



**PHILADELPHIA GAS WORKS**

800 West Montgomery Avenue • Philadelphia, PA 19122

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**Anita J. Murray, Esquire**  
**Senior Attorney**  
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April 7, 2025

**VIA ELECTRONIC FILING**

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

**Re: Jaycinah Simon v. Philadelphia Gas Works,**  
**Docket No. F-2024-3051634**

Dear Secretary Chiavetta:

Enclosed for electronic filing please find Philadelphia Gas Works' Motion to Continue Hearing regarding 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.): Jaycinah Simon via Email: [jksimon5412@gmail.com](mailto:jksimon5412@gmail.com)  
Hon. Alphonso Arnold III via Email: [alphonarno@pa.gov](mailto:alphonarno@pa.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that on the date below, I served a true and correct copy of Philadelphia Gas Works' Motion to Continue Hearing 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 EMAIL ONLY**

Jaycinah Simon  
[jksimon5412@gmail.com](mailto:jksimon5412@gmail.com)

Hon. Alphonso Arnold III  
[alphonarno@pa.gov](mailto:alphonarno@pa.gov)

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

Date: April 7, 2025

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Jaycinah Simon,	:	
Complainant,	:	
v.	:	Docket No. F-2024-3051634
	:	
Philadelphia Gas Works,	:	
Respondent.	:	

**PHILADELPHIA GAS WORKS’ MOTION TO CONTINUE HEARING**

Philadelphia Gas Works (“PGW”), pursuant to 52 Pa. Code § 5.103, files this Motion to Continue or Stay the evidentiary hearing scheduled for April 16, 2025, in the above matter. In support thereof, PGW avers as follows:

1. Complainant, Jaycinah Simon (“Complainant” or “Ms. Simon”) filed a Formal Complaint dated September 30, 2024, against PGW. In the Formal Complaint, Ms. Simon averred PGW terminated gas service without notice and there were incorrect charges of \$12,900.27 on her gas bill which arose out of a prior balance that was part of a prior bankruptcy proceeding<sup>1</sup>. Ms. Simon further asserted claims related to alleged violations of the Uniform Commercial Code, GAAP, HJR-192, extortion laws, consumer protection laws, bankruptcy laws, and/or the Emergency Banking Act of 1933. Ms. Simon requested, *inter alia*, a full accounting of her outstanding balance and a payment arrangement.
2. On November 7, 2024, PGW filed both Preliminary Objections and an Answer with New Matter to the Formal Complaint. In the Preliminary Objections, PGW sought dismissal of the claims related to alleged violations of the Uniform Commercial Code, GAAP, HJR-192, extortion laws, consumer protection laws, bankruptcy laws, and/or the Emergency Banking Act of 1933 for lack of the Pennsylvania Public Utility Commission (“Commission”) jurisdiction and for being scandalous or impertinent matter under 52 Pa. Code §§ 5.101(a)(1) and (2).

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<sup>1</sup> Ms. Simon filed a Chapter 13 Voluntary Petition with the United States Bankruptcy Court for the Eastern District of Pennsylvania on May 2, 2019 under Docket No. 19-12825. This prior bankruptcy proceeding was dismissed on March 17, 2023.

