
Nettie Lawrence |
v. | Docket No.: C-2025-3054995
Philadelphia Gas Works |
Initial Call-In |
Telephonic Hearing
Pages 1 - 31

Judge's Chambers
State Office Building
801 Market Street
Philadelphia, PA

Wednesday, July 30, 2025
Commencing at 1:11 p.m.

INDEX TO EXHIBITS

Docket No. C-2025-3054995

Hearing Date: July 30, 2025

<u>NUMBER</u>	<u>FOR IDENTIFICATION</u>	<u>IN EVIDENCE</u>
PGW's Exhibit 4	20	27
Meter Test Results		

PGW's Exhibit 6	10	27
-----------------	----	----

BCS Complaint 3552995

PGW's Exhibit 7	9	27
-----------------	---	----

Packet



PHILADELPHIA GAS WORKS

800 West Montgomery Avenue • Philadelphia, PA 19122

Graciela Christlieb, Senior Attorney
Legal Department
Direct Dial: 215-684-6164
FAX: 215-684-6798
E-mail: graciela.christlieb@pgworks.com

July 23, 2025

VIA ELECTRONIC MAIL

Administrative Law Judge Alphonso Arnold
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor West
Harrisburg, PA 17120

Re: Nettie Lawrence v. Philadelphia Gas Works, Docket No. C-2025-3054995

Dear Judge Arnold:

Enclosed, please find PGW's proposed exhibits for the hearing in the above referenced matter.

If you need additional information about this matter, please contact me at my direct-dial number above. Thank you.

Sincerely,

/s/ Graciela Christlieb

Graciela Christlieb, Esquire

Enclosure

cc: Cert. of Service w/enc.



PHILADELPHIA GAS WORKS

800 West Montgomery Avenue • Philadelphia, PA 19122

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of Philadelphia Gas Works' Proposed Exhibits 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 ELECTRONIC MAIL

Nettie Lawrence

nettielawrence@gmail.com

Date: July 23, 2025

/s/ Graciela Christlieb

Graciela Christlieb, Esquire

Customer Requested Meter Test

Date: 4-16-24

The Philadelphia Gas Works tested the meter removed from the premise of:

CUSTOMER: Nettie Lawrence

ADDRESS: 454 E Church Ln

ON APPLICATION NO.:

GIVES THE FOLLOWING RESULTS:

METER NO. 2312381		PROOF [X]			ACCURACY []	
SIZE I250TC	INDEX 2649	Meter Test Results			Percentage	
		Temperature	Open 100%	Check 20%	Fast	Slow
Meter Receive 4-9-24		73	100.5	99.7		
		73	100.4	99.7		
Meter Tested 4-16-24		73	100.3	99.7		
		Average of Results	100.4	99.7	-0.3	

Von Morgan

PGW REPRESENTATIVE

PHILADELPHIA GAS WORKS

PUC

Opening XML

Case Number:	3552995
Company Name:	PGW (PHILA. GAS WORKS (NGDC))
Company Code:	0766
Company Type	GAS TRANSPORTER
Customer First Name:	NETTIE
Customer Middle Initial:	
Customer Last Name:	LAWERENCE
Customer Account Number:	██████████
Customer Home Phone w/ Area Code:	
Customer Work Phone w/ Area Code:	
Customer Service Class:	RESIDENTIAL
Customer Mail Address 1:	
Customer Mail Address 2:	
Customer Mail Address City:	
Customer Mail Address State:	
Customer Mail Address Zip:	
Customer Mail Address 4-Zip:	
Customer Service Address 1:	454 CHURCH LANE
Customer Service Address 2:	
Customer Service Address City:	PHILADELPHIA
Customer Service Address State:	PA
Customer Service Address Zip:	19144
Customer Service Address 4-Zip:	
Customer Family Adults:	3
Customer Family Children:	2
Customer Family Age:	14,8,
Gross Income	
Source	Income Amount
JOB	4983.33
Date Open:	2017-08-11
Reason For Contact:	ON - PAR NEEDED (# 61)
Term Date:	2017-08-14
Business Name:	
Case Problem:	
Company Position:	08/11/2017 CO. SEEKING PAST DUE AMOUNT OF 900.00.

Related Information:

STRAIGHT PAR. THE CELL PHONE NUMBER [REDACTED] [REDACTED] HAS BEEN ALLOWED TO BE SHARED. THE EMAIL ADDRESS NETTIELAWRENCE@GMAIL.COM HAS BEEN ALLOWED TO BE SHARED.

