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September 16, 2024

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Re: Petition of Philadelphia Gas Works Requesting a Declaratory Order Regarding Termination of Service for Nonpayment of Undisputed Gas Bills by Landlord Ratepayers – Docket No. P-2024-3050535

Dear Secretary Chiavetta:

Enclosed for electronic filing please find Philadelphia Gas Works' Petition to Withdraw Declaratory Order, in the above-referenced matter. Copies will be provided in accordance with the attached Certificate of Service.

Sincerely,



Daniel Clearfield

DC/jls

Enclosure

cc: Chairman Stephen M. DeFrank w/enc. (via email)
Vice Chair Kimberly M. Barrow w/enc. (via email)
Commissioner Ralph V. Yanora w/enc. (via email)
Commissioner Kathryn L. Zerfuss w/enc. (via email)
Commissioner John F. Coleman w/enc. (via email)
David Screven, (Law Bureau) w/enc. (via email)
Cert. of Service w/enc.

CERTIFICATE OF SERVICE

I hereby certify that this date I served a copy of the enclosed Petition for Declaratory Order upon the persons listed below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party) and 52 Pa. Code § 5.42(b) (relating to service to all persons directly affected or whom petitioner believes will be affected by the petition).

SERVICE BY EMAIL ONLY

Statutory Advocates

Allison Kaster, Esq.
Bureau of Investigation and Enforcement
PA Public Utility Commission
400 North Street
Harrisburg, PA 17120
akaster@pa.gov

Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101
Ra-oca@paoca.org

Office of Small Business Advocate
555 Walnut Street
1st Floor, Forum Place
Harrisburg, PA 17101
Ra-sba@pa.gov

Affected or believed to be affected parties

Philip Pulley, individually and as principal
SBG Management Services PA, Inc.
P.O. Box 549
Abington, PA 19001
ppulley@sbgmanagement.com
phil@sbgmanagement.com

Michael Yanoff, Esquire
Shawn M. Rodgers, Esquire
Patricia M. Starner, Esquire
Samantha Pulley, Esquire
Goldstein Law Partners, LLC
200 School Alley, Suite 5
Green Lane, PA 18054
myanoff@goldsteinlp.com
srodgers@goldsteinlp.com
pstarner@goldsteinlp.com
spulley@goldsteinlp.com

With a registered office of:
120 Huntingdon Pike
Lower Level, Suite 100
Rockledge, PA 19046

*Email service also on Philip Pulley as
common principal for the Landlord
Ratepayers listed below*

*Counsel to SBG Management Services PA,
Inc and various Landlord Ratepayers listed
below*

Landlord Ratepayers

Fern Rock Realty Co., L.P.
900-938 W. Godfrey Avenue
Philadelphia, PA 19141

Marchwood Realty Co., L.P.
5515 Wissahickon Avenue
Philadelphia, PA 19144

Marshall Square Realty Co., L.P.
844 N. 6th Street
Philadelphia, PA 19123

Oak Lane Realty Co., L.P.
1623-25 Cheltenham Avenue
Philadelphia, PA 19126

Simon Garden Realty Co., L.P.
6731 Musgrave Street
Philadelphia, PA 19119

Creshiem Valley Realty Co., L.P.
7200 Cresheim Road
Philadelphia, PA 19119.

Dorsett Court Realty Co., L.P.
4710 Locust Street
Philadelphia, PA 19143

Greene Tree Realty Co., L.P.
330 W. Johnson Street
Philadelphia, PA 19144

Lindley Tower Realty Co, L.P.
1095 Rydal Road, Suite 325
Rydal, PA 19046

Winchester Court Realty Co., L.P.
4804 Chester Avenue
Philadelphia, PA 19143

Dated: September 16, 2024

Admiral Court Realty Co., LP
237 S. 48th Street
Philadelphia, PA 19143

Allens Lane Realty Co., LP
126 W. Allens Lane
Philadelphia, PA 19119

Aspen Village Realty Co., L.P.
4933-49 Folsom Street
Philadelphia, PA 19139

Cheltenham Retail Partnership, L.P.
29-79 E. Cheltenham Ave
Philadelphia, PA 19144-2130