3. On December 18, 2024, the Honorable Judge Alphonso Arnold III ruled on the Preliminary Objections and dismissed her claims related to extortion laws, consumer protection laws, GAAP, title 11 of the United States Code, the Emergency Banking Act of 1933, and HJR-192. Judge Arnold III further ordered an evidentiary hearing to be held on the remaining issues in the Formal Complaint.
4. By Initial Telephone Hearing Notice dated December 23, 2024, the evidentiary hearing was scheduled for March 19, 2025.
5. The original hearing date of March 19, 2025, was later rescheduled by the Court *sua sponte*<sup>2</sup> by Rescheduled Initial Telephone Hearing Notice dated March 10, 2025. The hearing was rescheduled for April 16, 2025.
6. PGW respectfully requests that the April 16, 2025 hearing be continued due to the unavailability of PGW's counsel and the recent Chapter 13 bankruptcy filing by Ms. Simon.
7. PGW is requesting a continuance of the April 16, 2025 hearing because the undersigned counsel will be out of town on a pre-paid vacation from April 14-18, 2025, which cannot be canceled or modified.
8. PGW is requesting a continuance of the April 16, 2025 hearing because Ms. Simon recently filed another Chapter 13 Voluntary Petition with the United States Bankruptcy Court for the Eastern District of Pennsylvania on January 31, 2025 ("2025 Bankruptcy"). PGW is one of Ms. Simon's creditors; PGW's Proof of Claim listed an outstanding balance of \$29,908.54. True and correct redacted copies of the 2025 Bankruptcy docket and PGW's Proof of Claim are collectively attached hereto as Exhibit A.
9. As Ms. Simon recently filed for bankruptcy protection, the hearing and the Formal Complaint matter should be stayed pursuant to 11 U.S.C. § 362.
10. Furthermore, PGW requires additional time to investigate her account and determine the nature of Ms. Simon's debt, i.e. pre-petition vs. post-petition and whether the Commission has jurisdiction over this Formal Complaint. *See Jonathan DiBello v. PECO Energy Company*, Docket No. C-2023-3041825 (Final Order Entered Dec. 7, 2023).

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<sup>2</sup> PGW did not request a continuance and upon information and belief, neither did Ms. Simon.

11. On April 7, 2025, the undersigned contacted Ms. Simon via email and inquired if she had any objections to PGW seeking a continuance of the hearing. Ms. Simon responded and advised that she did object because the hearing was being continued for a second time and she was concerned about further delaying this matter.
12. Therefore, PGW respectfully requests that the hearing currently scheduled for April 16, 2025 be continued due to the unavailability of PGW's counsel and the recent Chapter 13 bankruptcy filing by Ms. Simon.

WHEREFORE, PGW respectfully requests that the Commission grant this Motion and continue the evidentiary hearing in this matter to a later date.

Respectfully submitted,

Dated: April 7, 2025

By: */s/ Anita J. Murray*  
Anita J. Murray, Esquire  
Attorney I.D. 84703  
Philadelphia Gas Works  
800 W. Montgomery Avenue  
Philadelphia, PA 19122  
Telephone: (215) 684-6659  
[anita.murray@pgworks.com](mailto:anita.murray@pgworks.com)  
Counsel for PGW

# **EXHIBIT A**

**U.S. Bankruptcy Court  
Eastern District of Pennsylvania (Philadelphia)  
Bankruptcy Petition #: 25-10421-amc**

Assigned to: Chief Judge Ashely M. Chan  
Chapter 13  
Voluntary  
Asset

Date filed: 01/31/2025  
Deadline for filing claims: 04/11/2025  
Deadline for filing claims (govt.): 07/30/2025

**Debtor**

**Jaycinah Simon**  
1232 W. Master Street  
Philadelphia, PA 19122  
PHILADELPHIA-PA  
SSN / ITIN: ██████████

represented by **ASHLEY M. SULLIVAN**  
Willig, Williams & Davidson  
1845 Walnut Street  
24th Floor  
Philadelphia, PA 19103  
215-656-3654  
Fax : 215-656-3654  
Email: [asullivan@wwdlaw.com](mailto:asullivan@wwdlaw.com)

**Trustee**

**KENNETH E. WEST**  
Office of the Chapter 13 Standing Trustee  
190 N. Independence Mall West  
Suite 701  
Philadelphia, PA 19106  
215-627-1377

**U.S. Trustee**

**United States Trustee**  
Office of United States Trustee  
Robert N.C. Nix Federal Building  
900 Market Street  
Suite 320  
Philadelphia, PA 19107  
(215)597-4411

Filing Date	#	Docket Text
01/31/2025	<u>1</u> (43 pgs)	Chapter 13 Voluntary Petition for Individual . Fee Amount \$313 Filed by Jaycinah Simon. (SULLIVAN, ASHLEY) (Entered: 01/31/2025)
01/31/2025	2	Matrix List of Creditors Filed. Number of pages filed: 1, Filed by ASHLEY M. SULLIVAN on behalf of Jaycinah Simon. (SULLIVAN, ASHLEY) (Entered: 01/31/2025)
01/31/2025	<u>3</u> (5 pgs)	Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period for 3 Years Form 122C-1. Disposable Income Is Not Determined Filed by ASHLEY M. SULLIVAN on behalf of Jaycinah Simon. (SULLIVAN, ASHLEY) (Entered: 01/31/2025)

