



PHILADELPHIA GAS WORKS

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April 17, 2024

VIA ELECTRONIC FILING

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

Re: Sonceiray Bowman v. Philadelphia Gas Works; Docket No. C-2023-3041967

Dear Secretary Chiavetta:

Enclosed for electronic filing please find Philadelphia Gas Works' Response to the Motion for Sanctions 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: Special Agent Michael Mroczka, Pennsylvania Public Utility Commission [w/enc.]
Cert. of Service [w/enc.]



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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of Philadelphia Gas Works' Response to Motion for Sanctions 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 FIRST CLASS AND ELECTRONIC MAIL

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Date: April 17, 2024

/s/ Graciela Christlieb

Graciela Christlieb, Esquire

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Sonceiray Bowman,	:	
Complainant,	:	
v.	:	Docket No. C-2023-3041967
	:	
Philadelphia Gas Works,	:	
Respondent.	:	

**RESPONSE OF PHILADELPHIA GAS WORKS
TO MOTION FOR SANCTIONS**

Respondent Philadelphia Gas Works (“PGW” or “Respondent”), pursuant to 52 Pa. Code § 5.103(c), hereby submits the following Response to Ms. Bowman’s Motion for Sanctions filed on March 12, 2024.

I. BACKGROUND

On July 30, 2023, Sonceiray Bowman (“Complainant”) filed a Formal Complaint (“Complaint”) with the Pennsylvania Public Utility Commission (“Commission” or “PUC”) against PGW. The Complainant checked the boxes on the Complaint form stating that the PGW is threatening to shut off her service or has already shut off her service and Other. In her request for relief, the Complainant stated that she would like PGW to give her a smaller payment arrangement.

On August 21, 2023, PGW by and through its attorney, Graciela Christlieb (“Ms. Christlieb”), filed an Answer admitting that PGW had issued a notice of impending termination to the Complainant and stating that PGW has entered into multiple payment agreements with the Complainant that remain unsatisfied.

By Hearing Notice issued on August 22, 2023, the PUC notified the parties that the evidentiary hearing in this matter was to take place on October 25, 2023, at 10:00 a.m. before Special Agent Mroczka.

On October 3, 2023, PGW filed a Notice of Appearance of Appearance for Anita J. Murray, another PGW attorney. No Notice of Withdrawal was filed for Ms. Christlieb as she remained an attorney on the case.

On October 25, 2023, the hearing convened as scheduled. Anita Murray appeared on behalf of PGW. Angela Bowman (“Ms. Bowman”) appeared on behalf of Sonceiray Bowman wishing to act as her attorney due to having a power of attorney with respect to the Complainant’s affairs. Ms. Bowman was informed that she could not represent the Complainant in the hearing as she is not a licensed attorney. The Complainant got on the call and requested a continuance to obtain an attorney.

By Hearing Notice issued on October 30, 2023, the PUC notified the parties that the evidentiary hearing in this matter was to take place on November 29, 2023, at 10:00 a.m. before Special Agent Mroczka.

On November 29, 2023, the hearing convened as scheduled. Anita Murray appeared on behalf of PGW. Ms. Bowman appeared on behalf of Sonceiray Bowman; she stated that the attorney from Community Legal Services was not available on that day and she requested another continuance indicating that she had sent a request the day before via fax. Ms. Bowman also indicated that there was a billing dispute. The Complainant was instructed to file an amended complaint.

On December 13, 2023, Ms. Bowman filed a “Request for Investigation into Calculations of Gas Usage & Associated Charges, etc.” This filing was docketed as a “Case Related Document” by the PUC. Rather than object to the source or form of this filing, PGW proceeded to handle the case as a billing dispute rather than request for a payment agreement.

By Hearing Notice issued on January 9, 2024, the PUC notified the parties that the evidentiary hearing in this matter was to take place on March 7, 2024, at 10:00 a.m. before Special Agent Mroczka.

Ms. Christlieb once again took the lead in this case, which now involved a billing dispute in addition to a request for a payment agreement. The instant Complaint appears to reference the Complainant’s prior complaint at Docket No. C-2022-3036666, which was handled by Ms. Christlieb, granting Ms. Christlieb greater familiarity with the issues regarding the accuracy of the billing.