Case Misc Info:**Hot Issue:****Case Origin:**

TELEPHONE

Prior Case Number:**Universal Service:**

M

Arrearage:

2000

BCS Investigator First Name:

BCS

BCS Investigator Last Name:

CASE POOL

BCS Investigator Phone w/ Area Code: [REDACTED]**BCSIntaker First Name:**

EVERETT

BCSIntaker Last Name:

KINCHLOE

Number Of Time Send:

1

Number Of Time Faxed:

0

Number Of Time Faxed:

7177876641

PHILADELPHIA GAS WORKS

PUC

Closing XML

Case Number: 3552995
Company Name: PGW (PHILA. GAS WORKS (NGDC))
Company Code: 0766
Company Type: GAS TRANSPORTER
Customer First Name: NETTIE
Customer Middle Initial:
Customer Last Name: LAWRENCE
Account Number: XXXXXXXXXX
Service Address 1: 454 CHURCH LANE
Service Address 2:
Service City: PHILADELPHIA
Service State: PA
Service Zip 5: 19144
Service Zip 4:
Decision Issue: Y
Oral Written: W
Violation: NO
Chapter:
Section Rule:
Total Balance: 2144.79
Date Closed: 2017-09-08
Resolution: LEVEL 2, BB 210.00 + 60.00 = 270.00 BEGINNING OCTOBER 2017.
Balance Date: 2017-09-08
Service Restored Pay:
Service Continue Amount:
Service Continue Date:
Terms: OCTOBER 2017 BILL DUE DATE
Special Budget Amount: 270.00
Regular Budget Amount: 210.00
Arrears Payment Plus: 60.00
FinalMonthlyPayment:
CurrentMonthlyPayment:
EndMonthlyPayment:
LetterDescription:
HeadDate: 2017-09-12

Paragraph:

Bill Date:

Reconnect Amount: 0

Pay Amount:

BCS Investigator First Name: BUREAU OF

BCS Investigator Last Name: CONSUMER SERVICE

Number Of Time Send: 1

Number Of Time Faxed: 0

PUC Fax: 7177876641

Customer Contact: Turn On

Date: 07/13/2016 Time: 12:49:00 PM Source: Related Tran:
CC Type: SER0 - Turn On Created: 07/13/2016 at 12:49:44 PM by: NHUGHES1
Area: 800 - Residential General Service Changed: at by:
 Surveyable Auto Delete Date: 07/13/2020 Class: Inquiry

Comments: Turn On, 7/15/2016, 1200 - 1600 cor called to schedule her turn on. initiaed turn on order for 7/15 1200-1600. cust satisfied.

Letter
Status: Print Date: Run Number: Reprint:
Template:

Review List Tickler
Follow Up: to Review Group to User
Priority: Review Group...

Account: [REDACTED] Lawrence, Nettie
Premise: 454 E Church Ln/Phila,Pa
Person: Lawrence, Nettie

Customer Contact: Service [X]

Date: 09/06/2018 Time: 10:13:00 AM Source: _____ Related Tran: _____
CC Type: SERV - Service [v] Created: 09/06/2018 at: 10:13:39 AM by: KLIPINSK
Area: 800 - Residential General Service [v] Changed: _____ at: _____ by: _____
 Surveyable Auto Delete Date: 09/06/2022 Class: Inquiry

Comments: Krzysztof Lipinski was here on a 96 C & C Field Shut Off order with Order # 10038704 , with a result of Completed , with activities of (Field Collections - NPSO CGI) , with comments of "no valve.cust.on the phone with PGW"

Letter

Status: _____ Print Date: _____ Run Number: _____ Reprint: [v]
Template: _____

Review List Tickler

Follow Up: [] to Review Group to User
Priority: [] Review Group... []

Account: [REDACTED] Lawrence, Nettie [v]
Premise: 454 E Church Ln/Phila,Pa [v]
Person: Lawrence, Nettie [v]

[Change] [Cancel]

PHILADELPHIA GAS WORKS

PUC

Opening XML

Case Number: 3724262
Company Name: PGW (PHILA. GAS WORKS (NGDC))
Company Code: 0766
Company Type: GAS TRANSPORTER
Customer First Name: NETTIE
Customer Middle Initial:
Customer Last Name: LAWRENCE
Customer Account Number: [REDACTED]
Customer Home Phone w/ Area Code:
Customer Work Phone w/ Area Code:
Customer Service Class: RESIDENTIAL
Customer Mail Address 1:
Customer Mail Address 2:
Customer Mail Address City:
Customer Mail Address State:
Customer Mail Address Zip:
Customer Mail Address 4-Zip:
Customer Service Address 1: 454 EAST CHURCH LANE
Customer Service Address 2:
Customer Service Address City: PHILADELPHIA
Customer Service Address State: PA
Customer Service Address Zip: 19144
Customer Service Address 4-Zip:
Customer Family Adults: 3
Customer Family Children: 2
Customer Family Age: 10, 16
Gross Income

Source	Income Amount
WAGES	4000
UNMPLD	0
UNMPLD	0

Date Open: 2019-08-07
Reason For Contact: ON - PAR NEEDED (# 61)
Term Date: 2019-08-07
Business Name:
Case Problem:
Company Position: 08/07/2019 UTILITY WANTS \$2000.00 TO AVOID SHUT OFF
Related Information: - RELIEF SOUGHT - STRAIGHT PAR THE CELL PHONE NUMBER [REDACTED] HAS BEEN ALLOWED TO BE SHARED. THE EMAIL ADDRESS NETTIELAWRENCE@GMAIL.COM HAS BEEN ALLOWED TO BE SHARED.
Case Misc Info:

Hot Issue:
Case Origin: TELEPHONE
Prior Case Number:
Universal Service: M
Arrearage: 2500
BCS Investigator First Name: BCS
BCS Investigator Last Name: CASE POOL
BCS Investigator Phone w/ Area Code: [REDACTED]
BCSIntaker First Name: MARVIN
BCSIntaker Last Name: KINGCADE
Number Of Time Send: 1
Number Of Time Faxed: 0
Number Of Time Faxed: 7177876641

