

LARRY R. CRAYNE, PC  
Attorney at Law

238 Johnston Road  
Pittsburgh, PA 15241

[lrcrayne@comcast.net](mailto:lrcrayne@comcast.net)

(412) 831-5462  
(412) 425-4029

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ELECTRONICALLY FILED

October 31, 2024

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

**Re: Charles Newcomb v. UGI Utilities, Inc.**  
**Complaint Docket No. C-2024-3050672**

Dear Ms. Chiavetta:

Enclosed is an electronically filed copy of UGI Utilities, Inc.'s Motion to Dismiss or Reschedule Hearing. A copy of the document has been served on the Complainant.

Sincerely,



Larry R. Crayne

cc: Charles Newcomb  
1615 Dickson Avenue  
Scranton, PA 18509

**Commonwealth of Pennsylvania**

**Before the Pennsylvania Public Utility Commission**

In the Matter of:

Charles Newcomb,  
Complainant,

Complaint Docket  
No. C-2024-3050672

VS.

UGI Utilities, Inc.,  
Respondent.

**Motion to Dismiss or Reschedule Hearing**

**And Now** comes Respondent, UGI Utilities, Inc. (UGI), pursuant to 52 *Pa. Code*, Section 5.103 (a) and (b) and files the following Motion:

1. On or about August 9, 2024 Complainant filed the above-captioned Formal Complaint with the Commission requesting: **"A new payment plan agreement."**
2. The Complaint was served on UGI by Secretarial Letter dated August 12, 2024.
2. On September 3, 2024, UGI filed an Answer to the Complaint with the Secretary of the Commission
3. On September 6, 2024, the Commission issued a telephonic Hearing Notice and scheduled a hearing of the Complaint for November 14, 2024.
4. Complainant has now filed a Letter with the Secretary of the Commission on October 18, 2024 requesting that the November 14, 2024 hearing be cancelled. A copy of the Letter, page 1 of the Notice of Bankruptcy Case Filing entered on September 27, 2024 and a copy of page 1 of the Prehearing Order is attached. **Exhibit A.**
5. After receipt of the Bankruptcy filing, UGI confirmed that Complainant filed a Chapter 7 bankruptcy and that the UGI balance was included.
6. UGI has now provided Complainant with a new account, and he has paid the required bankruptcy deposit.
7. The Complainant's filing of a Chapter 7 bankruptcy and the Complainant's request: "...to cancel this hearing." appears to render this Complaint moot.

**Wherefore**, considering that Complainant has now filed a Chapter 7 bankruptcy proceeding, requested that the November 14, 2024 hearing be cancelled and **the only relief requested by Complainant in this Complaint was a new payment agreement**, there is no longer a reason for the scheduled November 14, 2024 hearing. Therefore, UGI moves either that this hearing be rescheduled or cancelled, or that this Complainant be dismissed.

### Notice to Plead

To: Charles Newcomb:

You are hereby notified to file a written response to the above Motion to Dismiss within twenty (20) days from service hereof or a judgment may be entered against you. The response must be mailed to the Secretary of the Public Utility Commission:

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

A copy of your response must also be mailed to the undersigned.

Respectfully submitted,

UGI Utilities, Inc.

By:   
Larry R. Crayne, Esq.

RCVD PUC SEC BUR  
OCT 18 2024 AM 11:45

C-2024-3050672

We filed for  
Bankruptcy Protection  
and UGI was  
included. Please verify  
this with UGI. They  
gave me another account  
and I sent the Security  
Payment

Please verify this  
with UGI, then  
I request to cancel  
this hearing.

Exit A  
Page 1 of 4

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Charles Newcomb

v.

UGI Utilities, Inc.

C-2024-3050672

PREHEARING ORDER FOR TELEPHONE HEARING

AND NOW this 10<sup>th</sup> day of October 2024, it is hereby ORDERED:

1. **DATE AND TIME OF HEARING.** An initial telephonic hearing will be held for this case on:

**Thursday, November 14, 2024, beginning at 10:00 AM.**

To participate in the hearing, you must dial the toll-free number listed below. You will be prompted to enter a PIN number, which is also listed below. You will be asked to speak your name, press the # key, and then the telephone system will connect you to the hearing. If you have any witnesses you want to have present during the hearing who are participating from a separate phone, you must provide them with the telephone number and PIN Number.

Toll-free Bridge Telephone Number: 1.877.874.1047

PIN Number: 11738422

2. **FAILURE TO APPEAR:** You must attend the hearing and present evidence on the issues raised in the pleadings. You may lose the case if you do not take part in this hearing and present evidence on the issues raised. Your case may be dismissed "with prejudice" which means that you will be barred from filing another complaint raising the same claim(s) and issue(s) presented in the dismissed complaint.

Exh A  
Pa 2024

United States Bankruptcy Court  
Middle District of Pennsylvania

**Notice of Bankruptcy Case Filing**



A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 7 of the United States Bankruptcy Code, entered on 09/27/2024 at 3:46 PM and filed on 09/27/2024.

**Charles Louis Newcomb**  
1615 Dickson Ave.  
Scranton, PA 18509  
SSN / ITIN: xxx [REDACTED]  
*aka Charles L. Newcomb*  
*aka Charles Newcomb*

**Carri L. Newcomb**  
1615 Dickson Ave.  
Scranton, PA 18509  
SSN / ITIN: xxx [REDACTED]  
*aka Carri Lynn Newcomb*  
*aka Carri Newcomb*

The case was filed by the debtor's attorney:

**Tullio DeLuca**  
381 N. 9th Avenue  
Scranton, PA 18504  
570 347-7764

The case was assigned case number 5:24-bk-02469.

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

To view the bankruptcy petition and other documents filed in this case, please visit the following Internet link: <http://www.pamb.uscourts.gov/> You must first register at this web site: <http://pacer.psc.uscourts.gov/> There is no registration fee. However, the Judicial Conference of the United States has established a fee for access to information in PACER. All registered users will be charged as follows: Use of the PACER system will generate a .10 per page charge, and Audio files of court hearings retrieved via PACER will generate a 2.40 per file charge. Public access computer terminals are also available at the Clerk's Office's two locations, 9:00 am to 4:00 pm, M-F (closed on all federal holidays): Max Rosenn US Courthouse, 197 South Main Street, Wilkes-Barre, PA 18701 and Sylvia H. Rambo US Courthouse 1501 N. 6th St. Harrisburg PA 17102.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting

Exh A  
Pg 3 of 4

CHARLIE & CARRI NEWCOMB  
1816 DICKSON AVE.  
SCRANTON, PA 18509

LEHIGH VALLEY PA 180

16 OCT 2024 PM 4 L



Secretary  
PUC  
400 North ST.  
Harrisburg, Pa 17200

17120-021199



Exh A  
Pa 40904

## Certificate of Service

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the participant, listed below, in accordance with the requirements of Sec. 1.54 (b) (1) (relating to service by a participant)

Charles Newcomb  
1615 Dickson Avenue  
Scranton, PA 18509

Administrative Law Judge Joseph F. Brady  
pmcneal@pa.gov

Dated this 31<sup>st</sup> day of Oct, 2024



Larry R. Crayne  
238 Johnston Road  
Pittsburgh, PA 15241

Counsel for  
UGI Utilities, Inc.