01/31/2025	4	Statement of Social Security Number Received. Filed by ASHLEY M. SULLIVAN on behalf of Jaycinah Simon. (SULLIVAN, ASHLEY) (Entered: 01/31/2025)
01/31/2025		Receipt of Voluntary Petition (Chapter 13)( <a href="#">25-10421</a> ) [misc,volp13a] ( 313.00) Filing Fee. Receipt number A26298560. Fee Amount \$ 313.00. (re: Doc# <a href="#">1</a> ) (U.S. Treasury) (Entered: 01/31/2025)
01/31/2025	<a href="#">5</a> (9 pgs)	Chapter 13 Plan Filed by Jaycinah Simon. (SULLIVAN, ASHLEY) (Entered: 01/31/2025)
01/31/2025	<a href="#">6</a> (1 pg)	Certificate of Credit Counseling Filed by ASHLEY M. SULLIVAN on behalf of Jaycinah Simon. (SULLIVAN, ASHLEY) (Entered: 01/31/2025)
01/31/2025	<a href="#">7</a> (5 pgs)	Employee Income Records Filed by ASHLEY M. SULLIVAN on behalf of Jaycinah Simon. (SULLIVAN, ASHLEY) (Entered: 01/31/2025)
02/03/2025		Name of Trustee assigned to case: KENNETH E. WEST. (D., Tasha) (Entered: 02/03/2025)
02/04/2025	<a href="#">8</a> (2 pgs)	Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors & Notice of Appointment of Trustee KENNETH E. WEST. The Debtor has filed a Plan. This Plan proposes payment to the trustee of \$342.00 per month for 60 months. Filed by KENNETH E. WEST. 341(a) meeting to be held on 3/7/2025 at 11:45 AM via Zoom.us - West: Meeting ID 224 079 6575, Passcode 6266025562, Phone 1 (267) 362-3661. Objection to Dischargeability of Certain Debts due: 5/6/2025. Proofs of Claims due by 4/11/2025. Government Proof of Claim Deadline: 7/30/2025. Confirmation Hearing scheduled 4/1/2025 at 10:00 AM at Philadelphia Telephone Hearing. (WEST, KENNETH) (Entered: 02/04/2025)
02/07/2025	<a href="#">9</a> (4 pgs)	BNC Certificate of Mailing - Meeting of Creditors. Number of Notices Mailed: (related document(s) (Related Doc # <a href="#">8</a> )). No. of Notices: 1. Notice Date 02/07/2025. (Admin.) (Entered: 02/08/2025)
02/13/2025	<a href="#">10</a> (2 pgs)	Notice of Appearance and Request for Notice by SHERRI DICKS Filed by SHERRI DICKS on behalf of JPMorgan Chase Bank, National Association. (DICKS, SHERRI) (Entered: 02/13/2025)
03/01/2025	11	Meeting of Creditors Not Held : <i>Will not be held on 3/7/2025. Mandatory document- Social security card not filed 7 days prior to the 341 meeting.</i> (WEST, KENNETH) (Entered: 03/01/2025)
03/19/2025	<a href="#">12</a> (15 pgs; 3 docs)	Objection to Confirmation of Plan <i>With the Certificate of Service</i> Filed by JPMorgan Chase Bank, National Association (related document(s) <a href="#">5</a> ). (Attachments: # <a href="#">1</a> Exhibit A # <a href="#">2</a> Exhibit B)(SHEARER, ROBERT) (Entered: 03/19/2025)
03/26/2025	13	Trustees Notice of Continued Meeting of Creditors. Reason for continuance: At the request of Debtor's counsel.. 341(a) meeting to be held on 5/2/2025 at 12:15 PM via Zoom.us - West: Meeting ID 224 079 6575, Passcode 6266025562, Phone 1 (267) 362-3661. (WEST, KENNETH) (Entered: 03/26/2025)