PHILADELPHIA GAS WORKS

PUC

Closing XML

Case Number: 3724262
Company Name: PGW (PHILA. GAS WORKS (NGDC))
Company Code: 0766
Company Type: GAS TRANSPORTER
Customer First Name: NETTIE
Customer Middle Initial:
Customer Last Name: LAWRENCE
Account Number: [REDACTED]
Service Address 1: 454 EAST CHURCH LANE
Service Address 2:
Service City: PHILADELPHIA
Service State: PA
Service Zip 5: 19144
Service Zip 4:
Decision Issue: N
Oral Written: W
Violation: NO
Chapter:
Section Rule:
Total Balance: 3468.39
Date Closed: 2019-09-10
Resolution: DISMISSAL LETTER ISSUED: CASE DISMISSED PER 1405 D CUSTOMER HAS NOT SATISFIED THE PRIOR PUC PAR BCS#3552995
Balance Date: 2019-08-15
Service Restored Pay: 0.00
Service Continue Amount: 2402.00
Service Continue Date:
Terms:
Special Budget Amount: 0.00
Regular Budget Amount: 185.00
Arrears Payment Plus: 0.00
FinalMonthlyPayment: 0.00
CurrentMonthlyPayment: 0.00
EndMonthlyPayment: 0.00
LetterDescription:
HeadDate: 2019-09-12
Paragraph:
Bill Date:
Reconnect Amount: 0
Pay Amount: 0.00
BCS Investigator First Name: BRYAN
BCS Investigator Last Name: KAUFFMAN
Number Of Time Send: 1
Number Of Time Faxed: 0
PUC Fax: 7177876641

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint

Filing this form begins a legal proceeding and you will be a party to the case. If you do not wish to be a party to the case, consider filing an informal complaint.

To complete this form, please type or print legibly in ink.

1. Customer (Complainant) Information

Provide your name, mailing address, county, telephone number(s), e-mail address and utility account number. It is your responsibility to update the Commission with any changes to your address and to where you want documents mailed to you.

Name Nethi Lawrence

Street/P.O. Box 484 Ednurch lane Apt # _____

City Philadelphia State PA Zip 19144

County Philadelphia

Telephone Number(s) Where We Can Contact You During the Day:

(____) _____ (home)  (mobile)

E-mail Address (optional): nethielawrence@gmail.com

Utility Account Number (from your bill) 

If your complaint involves utility service provided to a different address or in a different name than your mailing address, please list this information below.

Name _____ **RECEIVED**

Street/P.O. Box _____

City _____ State _____ Zip _____ PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

2. Name of Utility or Company (Respondent)

Provide the full name of the utility or company about which you are complaining. The name of your utility or company is on your bill.

Philadelphia Gas Works (PGW)

3. Type of Utility Service

Check the box listing the type of utility service that is the subject of your complaint (check only one):

- ELECTRIC WASTEWATER/SEWER
- GAS TELEPHONE/TELECOMMUNICATIONS (local, long distance)
- WATER MOTOR CARRIER (e.g. taxi, moving company, limousine)
- STEAM HEAT

4. Reason for Complaint

What kind of problem are you having with the utility or company? Check all boxes below that apply and state the reason for your complaint. Explain specifically what you believe the utility or company has done wrong. Provide relevant details including dates, times and places and any other information that may be important. If the complaint is about billing, tell us the amount you believe is not correct. Use additional paper if you need more space. **Your complaint may be dismissed without a hearing if you do not provide specific information.**

The utility is threatening to shut off my service or has already shut off my service.

I would like a payment agreement.

Incorrect charges are on my bill. Provide dates that are important and an explanation about any amounts or charges that you believe are not correct. Attach a copy of the bill(s) in question if you have it/them.

I am having a reliability, safety or quality problem with my utility service. Explain the problem, including dates, times or places and any other relevant details that may be important.

Other (explain).

Note: If your complaint is only about removing or modifying a municipal lien filed by the City of Philadelphia, the Public Utility Commission (PUC) cannot address it. Only local courts in Philadelphia County can address this type of complaint. The PUC can address a complaint about service or incorrect billing even if that amount is subject to a lien.

In addition, the PUC generally does not handle complaints about cell phone or Internet service, but may be able to resolve a dispute regarding voice communications over the Internet (including the inability to make voice 911/E911 emergency calls) or concerns about high-speed access to Internet service.

5. **Requested Relief**

How do you want your complaint to be resolved? Explain what you want the PUC to order the utility or company to do. Use additional paper if you need more space.

I would like them to put me on a payment agreement. They are also trying to shut off my service and my son has a medical condition.

I would also like for them to review why my bill was so high. I requested them to come out and they never came.

Note: The PUC can decide that a customer was not billed correctly and can order billing refunds. The PUC can also fine a utility or company for not following rules and can order a utility or company to correct a problem with your service. Under state law, the PUC cannot decide whether a utility or company should pay customers for loss or damages. Damage claims may be sought in an appropriate civil court.

6. Protection From Abuse (PFA)

Has a court granted a "Protection From Abuse" order that is currently in effect for your personal safety or welfare? The PUC needs this information to properly process your complaint so that your identity is not made public.

