



PHILADELPHIA GAS WORKS

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December 9, 2024

VIA ELECTRONIC FILING

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

VIA ELECTRONIC MAIL ONLY

Administrative Law Judge Eranda Vero
Office of Administrative Law Judge
400 North Street
Harrisburg, PA 17120

Re: Nina Reese v. Philadelphia Gas Works, Docket No. F-2024-3049697

Dear Secretary Chiavetta and Judge Vero:

Enclosed for electronic filing please find Philadelphia Gas Works' Objections to Complainant's Late-Filed Exhibit submitted via email on December 3, 2024 in the above referenced matter. Copies will be served in accordance with the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

/s/ **Anita J. Murray**
Anita J. Murray

/awm
encl.

cc (w/encl.): Nina Reese via Email: carikiareese@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that I have on this day served a true and correct copy of Philadelphia Gas Works' Objection(s) to Complainant's Late-Filed Exhibit upon the person(s) listed below in the manner indicated below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

VIA EMAIL ONLY

Nina Reese
carikiareese@gmail.com

/s/ Anita J. Murray
Anita J. Murray, Esquire

Date: Dec. 9, 2024

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nina Reese,	:	
	:	
Complainant,	:	
v.	:	Docket No. F-2024-3049697
	:	
Philadelphia Gas Works,	:	
	:	
Respondent.	:	

**OBJECTIONS BY THE PHILADELPHIA GAS WORKS
TO COMPLAINANT’S LATE-FILED EXHIBITS**

Philadelphia Gas Works (“PGW” or “Respondent”), by and through its undersigned attorney, and pursuant to 52 Pa. Code § 5.401, hereby objects to the Late-Filed Exhibit of Complainant, Nina Reese (“Complainant”) served via email on December 3, 2024. PGW objects as follows:

1. Complainant filed a Formal Complaint dated May 28, 2024, with the Pennsylvania Public Utility Commission, and alleged that gas service was placed in her name even though she never lived at 12728 Verda Drive, Philadelphia, PA (“Service Address”). It is Complainant’s position that she is not responsible for those unpaid gas charges.
2. PGW filed an Answer on June 15, 2024, and denied her allegations.
3. The issue in this case is whether Complainant lived and used gas at the Service Address from September 10, 2021, to August 16, 2023 (“Time Period”).
4. On October 8, 2024, a hearing was held before ALJ Eranda Vero, with Complainant, Complainant’s witness, a PGW Customer Review Officer, and undersigned counsel in attendance.
5. At the hearing, both parties presented testimony and PGW Exhibits 1-10 were admitted into evidence.
6. At the hearing, ALJ Vero also permitted Complainant to provide additional documentary evidence supporting her position as late-filed exhibits. *See* 52 Pa. Code § 5.404. Her deadline to submit additional evidence was November 12, 2024.
7. By email dated October 15, 2024, Complainant served ALJ Vero with several late-filed exhibits. By emails dated October 16, 2024, Complainant and ALJ Vero, separately, served the undersigned with copies of the same late-filed exhibits.

8. On October 25, 2024, PGW filed Objections to the late-filed exhibits.

9. By email dated December 3, 2024, but after the November 12, 2024 deadline, Complainant served PGW and ALJ Vero with another late-filed exhibit, in the form of a letter from her purported employer. Specifically, it is a letter from the Illinois Department of Human Services dated December 3, 2024 (“Letter”).

10. PGW now files Objections to this Letter.

11. PGW initially objects to the Letter as being procedurally improper and untimely as it was produced and served by email rather than by motion and was done so after the November 12, 2024 deadline, when the record closed. *See* 52 Pa. Code § 5.431. Complainant also failed to aver the existence of any good cause to otherwise support re-opening the record, i.e. the date she originally requested the Letter; why she was unable to obtain this Letter prior to the closing of the record, for example.

12. PGW next objects to the Letter as to its relevancy and that its probative value is outweighed by unfair prejudice and confusion of the issues. The Letter expressly states that the Illinois Department of Human Services is *not* her employer (with the exception of collective bargaining purposes) but is only the paying agent, from August 3, 2016, to the present. There is nothing in the Letter which establishes that the Complainant was living in Illinois during the Time Period or that the Illinois Department of Human Services paid Complainant for specific work performed by her in Illinois during the key Time Period.

13. For these reasons, PGW objects to the admission of Complainant’s Letter into evidence as a late-filed exhibit.

14. WHEREFORE, PGW respectfully requests that Complainant’s Letter not be admitted into the record.

Respectfully submitted,

/s/ Anita J. Murray

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Date: Dec. 9, 2024

Counsel for PGW