In anticipation of the January 9, 2024 hearing, counsel for PGW attempted to contact the Complainant. Ms. Christlieb was not able to speak with the Complainant, but she did have a conversation with Ms. Bowman. Ms. Bowman indicated that the Complainant had not obtained an attorney and that she, Ms. Bowman, would be representing the Complainant. Ms. Bowman further stated that an order had been issued saying that she would be permitted to do so. During the course of the conversation, it became clear to Ms. Christlieb that Ms. Bowman was referring to the November 29, 2023 Order Granting Continuance. Ms. Christlieb explained to Ms. Bowman PGW’s objection regarding her attempted legal representation of the Complainant and discussed converting the hearing date to a pre-hearing conference in order to settle the issue of legal representation prior to the setting of a new hearing date so that the Complainant could further explore obtaining counsel through Community Legal Services. Ms. Christlieb indicated that she would file a motion to that effect. Ms. Bowman stated that she had no objection to PGW’s proposed motion and agreed that the issue of representation needed to be settled before the parties could proceed to a hearing.

On February 28, 2024, PGW filed a Motion for Continuance and Prehearing Conference (“PGW’s Motion”) wherein it stated its continuing objection to Ms. Bowman acting as the Complainant’s attorney and referencing the conversation Ms. Christlieb had with Ms. Bowman regarding the Motion.

On March 4, 2024, Ms. Bowman filed an answer to PGW’s Motion wherein she stated her belief that a ruling had already been made, which allowed her to represent the Complainant and objected to PGW’s Motion. This document was not served on PGW.

On March 5, 2024, Special Agent Mroczka issued an Order granting PGW’s Motion and converting the March 7, 2024 hearing to a pre-hearing conference.

On March 7, 2024, the pre-hearing conference convened as scheduled. Ms. Christlieb appeared on behalf of PGW. PGW argued its objection to Ms. Bowman being permitted to represent the Complainant at the evidentiary hearing. Ms. Bowman was present and was given the opportunity to respond to PGW’s objection. At the conclusion of the pre-hearing conference, Special Agent Mroczka clarified that Ms. Bowman would not be permitted to act as the Complainant’s attorney during the evidentiary hearing and that the Request for Investigation into Calculations of Gas Usage & Associated Charges filed on December 12, 2023 would be treated as an amended complaint. PGW subsequently filed an answer to the amended complaint on March 21, 2024.

On March 12, 2024, Ms. Bowman filed the instant Motion for Sanctions. PGW’s response in opposition follows.

II. MOTION AND RESPONSE

In the Introduction to the Motion, Ms. Bowman avers that Ms. Christlieb is violating her rights as the durable power of attorney by using her as a witness and not as an agent. However, a review of the record in this matter will show that Ms. Christlieb has taken no issue with Ms. Bowman acting the Complainant’s agent and has in no way impeded her ability to act in that particular capacity. For example, Ms. Christlieb has made no objections to Ms. Bowman’s filings or impeded her in her efforts to address this matter in any way that an agent would. In fact, Ms. Christlieb conferred with Ms. Bowman on how to proceed prior to filing PGW’s February 28, 2024 motion. Arguing that Ms. Bowman is not permitted to practice law is not tantamount to impeding her ability to act as an agent.

Also in the Introduction to the Motion, Ms. Bowman makes a number of allegations that are simply not supported by the record. Ms. Christlieb did not reference any “other outstanding bills” the Complainant may have; she did not suggest that any of Ms. Bowman’s legal documents may not be real; and she did not comport herself in anything but a professional manner during the pre-hearing

conference regardless of how Ms. Bowman wishes to characterize the interaction.

In the Background portion of the Motion, Ms. Bowman references her December 13, 2023, Request for Investigation into Calculations of Gas Usage & Associated Charges and alleges that PGW's delay in responding that filing has impeded and prejudiced the legal rights of the Complainant. Ms. Bowman also alleges that PGW's delay in responding is a sign of disrespect.

PGW submits that PGW's delay in responding to the December 13, 2023 filing has in no way impacted the Complainant's rights and that the reason for the delay was a confusion regarding the nature of the filing due to the form of the filing and how it was docketed. At no point did Ms. Christlieb express that she did not believe she had to respond to a filing due to Ms. Bowman's status as power of attorney; rather, Ms. Christlieb admitted her confusion, asked for clarification, and agreed to file an answer to what was being treated as an amended complaint.