Note: You must answer this question if your complaint is against a natural gas distribution utility, an electric distribution utility or a water distribution utility AND your complaint is about a problem involving billing, a request to receive service, a security deposit request, termination of service or a request for a payment agreement.

Has a court granted a "Protection From Abuse" order for your personal safety or welfare?

YES

NO

If your answer to the above question is "yes," attach a copy of the current Protection From Abuse order to this Formal Complaint form.

7. Prior Utility Contact

a. Is this an appeal from a decision of the PUC's Bureau of Consumer Services (BCS)?

YES

NO

(No decision issued) mm

Note: If you answered yes, move to Section 8. No further contact with the utility or company is required. If you answered no, answer the question in Section 7 b. and answer the question in Section 7 c. if relevant.

b. If this is not an appeal from a BCS decision, have you spoken to a utility or company representative about this complaint?

YES

NO

Note: You must contact the utility first if (1) you are a residential customer, (2) your complaint is against a natural gas distribution utility, an electric distribution utility or a water utility AND (3) your complaint is about a billing problem, a service problem, a termination of service problem, or a request for a payment agreement.

- c. If you tried to speak to a utility company representative about your complaint but were not able to do so, please explain why.

Note: Even if you are not required to contact the utility or company, you should always try to speak to a utility or company representative about your problem before you file a Formal Complaint with the PUC.

8. **Legal Representation**

If you are filing a Formal Complaint as an individual on your own behalf, you are not required to have a lawyer. You may represent yourself at the hearing.

If you are already represented by a lawyer in this matter, provide your lawyer's name, address, telephone number, and e-mail address, if known. Please make sure your lawyer is aware of your complaint. If represented by a lawyer, both you and your lawyer must be present at your hearing.

Lawyer's Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

E-mail Address (if known) _____

Note: Corporations, associations, partnerships, limited liability companies and political subdivisions are required to have a lawyer represent them at a hearing and to file any motions, answers, briefs or other legal pleadings.

From: Nicole Lawrence
454 E Church Lane
Phila PA 19144



U.S. POSTAGE PAID
PM 2-084
PHILADELPHIA, PA
19144
SEP 25, 19
AMOUNT
\$10.40
R2305M144887-01

PRIORITY MAIL

TRACKED INSURED

UNITED STATES POSTAL SERVICE

For Domestic Use Only

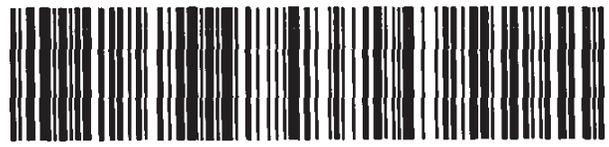
Label 107R, July 2013

Secretary

To: Public Utility Commission
466 North St
Harrisburg, PA 17120

EXPECTED DELIVERY DAY: 09/27/19

USPS SIGNATURE TRACKING NUMBER



9510 8161 3922 9268 2055 28

Customer Contact: Service

Date: 11/27/2019 Time: 1:01:00 PM Source: Related Tran:

CC Type: SERV - Service Created: 11/27/2019 at: 1:01:03 PM by: SWALERSK

Area: 800 - Residential General Service Changed: at: by:

Surveyable Auto Delete Date: 11/27/2023 Class: Inquiry

Comments: Stanley Walerski was here on a Misc Meter Exchange order with Order # 11156650 , with a result of Partially Completed , with activities of (Partial Complete - Customer/Landlord Responsibilities - No Access To Work Area) , with comments of "swalersk(27-NOV-19):CUSTOMER REFUSED ACCESS"

Letter

Status: Print Date: Run Number: Reprint:

Template:

Review List Tickler

Follow Up: to Review Group to User

Priority: Review Group...

Account: [Redacted] Lawrence, Nettie

Premise: 454 E Church Ln/Phila,Pa

Person: Lawrence, Nettie

Customer Contact: Customer Review Unit [X]

Date: 11/27/2019 Time: 2:25:00 PM Source: JetSearch Related Tran: Account Maintenance
CC Type: CRU - Customer Review Unit Created: 11/27/2019 at: 2:25:26 PM by: PBERNARD
Area: 800 - Residential General Service Changed: at: by:
 Surveyable Auto Delete Date: 11/27/2024 Class: Inquiry

Comments: I called Nettie and advised her that the PGW technician wants to test the meter. I offered to send him back out to test it. Ms. Lawrence stated that she is going out and she cannot. Ms. Lawrence stated that she will just go to the hearing on Monday. I did advise the customer that we could come out tomorrow or Friday, the customer declined.

Letter

Status: Print Date: Run Number: Reprint: [v]
Template:

Review List Tickler

Follow Up: [] to Review Group to User
Priority: [] Review Group... []

Account: [REDACTED] Lawrence, Nettie [v]
Premise: 454 E Church Ln/Phila,Pa [v]
Person: Lawrence, Nettie [v]

[Change] [Cancel]

Customer Contact: Customer Review Unit [X]

Date: 12/02/2019 Time: 11:24:00 AM Source: JetSearch Related Tran: Account Maintenance
CC Type: CRU - Customer Review Unit Created: 12/02/2019 at: 11:24:07 AM by: PBERNARD
Area: 800 - Residential General Service Changed: at: by:
 Surveyable Auto Delete Date: 12/02/2024 Class: Inquiry

Comments: I attended a Formal hearing for Docket #C-2019-3013305 with ALJ Heep and Laureto Farinas Esquire. Ms. Lawrence did not attend. PGW requested that the case be dismissed with prejudice for lack of prosecution.

