

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nathaniel Euclid	:	
	:	
v.	:	C-2025-3053882
	:	
Philadelphia Gas Works	:	

**ORDER**  
**CONDITIONALLY GRANTING REQUEST FOR FURTHER HEARING**

*Abbreviated Procedural History*

On March 11, 2025, Nathaniel Euclid (“Mr. Euclid”) filed a Formal Complaint against Philadelphia Gas Works (“PGW”) with the Pennsylvania Public Utility Commission, alleging that there were incorrect charges on his bill. PGW filed an Answer denying the allegations of the Complaint on April 1, 2025.

On April 4, 2025, the Commission issued a Hearing Notice scheduling this case for an evidentiary hearing on June 3, 2025, to begin at 10:00 a.m. On the same date, the Commission issued my Prehearing Order reminding the parties of the date of the hearing. Notably, both documents indicated that the parties were to participate in the hearing by calling a toll-free number and entering a PIN number.

On June 3, 2025, the evidentiary hearing in this matter was held as scheduled. Attorney Graciela Christlieb appeared representing PGW, along with two witnesses. Mr. Euclid did not appear for the hearing. PGW made a Motion to Dismiss the Complaint with prejudice for the failure of Mr. Euclid to appear for the hearing. I took the Motion under advisement. I indicated on the hearing record that the hearing record would close once I receive the transcript of the hearing.

On June 3, 2025, I received two emails from Mr. Euclid, at 3:57 p.m. and 4:21 p.m., wherein Mr. Euclid requested a further evidentiary hearing. In his emails, Mr. Euclid expressed that he expected a call from me to connect him to the scheduled evidentiary hearing earlier that day.

After forwarding the emails to Attorney Christlieb, she expressed that PGW agrees to a further evidentiary hearing on the condition that Mr. Euclid permits PGW to exchange the gas meter in his property for testing. PGW reasoned that the Complaint is a high bill dispute and in order to be able to fully investigate the claims made by Mr. Euclid, PGW must test the meter for accuracy. PGW has reached out to Mr. Euclid regarding the meter test in the past, but Mr. Euclid has declined to have the gas meter at the property tested.

### *Discussion*

If a party fails to attend a scheduled hearing, such failure to appear will be deemed a waiver of the party's opportunity to participate in a hearing, unless the presiding officer determines that such failure was “unavoidable” and that the interests of the other parties and of the public would not be “prejudiced” by permitting such reopening or further examination. 66 Pa.C.S. § 332(f); 52 Pa.Code § 5.245(a)-(b).

To meet the “unavoidable” standard, the Commission will require a Complainant to show, with supporting information, that the failure to appear was due to exigent circumstances. *El-Ayazra v. West Penn Power Company*, Docket No. F-2015-2509292 (Opinion and Order entered June 30, 2016). A party's own negligence is not sufficient good cause as a matter of law for failing to appear at a hearing.” *Eat 'N Park Hospitality Group, Inc. v. Unemployment Compensation Board of Review*, 970 A.2d 492, 494 (Pa.Cmwlth. 2008).

Mr. Euclid was negligent in his failure to attend the June 3, 2025, evidentiary hearing. The Hearing Notice and Prehearing Order clearly indicated that Mr. Euclid was to call-in to the hearing using a toll-free number and PIN number. Thus, Mr. Euclid’s belief that he would receive a call from me to connect him to the hearing was unfounded.

However, as PGW conditionally agreed to Mr. Euclid's request for a further hearing, I will grant Mr. Euclid's request on the condition that he cooperate with PGW to have his meter exchanged for testing. This condition is reasonable. A Further Hearing Notice will be issued in this case, scheduling this matter for a further evidentiary hearing. Mr. Euclid and PGW will be directed to provide a Status Report by June 27, 2025, addressing the meter test. If Mr. Euclid fails to cooperate with PGW regarding the meter test, the further evidentiary hearing will be cancelled.

THEREFORE,

IT IS ORDERED:

1. That the further evidentiary hearing request, submitted by Nathaniel Euclid on June 3, 2025, is granted on the condition that he cooperates with PGW to have his meter exchanged for testing.
2. That Philadelphia Gas Works shall submit a Status Report to me on June 27, 2025, addressing its efforts to have Mr. Euclid's gas meter tested.
3. That Nathaniel Euclid shall submit a Status Report to me on June 27, 2025, addressing his efforts to cooperate with Philadelphia Gas Works in having his gas meter tested.
4. That Nathaniel Euclid's failure to cooperate with Philadelphia Gas Works in having his meter exchanged for testing will result in cancellation of the further evidentiary hearing.

Date: June 6, 2025

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/s/  
Alphonso Arnold III  
Administrative Law Judge

**C-2025-3053882 - NATHANIEL EUCLID v. PHILADELPHIA GAS WORKS**

NATHANIEL EUCLID  
4014 HOWLAND  
PHILADELPHIA PA 19124

**510.767.2980**

[loekanle@gmail.com](mailto:loekanle@gmail.com)

Served via email, eService and first-class mail June 6, 2025

GRACIELA CHRISTLIEB ESQUIRE  
PHILADELPHIA GAS WORKS  
800 WEST MONTGOMERY AVE  
PHILADELPHIA PA 19122

**215.684.6164**

[Graciela.Christlieb@pgworks.com](mailto:Graciela.Christlieb@pgworks.com)

Served via eService June 6, 2025

*(Counsel for Philadelphia Gas Works)*