

June 6, 2024

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

RE: Jeffrey Byard v Philadelphia Gas Works: Docket No. C-2024-3046412

Dear Secretary Chiavetta:

Please find my answer to PGW New Matter in my subsequent remarks.

I take complete exception to sections 11-15 of the new matter. I also take exception to language mentioned in Item 4 listed in PGW's Answer to Amended Complaint. I never stated PGW sent Byard Group, LLC an invoice for Phyllis Steward services. I simply stated They were shifting her debt to the property owner via the payoff document required before title transfer at closing.

PGW claims it has the right to collect a debt through the property owner regardless of who incurred or used the service usage. This policy doesn't make common sense, other wise why have separate meters. Let's be reminded that the property in question 2315 N. 17th street has its own meter.

Also be reminded that PGW has enormous resources at its disposal to collect from its delinquent customers such as; 1. Collections (General), 2. High Bills, 3. Disputes Resolution 4. Revenue Protection group, all of the above mentioned departments have large budgets.

Unfortunately, PGW did not utilize its systems appropriately through due diligence and good faith collection practices. Therefore, having failed apparently PGW have decided to move with deliberate speed to collect the debt given the opportunity at Title transfer and claim I am infringing on the municipal Lien Act. This accusing the complainant as blocking PGW from its right to collect municipal debt by way of the Municipal lien act is completely false. PGW's approach is unsubstantiated

and don't reflect the complainants true intentions. We have faithfully pursued fair and reasonable means of communication to seek a fair and equitable settlement in this matter.

Subsequent, to PGW receiving a payoff request from Complainants Title Company, PGW immediately closed the door on any effort to dispute the matter with complainant. We were told by PGW since we the complainant are not the customer of the debt they could not allow me the complainant to dispute the matter. PGW answered complainant's initial formal complaint indicating they fully would be willing to dispute the matter, however the complaint lacked clarity and they had other preliminary objections. Therefore we the complainant submitted an amended complainant answering PGW's preliminary objections and they still objected to disputing the matter. Instead PGW answered with a New Matter attaching the City as owner of PGW and citing the municipal lien act.

It is the firm belief of the complainant that PGW is unwilling to dispute this matter due to a clear option to collect the debt at the complainants' sale closing, and not what PGW states in the new matter referencing the municipal lien act. Therefore, we the complainant view item#11 listed on the New Matter put forth by PGW to be completely flawed. Additionally, all subsequent items that follow on the New Matter; 12-15 are also flawed should be deemed inapplicable.

We as the complainant in this amended complaint and answer to the New Matter firmly believe given the real particulars presented in this response and to follow in the upcoming hearing in July will continue to reveal and expose how unfair we have been treated in the matter. We further believe that the PPUC has the absolute right and jurisdiction to bring relief and justice in an action such as this. If PGW lacked due diligence in its collection efforts and is opposed to due process for those negatively affected by PGW's flawed systems in collecting their debt given their enormous resources. Additionally, given PGW failure in this matter they're seeking victory by hiding behind the city municipal tax act. The New Matter items PGW are introducing in this matter have no standing and are premature, especially given there is no lien currently on the property. Additionally we don't argue PGW right to collect a debt and place liens, we believe if done properly, fairly with transparency and integrity, given their resources, then they should pursue.

We the complainant has consistently moved to resolve this matter prior to PGW legal department getting involved. We truly see this matter as a consumer or small business consumer complaint and believe that fairness and due process should prevail. Furthermore, we see the PPUC as the proper body of jurisdiction to decide such a matter.

We respectfully ask that the PPUC deny any additional objections and/or information PGW deem necessary at this latent point before the subsequent hearing in this matter, as they have outlined in The New Matter. Additionally deny PGW request to dismiss Amended complaint and grant them full relief in this matter. We further move that Hon. F. Joseph Brady continue hearing set for July 24, 2024 at 10am to further adjudicate this matter to an equitable conclusion.

Respectfully,

Jeffrey Byard (Byard Group, LLC)

Owner

cc: PPUC, Adm. Law Judge: Hon. F. Joseph Brady, PGW (Legal Dept.)