Letter

Status: Print Date: Run Number: Reprint: [v]
Template:

Review List Tickler

Follow Up: [] to Review Group to User
Priority: [] Review Group... []

Account: [REDACTED] Lawrence, Nettie [v]
Premise: 454 E Church Ln/Phila,Pa [v]
Person: Lawrence, Nettie [v]

[Change] [Cancel]

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nettie Lawrence :
 :
 v. : C-2019-3013305
 :
 Philadelphia Gas Works :

INITIAL DECISION

Before
Darlene Davis Heep
Administrative Law Judge

INTRODUCTION

The formal Complaint is dismissed for the failure of the Complainant to appear for the hearing and prosecute the Complaint.

HISTORY OF THE PROCEEDING

On September 25, 2019, Nettie Lawrence (Complainant) filed a formal Complaint (Complaint) against Philadelphia Gas Works (PGW, Respondent or Company). In the Complaint, Ms. Lawrence alleges that PGW is trying to shut off her service, that she would like a review of high bills and that she would like a payment arrangement. She also alleges that PGW did not respond to her request to inspect the service address.

On October 23, 2019, Respondent filed its Answer denying the material averments of the Complaint and stating that the Complainant has not "completed" a previous payment arrangement. The Respondent further averred that on July 19, 2019, the Company issued a 10-day shut-off notice to the Complainant because she has a past due balance.

On October 29, 2019, a Hearing Notice was mailed to all parties, setting an Initial In-Person Hearing for December 2, 2019 at 10:00 a.m. On October 31, 2019, a Corrected Hearing Notice was issued to the parties which corrected the docket number only; the hearing date and time remained scheduled for December 2, 2019 at 10:00 a.m.

On November 1, 2019, a Prehearing Order was issued which advised the parties of various applicable procedures to the hearing, as well as reminded the parties of the date and time of the hearing.

The hearing convened as scheduled on December 2, 2019 at 10:00 a.m. The Complainant did not appear for the hearing; PGW appeared and was represented by Laureto Farinas, Esquire.

The Company moved that the matter be dismissed for failure of the Complainant to appear and prosecute her Complaint. The Motion was taken under advisement.

The record closed on December 23, 2019, upon receipt of the transcript. PGW's Motion to Dismiss for Failure to Prosecute is ready for a decision.

FINDINGS OF FACT

1. The Complainant is Nettie Lawrence, who resides in Philadelphia, Pennsylvania.
2. The Respondent is Philadelphia Gas Works (PGW).
3. On September 25, 2019, the Complainant filed this action against PGW.
4. The Respondent filed an Answer on October 23, 2019.

5. On October 29, 2019, a Hearing Notice was mailed to all parties, setting an Initial In-Person Hearing for December 2, 2019 at 10:00 a.m.

6. A corrected hearing notice was issued on October 31, 2019, this second notice also stating that the hearing would be held on December 2, 2019 at 10:00 a.m.

7. A prehearing order issued on November 1, 2019 to all parties which reminded the parties of the hearing date and time and advised the Complainant, in bold print, that the matter would be dismissed if she failed to appear; it also advised that the Complainant had the burden of proof.

8. The hearing began as scheduled on December 2, 2019, at 10:00 a.m.

9. On the day of the hearing, PGW was present and represented by Laureto Farinas, Esquire.

10. The Complainant was not present when the hearing began at 10:00 a.m.

11. A recess was taken, and the undersigned confirmed that the Complainant had not contacted the Commission.

12. When the hearing resumed at 10:39 a.m., the Complainant was not present. (Tr. 4).

13. To date, the Complainant has not contacted the Commission about her absence from the hearing.

14. The Hearing Notice and prehearing order mailed to the Complainant were not returned as undeliverable.

15. The Complainant did not request a continuance or provide a statement of good cause for her absence on the scheduled hearing date.

DISCUSSION

Administrative agencies such as the Commission are required to provide due process to the parties appearing before them. *Schneider v. Pa. Pub. Util. Comm'n.*, 479 A.2d 10 (Pa.Cmwlth. 1984). The essential elements of due process in an administrative proceeding are notice and an opportunity to be heard. *J.P. v. Dep't of Human Servs.*, 150 A.3d 173 (Pa.Cmwlth. 2016). Notice mailed to a party's last known address and not returned by the post office is presumed to have been received. *Chartiers Industrial and Commercial Development Authority v. Allegheny County Board of Property Assessment Appeals and Review*, 645 A.2d 944 (Pa.Cmwlth. 1994).

A Hearing Notice and prehearing order containing the time, date and location were mailed to the Complainant. Neither was returned as undeliverable. It is therefore deemed that the Complainant had notice of the date and time of the scheduled hearing. *Berkowitz v. Mayflower Securities, Inc.*, 455 Pa. 531, 317 A.2d 584 (1974).