Darrah School Realty Co., LP
718 N. 17th Street
Philadelphia, PA 19130

Mt. Pleasant Realty Co., LP
406 W. Mt. Pleasant Avenue
Philadelphia, PA 19119

Squirrel Hill Realty Co., LP
1018 S. 48th Street
Philadelphia, PA 19143

Torresdale Realty Co., L.P.
1901-1925 East Hunting Park Ave
Philadelphia, PA 19124



Daniel Clearfield, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition Of Philadelphia Gas Works :
Requesting A Declaratory Order :
Regarding Termination Of Service : Docket No. P-2024-3050535
For Nonpayment Of Undisputed Gas Bills :
By Landlord Ratepayers :

PGW’s PETITION TO WITHDRAW

Philadelphia Gas Works (“PGW” or the “Company”) is requesting leave to withdraw the above-captioned Petition Requesting a Declaratory Order.

1. On August 2, 2024, PGW filed the above-captioned Petition Requesting a Declaratory Order. Notice of the Petition Requesting a Declaratory Order was published in the *Pennsylvania Bulletin*. 54 Pa.B. 5345, 5456 (August 24, 2024). That Notice directs that answers and petitions to intervene must be filed and served at the above-captioned Docket on or before September 23, 2024. *Id.* No persons have filed answers or petitions to intervene, as of September 13, 2024.¹

2. PGW believes it would be best to withdraw the Petition Requesting a Declaratory Order. Rather than require interested parties and the Commission to expend time and effort on this matter, PGW intends to attempt to negotiate an acceptable procedural process with the entity that prompted the Petition.

3. PGW seeks to withdraw the Petition Requesting a Declaratory Order without waiver of the right to file a future petition seeking the same or similar relief and has notified the

¹ The withdrawal of pleadings in an uncontested proceeding is governed by Section 1.82 of the Commission’s Regulations, 52 Pa. Code § 1.82. If this matter is deemed contested, PGW requests that the withdrawal be permitted pursuant to 52 Pa. Code § 5.94 addressing the withdrawal of pleadings in contested matters.

statutory advocates and persons listed on the attached Certificate of Service of the requested withdrawal.²

WHEREFORE, PGW respectfully requests the Commission issue an Order (a) granting leave to withdraw the Petition Requesting a Declaratory Order; (b) marking the Petition Requesting a Declaratory Order as withdrawn, without prejudice; and, (c) marking the above-captioned proceeding as closed.

Respectfully submitted,



Graciela Christlieb, Esquire
(PA Atty. I.D. No. 200760)
Senior Attorney
Legal Department
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Daniel Clearfield, Esquire (PA Atty. I.D. No. 26183)
Carl R. Shultz, Esquire (PA Atty. I.D. No. 70328)
Bryce R. Beard, Esquire (PA Atty. I.D. No. 325837)
Eckert Seamans Cherin & Mellott, LLC
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cshultz@eckertseamans.com
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Attorneys for Philadelphia Gas Works

Dated: September 16, 2024

² A party desiring to withdraw a pleading in a contested proceeding may file a petition for leave to withdraw the appropriate document with the Commission and serve it upon the other parties. 52 Pa. Code § 1.82 (uncontested proceedings), § 5.94 (contested proceedings). Parties have ten (10) days to object to the withdrawal. *Id.*

Verification

I, Daniel Clearfield, state that I am an Attorney of Record for Philadelphia Gas Works (PGW) and that as such I am authorized to make this verification on its behalf. I hereby state that the facts contained in the foregoing document are true and correct (or are true and correct to the best of my knowledge, information and belief). I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.



Daniel Clearfield, Esq.
Attorney for Philadelphia Gas Works