In the Argument portion of the Motion, Ms. Bowman again refers to PGW not filing an answer to the December 13, 2023 filing in a timely manner. Ms. Bowman also asserts that Ms. Christlieb is "too personally involved" in this case and references an alleged outburst on the part of Ms. Christlieb during the March 7, 2023 pre-hearing conference as evidence thereof. PGW submits that there was no outburst during the pre-hearing conference. PGW simply availed itself of the opportunity to make an argument in support of its objection to Ms. Bowman being permitted to engage in the unauthorized practice of law. Ms. Christlieb is not in any way personally involved with this case.

In the Relief Sought portion of the Motion, Ms. Bowman alleges that Ms. Christlieb has engaged in unethical conduct. Without specifying what unethical conduct Ms. Christlieb allegedly engaged in, she seeks to use that conduct as the basis for Ms. Christlieb's removal from this case. At no time during the pendency of this action has Ms. Christlieb engaged in any allegedly unethical behavior, and the record is void of any evidence suggesting otherwise. Ms. Bowman goes on to reference the Rules of Professional Conduct that govern Ms. Christlieb's behavior without understanding that those very rules prevent Ms. Christlieb from assisting an individual (Ms. Bowman) in engaging in the unauthorized practice of law.¹

Ms. Bowman further alleges that Ms. Christlieb's actions "have not only delayed the proceedings also compromised the legal rights and interests of Sonceiray Bowman..." PGW submits that, in fact, it is Ms. Bowman's own dilatory actions that have repeatedly impeded the progress of this case. The Hearing Notice issued on August 22, 2023 clearly states: "If you are an individual,

¹ 204 Pa. Code Rule 5.5(a).

you may represent yourself or you may have an attorney represent you.” So, Ms. Bowman has known since August of 2023 that Complainant could either represent herself or have an attorney represent her. Ms. Bowman has admitted that she is not an attorney. In her Motion, Ms. Bowman avers she is a criminal justice and psychology professional and, in viewing that averment most favorable to her, then Ms. Bowman is either aware, or ought to be aware of, the difference between an attorney licensed to practice law and someone who has been granted power of attorney to act as a fiduciary on behalf of another individual.

Regardless, even if Ms. Bowman was unclear about the issue of legal representation from the information provided in the Hearing Notice, the situation was made clear to her on October 25, 2023 when she was informed by the Presiding Officer that she would not be permitted to act as an attorney in this case. Despite having the law explained to her verbally and in writing, Ms. Bowman has steadfastly refused to accept that having a power of attorney does not make her licensed to practice law and PGW submits that every continuance in this matter has been as a direct result of that refusal. Moreover, while Ms. Bowman alleges that the delay in proceedings has impacted any of the Complainant’s “rights and interests” (presumably negatively), PGW submits that PGW’s objection to Ms. Bowman acting as an attorney for the Complainant has done nothing but safeguard Sonceiray Bowman’s rights and interests as well as PGW’s interests in ensuring the proceeding with conducted in accordance with the PUC rules and the resulting decision conforms to the applicable law.

Ms. Bowman also references a potential conflict of interest. PGW submits that the only potential conflict of interest in this case would be in having a family member represent the Complainant given that various family members have benefitted from the gas service over the years while the only individual being financially impacted is the Complainant. PGW submits that there exists no conflict of interest in this matter. As discussed, Ms. Christlieb is acting as counsel for PGW and does not have personal interest in this matter.

Finally, Ms. Bowman spends several paragraphs making allegations regarding obstruction of electronic communication. Ms. Bowman states that she is using graciela.christlieb@pgw.com as the email address for Ms. Christlieb. Ms. Christlieb’s email address is graciela.christlieb@pgworks.com. This has been Ms. Christlieb’s email address for the entire time she has been employed by PGW. In fact, “pgworks.com” is the mail server and domain used for all PGW employees’ email addresses. Ms. Christlieb has repeatedly sent Ms. Bowman email from her email address, not only to her, but to the Presiding Officer with Ms. Bowman cc’d on the emails and this email is written on Ms. Christlieb’s cover letters and in her email signature block.

III. CONCLUSION

The record in this matter reflects that PGW and, specifically Ms. Christlieb, have done what they can to keep up with the changing landscape of this case and wade through the morass created by Ms. Bowman's attempts to act as an attorney in this matter. Throughout this case, Ms. Christlieb has comported herself in a professional and ethical manner while zealously and diligently representing her client.

WHEREFORE, PGW respectfully requests that this Court deny the Motion for Sanctions and grant any other relief to PGW that is deemed to be reasonable and appropriate.

Respectfully submitted,

/s/ Ms. Christlieb

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Date: April 17, 2024

Counsel for PGW