As the Commission noted in *Strydio v. PPL Electric Utilities Corporation*, 2018 Pa. PUC LEXIS 258, *8, Docket No. C-2017-263304, p. 6 (Opinion and Order entered July 18, 2018) "[o]nce notice of a hearing and the opportunity to be heard have been provided by the Commission, it is the responsibility of the parties to appear and participate in the hearing," citing, *Mumma v. PPL Electric Utilities Corporation*, Docket No. C-00014869 (Order entered January 24, 2002); *Sentner v. Bell Tel. Co. of PA*, Docket No. F-00161106 (Order entered October 25, 1993). The Complainant was notified of the scheduled hearing and did not appear for the hearing.

To date, the Complainant has not contacted the Commission or the undersigned regarding the hearing. The Complainant has waived the opportunity to participate in the hearing by failing to appear. 52 Pa.Code § 5.245(a); *Jefferson v. UGI Utilities, Inc.*, 1995 Pa. PUC LEXIS 159 (Opinion and Order entered December 26, 1995).

Finally, Section 332(a) of the Public Utility Code, 66 Pa.C.S. § 332(a), places the burden of proof upon the proponent of any request for relief. The Complainant was advised in the prehearing order that as the Complainant, she had the burden of proof. By failing to appear and proffer any evidence to support the Complaint, the Complainant has failed to meet this burden. The Complaint will be dismissed. *Jefferson v. UGI Utilities, Inc.*, Docket No. Z-00269892 (Opinion and Order entered December 26, 1995); *El-Ayazra v. West Penn Power Company*, Docket No. F 2015-2509292 (Opinion and Order entered June 30, 2016); 52 Pa.Code § 5.245.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the subject matter and the parties to this proceeding. 66 Pa.C.S. § 701.

2. The Complainant received notice of the hearing. *Chartiers Industrial and Commercial Development Authority v. Allegheny County Board of Property Assessment Appeals and Review*, 645 A.2d 944 (Pa.Cmwlth. 1994), *appeal denied*, 653 A.2d 1234 (Pa. 1994).

3. The due process rights of the Complainant have been fully protected in this proceeding. *J.P. v. Dep't of Human Servs.*, 150 A.3d 173 (Pa.Cmwlth. 2016); *Sentner v. Bell Telephone Co. of Pa.*, Docket No. F-00161106 (Opinion and Order entered October 25, 1993); 52 Pa.Code § 5.245(a).

4. As the party seeking affirmative relief from the Commission, the Complainant bears the burden of proof. 66 Pa.C.S. § 332(a).

5. The Complainant did not participate in the hearing, failed to appear for the hearing, did not present any evidence and, therefore, she failed to meet her burden of proving she is eligible to the relief that is sought from the Commission. 66 Pa.C.S. § 332(a).

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Nettie Lawrence	:	
	:	
v.	:	C-2019-3013305
	:	
Philadelphia Gas Works	:	

FINAL ORDER

In accordance with the provisions of Section 332(h) of the Public Utility Code, 66 Pa. C.S. §332(h), the decision of Administrative Law Judge Darlene Davis Heep dated February 18, 2020, has become final without further Commission action:

THEREFORE,

IT IS ORDERED:

1. That the Motion of Philadelphia Gas Works to dismiss the Complaint filed by Nettie Lawrence at Docket Number C-2019-3013305 is granted.
2. That the Complaint of Nettie Lawrence against Philadelphia Gas Works at Docket Number C-2019-3013305 is dismissed.
3. That Docket Number C-2019-3013305 be marked closed.

BY THE COMMISSION,


 Rosemary Chiavetta
 Secretary

(SEAL)

ORDER ENTERED: July 17, 2020

10-DAY SHUT OFF NOTICE Your Gas Service May Be Shut Off

Your bill is past due. As a result, PGW will shut off gas to 454 E CHURCH LN on or after 8 a.m. on Aug 02, 2021. This notice will remain effective for 60 days. To talk about your bill or this notice, call our office at 215-235-1777.

We will not shut off gas if you do ONE of the following:

- Arrange to pay your past due amount of \$6,899.09.
- Pay the amount you owe on your payment plan.
- Show us a payment receipt for the past due amount.
- Make a payment arrangement (you may be eligible for a special assistance program).
- Contact us to dispute the bill.

At a minimum, you may have to pay all of the following before we turn your service on:

Past Due Amount	\$6,899.09
Security Deposit	\$346.00
Turn On Charge	\$123.23
Total	\$7,368.32

(Plus \$372.00 if we must dig up the street to shut off gas).

You are also responsible for all gas service provided to you that is now or has become past due. If shut off, you may be required to pay more than the amount on this notice to have gas turned on.

MEDICAL EMERGENCY NOTICE

LET US KNOW IF SOMEONE LIVING IN YOUR HOME IS SERIOUSLY ILL OR HAS A MEDICAL CONDITION. WE WILL NOT SHUT OFF YOUR SERVICE during such illness, provided you:

1. Have your licensed physician, physician's assistant or nurse practitioner certify by phone or in writing that such an illness exists and that it may be aggravated if your service is shut off; and
2. Make arrangements to pay your current bills.
3. Contact us by calling 215-235-1777.
4. HAVE A LICENSED PHYSICIAN, PHYSICIAN'S ASSISTANT OR NURSE PRACTITIONER SEND PGW A LETTER WITHIN 3 DAYS, VERIFYING THE MEDICAL CONDITION.