Fill in this information to identify the case:

Debtor 1 Jaycinah Simon

Debtor 2 (Spouse, if filing) \_\_\_\_\_

United States Bankruptcy Court for the: Eastern District of Pennsylvania

Case number 25-10421

**Official Form 410**  
**Proof of Claim**

04/22

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

**Part 1: Identify the Claim**

1. **Who is the current creditor?** Philadelphia Gas Works  
 Name of the current creditor (the person or entity to be paid for this claim) \_\_\_\_\_  
 Other names the creditor used with the debtor \_\_\_\_\_

2. **Has this claim been acquired from someone else?**  No  
 Yes. From whom? \_\_\_\_\_

3. **Where should notices and payments to the creditor be sent?** **Where should notices to the creditor be sent?** **Where should payments to the creditor be sent? (if different)**

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	<u>Philadelphia Gas Works - Bankruptcy Dept 3FL</u> Name <u>800 W Montgomery Ave.</u> Number Street <u>Philadelphia PA 19122</u> City State ZIP Code Contact phone <u>215-684-6660</u> Contact email <u>holly.cullen@pgworks.com</u>	_____ Name _____ Number Street _____ City State ZIP Code _____ Contact phone _____ Contact email _____
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Uniform claim identifier for electronic payments in chapter 13 (if you use one):  
 \_\_\_\_\_

4. **Does this claim amend one already filed?**  No  
 Yes. Claim number on court claims registry (if known) \_\_\_\_\_ Filed on \_\_\_\_\_ MM / DD / YYYY

5. **Do you know if anyone else has filed a proof of claim for this claim?**  No  
 Yes. Who made the earlier filing? \_\_\_\_\_

**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

6. Do you have any number you use to identify the debtor?  No  Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: 6 6 6 9

7. How much is the claim? \$ 29,908.54. Does this amount include interest or other charges?  No  Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information.  
Outstanding Gas Bill

9. Is all or part of the claim secured?  No  Yes. The claim is secured by a lien on property.  
**Nature of property:**  
 Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.  
 Motor vehicle  
 Other. Describe: \_\_\_\_\_  
**Basis for perfection:** \_\_\_\_\_  
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)  
**Value of property:** \$ \_\_\_\_\_  
**Amount of the claim that is secured:** \$ \_\_\_\_\_  
**Amount of the claim that is unsecured:** \$ \_\_\_\_\_ (The sum of the secured and unsecured amounts should match the amount in line 7.)  
**Amount necessary to cure any default as of the date of the petition:** \$ \_\_\_\_\_  
**Annual Interest Rate** (when case was filed) \_\_\_\_\_ %  
 Fixed  
 Variable

10. Is this claim based on a lease?  No  Yes. Amount necessary to cure any default as of the date of the petition. \$ \_\_\_\_\_

11. Is this claim subject to a right of setoff?  No  Yes. Identify the property: \_\_\_\_\_

**12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?**

No

Yes. Check one:

<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	Amount entitled to priority \$ _____
<input type="checkbox"/> Up to \$3,350* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	\$ _____
<input type="checkbox"/> Wages, salaries, or commissions (up to \$15,150*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).	\$ _____
<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____
<input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	\$ _____
<input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)( ) that applies.	\$ _____

\* Amounts are subject to adjustment on 4/01/25 and every 3 years after that for cases begun on or after the date of adjustment.

**Part 3: Sign Below**

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- I am the creditor.
- I am the creditor's attorney or authorized agent.
- I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
- I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 02/11/2025  
MM / DD / YYYY

  
Signature

Print the name of the person who is completing and signing this claim:

Name Holly Cullen  
First name Middle name Last name

Title Credit/Collections Senior Quality Assurance

Company Philadelphia Gas Works  
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 800 W Montgomery Ave. Bankruptcy Dept 3FL  
Number Street

Philadelphia PA 19122  
City State ZIP Code

Contact phone 215-684-6660 Email holly.cullen@pgworks.com

