

**IN THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Case No. C-2024-3050761**

**SHASTA P BROWN vs PGW**

**ANSWER TO PRELIMINARY OBJECTION TO PGW**

To the Honorable Pennsylvania Public Utility Commission:

I, Shasta P Brown, hereby respond to the Preliminary Objection filed by PGW, denying the existence of an account for utility services provided at 3051 N Stillman Street, Philadelphia, Pennsylvania 19132.

**FACTS**

1. The original account was in the name of ARIANA M MARTIN Daughter's Principal with SHASTA P BROWN as the secondary principal.
2. PGW has denied providing utility services at 3051 N. Stillman Street, Philadelphia, Pennsylvania 19132, despite having billed and received payment for such services.
3. I possess bills from PGW with both principals' names, evidencing the existence of the account and the provision of utility services.

**ARGUMENT**

PGW's denial of the existence of the account and provision of utility services is unfounded and deceptive. The bills I possess, with both principals' names, serve as prima facie evidence of the account and services rendered.

Furthermore, PGW's actions demonstrate a clear attempt to conceal the truth and avoid their obligations. By billing monthly, PGW seeks to obscure the upfront payment received and the subsequent capital gains reported over time.

In equity, the principle of "I owe you, you owe me" applies. The exchange of consideration, as evidenced by the bills and upfront payment, establishes a reciprocal obligation between the parties.

## DEMAND FOR HEARING

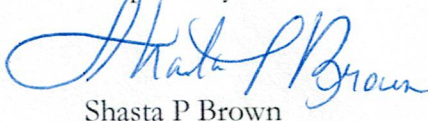
I hereby request a hearing before the Pennsylvania Public Utility Commission to address the issues raised in this answer

## PRAYER FOR RELIEF

**WHEREFORE**, I respectfully request that the Pennsylvania Public Utility Commission:

1. Deny PGW's Preliminary Objection and permit this matter to proceed;
2. Find that PGW has failed to provide accurate and truthful information regarding the account and provision of utility services;
3. Determine that PGW has engaged in deceptive and unfair business practices in violation of the Pennsylvania Unfair Trade Practices and Consumer Protection Law;
4. Order PGW to provide the original bookkeeping entries, including but not limited to:
  - The public and private sides of the ledger, showing all transactions related to the account;
  - The payable and receivable ledgers, showing all payments and charges related to the account;
  - All other relevant financial records and documentation related to the account;
5. Grant such other and further relief as the Commission deems just and proper.
6. Find PGW in violation of the federal laws cited above.
7. Order PGW to cease and desist from reporting information to credit bureaus without my permission.
8. Order PGW to provide me with notice of their information-sharing practices, as required by law.
9. Order PGW to correct any inaccurate information reported to credit bureaus.

Respectfully submitted,

  
Shasta P Brown

## RELEVANT LAW AND PRECEDENT

The Pennsylvania Public Utility Commission (PUC) has jurisdiction over this matter, as it involves a dispute over utility services provided by a public utility company (52 Pa. Code § 1.1).

The PUC has established rules and regulations governing the provision of utility services, including the requirement that public utilities maintain accurate records of customer accounts and services provided (52 Pa. Code § 56.151).

Furthermore, the Pennsylvania Supreme Court has held that a public utility company has a duty to provide accurate and truthful information to its customers (*Philadelphia Gas Works v. Pennsylvania Public Utility Commission*, 570 Pa. 634 (2002)).

The Pennsylvania Unfair Trade Practices and Consumer Protection Law (73 P.S. § 201-1 et seq.) prohibits deceptive and unfair business practices, including the concealment of material facts.

Additionally, the Pennsylvania Supreme Court has held that a party who has acquiesced in a particular state of affairs may be estopped from later denying or asserting a contrary position (*In re Estate of Turner*, 564 Pa. 537 (2001)).

In this case, PGW's previous acquiescence to the administrative processes, as evidenced by the informal complaint, estops them from now denying the existence of the account and provision of utility services.

Pursuant to 15 U.S.C. § 1681b(a)(2), PGW's reporting of information to credit bureaus without permission constitutes a violation of the Fair Credit Reporting Act.

Furthermore, PGW's failure to provide us with notice of their information-sharing practices, as required by 16 CFR 313.7(f), constitutes a violation of the Gramm-Leach-Bliley Act.

Additionally, PGW's fraudulent activities, including their denial of the existence of the account and provision of utility services, constitute a violation of the Securities Exchange Act of 1934.

Moreover, PGW's actions are also in violation of the Emergency Banking Act of 1933, which prohibits fraudulent activities by financial institutions.

By engaging in these unlawful practices, PGW has caused us harm and damage, including but not limited to, damage to my daughter's credit reputation and financial losses.

I request that the Pennsylvania Public Utility Commission take into account these federal law violations and consider them in its decision-making process.

## CERTIFICATE OF SERVICE

I, Shasta P Brown, hereby certify that a true and correct copy of the foregoing Answer to Preliminary Objection has been served upon:

Graciela Christlieb, Esquire  
Attorney I.D. 200760  
Philadelphia Gas Works  
800 W. Montgomery Avenue  
Philadelphia, PA 19122

Telephone: (215) 684-6164  
Graciela.christlieb@pgworks.com

By efilng and email, on December 18, 2024.

I further certify that the service was made in accordance with the Pennsylvania Public Utility Commission's Rules of Practice and Procedure.



Shasta P Brown

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December 18<sup>th</sup>, 2024