IMPORTANT TO KNOW – BEFORE WE SHUT OFF YOUR GAS SERVICE

- You may be eligible for a payment agreement or special assistance program. Enrollment into this program may be a way of avoiding shut off. Contact us immediately at 215-235-1777 to find out if you're eligible, and how to enroll. Documentation of your income may be required.
- If you have questions or need more information, please call us today at 215-235-1777 or write us at P.O. Box 3500, Philadelphia, PA 19122. After you talk with PGW, if you are not satisfied, you may file a complaint with the Pennsylvania Public Utility Commission (PUC). The PUC may delay the shutoff if you file the complaint before the shut-off date. To contact them call 1 (800) 692-7380 or write to: Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265.
- If you have a valid Protection From Abuse order from a court, there are additional protections available to you. Call us immediately at 215-235-1777. You will be required to provide us with a copy of the order.

- Call us if your landlord pays your utility bill. You have certain legal protections.
- If you have trouble understanding or speaking English call us for free interpretation.
- Please contact us if you are disabled and need assistance.
- All adult occupants of the premises whose names are on the mortgage, deed or lease are considered the 'customer' and are responsible for payment of the bill. If service is shut off ANY adult occupant who has been living at the premises may have to pay all or portions of this bill to have service restored.
- If your service is shut off, you must contact us after your payment has been made to be sure you have met all conditions to have the service turned on and to arrange access to your premises. It may take up to seven days to have your service restored.

WINTER SHUT OFF PROVISIONS Dec. 1-March 31

- **Contact us before the shut off date** to give us household and occupant information to see if you qualify for any assistance programs.
- **If you are low income there are special rules about whether we may shut off your gas in the winter.** Add together the monthly income in your household. Look at the chart below to determine your group. You may need to provide us with proof of income.
- **If your income is 150% of the federal poverty guidelines or below, we must first ask the PUC for permission to shut off your service.** We will notify you prior to shutting off service if we ask the PUC for permission to terminate your gas service.
- **If your income is above 150% but does not exceed 250% of the federal poverty guidelines, we will not shut off your service if one of these conditions applies to you:**
 - o Someone in your household is 12 or younger or 65 or older; or
 - o You have paid at least one-half of your last two monthly gas bills; or
 - o If over the last two months you have paid at least 15% of your household income toward the gas bills.
- **If we reconnect your service during the winter months (between December 1st and March 31st)** we will restore your service within 24 hours of you meeting all requirements to have service reconnected. When street digging is required, it may take up to seven days.

Federal Poverty Guidelines (FPG) 2021

Household Size	Your income is 150% of the FPG or below if your monthly gross is:	Your income is between 151% - 250% of the FPG if your monthly gross is:
1	\$1,610 or less	\$1,611-\$2,683
2	\$2,178 or less	\$2,179-\$3,629
3	\$2,745 or less	\$2,746-\$4,575
4	\$3,313 or less	\$3,314-\$5,521
Each add. person add	\$568	\$569-\$946

PL_20210721180001.dat-12561-000002492

Please return this portion with your payment.
Write your account number on your check or money order made payable to Philadelphia Gas Works

Account Number:
Notice Date:
Please Pay:

Jul 21, 2021
\$6,899.09

Place "X" in box for address corrections. Print corrections on reverse side.

Amount Enclosed:

006281 000002492

NETTIE LAWRENCE
454 E CHURCH LN
PHILA PA 19144-5873



Philadelphia Gas Works
P.O. Box 11700
Newark, NJ 07101-4700



Customer Contact: Service [X]

Date: 08/04/2021 Time: 10:15:00 AM Source: _____ Related Tran: _____
CC Type: SERV - Service [v] Created: 08/04/2021 at: 10:15:33 AM by: LGOODE
Area: 800 - Residential General Service [v] Changed: _____ at: _____ by: _____
 Surveyable Auto Delete Date: 08/04/2025 Class: Inquiry

Comments: Lamont Goode was here on a 96 C & C Field Shut Off order with Order # 12326942 , with a result of Completed , with activities of (Field Collections - NPSO CGI) , with comments of "for refused access said she is on a payment plan"

Letter

Status: _____ Print Date: _____ Run Number: _____ Reprint: [v]
Template: _____

Review List Tickler

Follow Up: [] to Review Group to User
Priority: [] Review Group... []

Account: [REDACTED] Lawrence, Nettie [v]
Premise: 454 E Church Ln/Phila,Pa [v]
Person: Lawrence, Nettie [v]

[Change] [Cancel]

Customer Contact: Budget [X]

Date: 08/04/2021 Time: 10:32:00 AM Source: JetSearch Related Tran: Account Maintenance
CC Type: BUD - Budget Created: 08/04/2021 at: 10:32:26 AM by: DWASHIN2
Area: 800 - Residential General Service Changed: at: by:
 Surveyable Auto Delete Date: 08/04/2025 Class: Inquiry

Comments: Customer called to inquire about payment options concerning past due balance after technician arrived on job for shut-off. Tech allowed cust to call for Payment Agreement. Verified GMI of \$800.00 with 4HH; Level I. Can be placed on PAR21 with monthly payment beginning at \$290.00, fluctuating every three months. Eligible for CRP. Activated PAR. Advised that if PAR broken, this Special PAR will no longer be offered. First monthly payment due by 9/5/2021. C/S

