela Christlieb, Esquire  
Attorney I.D. 200760  
Philadelphia Gas Works  
800 W. Montgomery Avenue  
Philadelphia, PA 19122  
Telephone: (215) 684-6164  
[graciela.christlieb@pgworks.com](mailto:graciela.christlieb@pgworks.com)

Date: October 24, 2023

*Counsel for PGW*