

October 26th, 2024

**VIA (ELECTRONIC FILING)**

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

Re: Emmett Patterson v. Philadelphia Gas Works; Docket No. F-2024-3051418

Dear Secretary Chiavetta:

Enclosed for filing please find Complainant's Response to Answers With New Matter in the above-referenced matter. Copies to be served in accordance with the attached Certificate of Service.

Sincerely,

A handwritten signature in blue ink, appearing to be 'E. Patterson', with a long horizontal flourish extending to the right.

**/s/ Emmett Patterson**

Enclosure  
cc: Cert. of Service w/enc.

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 26th day of October, 2024, I served a true copy of Complainant's Response to Answer With New Matter 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 ELECTRONIC MAIL**

Graciela Christlieb, Esq.  
*Counsel for Philadelphia Gas Works*  
[graciela.christlieb@pgworks.com](mailto:graciela.christlieb@pgworks.com)

Date: October 26th, 2024

A handwritten signature in blue ink, appearing to read 'EP', with a long horizontal line extending to the right.

**/s/ Emmett Patterson**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Emmett Patterson,	)	
Complainant,	)	
v.	)	
	)	Docket No. F-2024-3051418
Philadelphia Gas Works,	)	
Respondent.	)	

**COMPLAINANT’S RESPONSE TO  
RESPONDENT’S ANSWER WITH NEW MATTER TO FORMAL COMPLAINT**

Pursuant to 52 Pa. Code §5.62 and 52 Pa. Code §5.63, Emmett Patterson (“Complainant”) hereby submits this Response to Philadelphia Gas Works’ (“Respondent”) Answer with New Matter to the Formal Complaint (“Complaint”) of Complainant that was served by the Secretary of the Pennsylvania Public Utility Commission (“Commission” or “PUC”) on September 27, 2024. In support of this Response, Complainant states the following:

1. This paragraph was Admitted by the Respondent to which no response is required.
2. This paragraph was Admitted by the Respondent to which no response is required.
3. This paragraph was Admitted by the Respondent to which no response is required.
4. Admitted in part. Denied in part. PGW terminated service to 345 East Upsal Street, Philadelphia, PA (“Service Address”).

Respondent contradicts their position that the cross bore is a safety issue necessitating service termination in two ways.

- (1) PGW stated in Informal Complaint Decision #3992533 (“Informal Complaint”) issued by the PUC on September 4, 2024 that “the gas line and vent crossing at 345 E Upsal St is a safety issue,” which resulted in termination of service under Title 52 PA Code §56.98(a)(4). *See* Informal Complaint, paragraphs 8 to 12.

(2) PGW stated in Answer With New Matter that “PGW denies there is a reliability, safety, or quality problem with the utility service at the Service Address” and simultaneously that “Ultimately, PGW abandoned the gas service to the Service Address due to safety concerns.” *See Answer With New Matter, paragraph 4, (2) and (4).*

Complainant established gas service at the Service Address on March 15, 2023.

Respondent contradicts the date of the initial examination and determination that the cross bore is a safety issue necessitating termination in two ways.

(1) PGW initially stated a PGW technician found the cross bore on June 4, 2024 and did not specify a date they determined there was a safety issue. *See Informal Complaint, paragraphs 7 and 8.*

(2) PGW now states that PGW visited the property on June 3, 2024 and determined there was a safety issue. *See Answer With New Matter, paragraph 4, (4).*

By way of further answer, PGW terminated service on August 30th, 2024—nearly three months (88 days) after Complainant made Respondent aware of the cross bore.

Respondent did not provide additional readings or information showing a safety issue to Complainant on August 30th, 2024. Complainant only received information from Respondent on June 3, 2024, which did not include a determination of a safety issue or need for service termination. PGW stated that no gas leak was detected. PGW did say that the sewer line would eventually need to be moved by a plumber but offered no specific timeline for the fix that indicated urgency, danger, or a service shut off.

By way of further answer, Complainant has details from the seller’s disclosure of the house at the Service Address indicating PGW performed work during the seller’s ownership of the house at the Service Address between 2020 and 2023. Complainant

attempted to get more information to determine how cross bore could have been created to determine next steps, but Respondent would not provide details of PGW's work before March 15, 2023 since Complainant was not the homeowner at the Service Address prior to that date. Complainant could not take PGW at their word without evidence provided and decided to seek relief in the Informal and Formal Complaint processes with PUC.

5. This paragraph was Admitted by the Respondent to which no response is required.
6. This paragraph was Admitted by the Respondent to which no response is required.
7. This paragraph was Admitted by the Respondent to which no response is required.
8. Admitted in part. Denied in part. Complainant now understands PUC's jurisdiction and that award money damages are impertinent matter. Complainant will amend the Complaint.
9. This paragraph consists of legal conclusions to which no response is required.
10. Admitted. Complainant now understands PUC's jurisdiction and that award money damages are impertinent matter. Complainant will amend the Complaint.

WHEREFORE, Complainant respectfully requests that the Commission grants the opportunity to amend the Complaint, Strike the request award money damages as impertinent matter, Proceed with the Formal Complaint process, and any other relief in favor of Complainant the Commission deems just and proper.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be 'E. Patterson', with a long horizontal line extending to the right.

**/s/ Emmett Patterson**

Date: October 26th, 2024

**VERIFICATION**

I, Emmett Patterson, appearing *Pro Se*, hereby state that the facts set forth in the foregoing Response to Respondent's Answer with New Matter are true and correct to the best of my knowledge, information, and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).



**/s/ Emmett Patterson**  
345 East Upsal Street  
Philadelphia, PA 19119  
Telephone: (412) 296-2587  
[emmettpatterson@gmail.com](mailto:emmettpatterson@gmail.com)  
*PGW Customer*

Date: October 26th, 2024