Letter

Status: Print Date: Run Number: Reprint: [v]
Template:

Review List Tickler

Follow Up: [] to Review Group to User
Priority: [] Review Group... []

Account: [Redacted] Lawrence, Nettie [v]
Premise: 454 E Church Ln/Phila,Pa [v]
Person: Lawrence, Nettie [v]

[Change] [Cancel]

10-DAY SHUT OFF NOTICE Your Gas Service May Be Shut Off

Your bill is past due. As a result, PGW will shut off gas to 454 E CHURCH LN on or after 8 a.m. on Sep 19, 2023. This notice will remain effective for 60 days. To talk about your bill or this notice, call our office at 215-235-1777.

We will not shut off gas if you do ONE of the following:

- Pay your past due amount of \$6,705.36.
- Pay the amount you owe on your most recent payment plan.
- Make a payment arrangement (you may be eligible for a special assistance program).
- Contact us to dispute the bill.

At a minimum, you may have to pay all of the following before we turn your service on:

Past Due Amount	\$6,705.36
Security Deposit	\$286.00
Turn On Charge	\$123.23
Total	\$7,114.59

Plus \$372.00 if we must dig up the street.

You are also responsible for all gas service provided to you that is now or has become past due. If shut off, you may be required to pay more than the amount on this notice to have gas turned on.

MEDICAL EMERGENCY NOTICE

LET US KNOW IF SOMEONE LIVING IN YOUR HOME IS SERIOUSLY ILL OR HAS A MEDICAL CONDITION. WE WILL NOT SHUT OFF YOUR SERVICE during such illness, provided you:

1. Have your licensed physician, physician's assistant or nurse practitioner certify in writing that such an illness exists and that it may be aggravated if your service is stopped; and
2. Make arrangements to pay your current bills.
3. Contact us by calling 215-235-1777.
4. HAVE A LICENSED PHYSICIAN, PHYSICIAN'S ASSISTANT OR NURSE PRACTITIONER SEND PGW A LETTER WITHIN 3 DAYS, VERIFYING THE MEDICAL CONDITION.

If you are a victim of abuse and have an order issued by the courts, special medical emergency procedures and protections may be available. **Call us immediately at 215-235-1000 to inform us so these special procedures and protection can be provided.** You will be required to provide us with a copy of the court order.

IMPORTANT TO KNOW – BEFORE WE SHUT OFF YOUR GAS SERVICE

- You may be eligible for a payment agreement or special assistance program. Enrollment into this program may be a way of avoiding shut off. Contact us immediately at 215-235-1777 to find out if you're eligible, and how to enroll. Documentation of your income may be required.
- If you have questions or need more information, please call us today at 215-235-1777 or write us at P.O. Box 3500, Philadelphia, PA 19122. After you talk with PGW, if you are not satisfied, you may file a complaint with the Pennsylvania Public Utility Commission (PUC). The PUC may delay the shutoff if you file the complaint before the shut-off date. To contact them call 1 (800) 692-7380 or write to: Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265.

- Call us if your landlord pays your utility bill. You have certain legal protections.
- If you have trouble understanding or speaking English call us for free interpretation.
- Please contact us if you are disabled and need assistance.
- All adult occupants of the premises whose names are on the mortgage, deed or lease are considered the 'customer' and are responsible for payment of the bill.
- If service is shut off, ANY adult occupant who has been living at the premises may have to pay all or portions of this bill to have service restored.
- If your service is shut off, you must contact us after your payment has been made to be sure you have met all conditions to have the service turned on and to arrange access to your premises. It may take up to seven days to have your service restored.
- If you have a valid **Protection From Abuse** order or an order issued by a court of competent jurisdiction in this Commonwealth that provides clear evidence that you are a victim of domestic violence, there are additional protections available to you. **Call us immediately at 215-235-1000.** You will be required to provide us with a copy of the order.

WINTER SHUT OFF PROVISIONS Dec. 1-March 31

- **Contact us before the shut off date** to give us household and occupant information to see if you qualify for any assistance programs.
- **If you are low income there are special rules about whether we may shut off your gas in the winter.** Add together the monthly income in your household. Look at the chart below to determine your group. You may need to provide us with proof of income.
- **If your income is 150% of the federal poverty guidelines or below, we must first ask the PUC for permission to shut off your service.** We will notify you prior to shutting off service if we ask the PUC for permission to terminate your gas service.
- **If your income is above 150% but does not exceed 250% of the federal poverty guidelines, we will not shut off your service if one of these conditions applies to you:**
 - o Someone in your household is 12 or younger or 65 or older; or
 - o You have paid at least one-half of your last two monthly gas bills; or
 - o If over the last two months you have paid at least 15% of your household income toward the gas bills.
- **If we reconnect your service during the winter months (between December 1st and March 31st)** we will restore your service within 24 hours of you meeting all requirements to have service reconnected. When street digging is required, it may take up to seven days.

Federal Poverty Guidelines (FPG) 2023

Household Size	Your income is 150% of the FPG or below if your monthly gross is:	Your income is between 151% - 250% of the FPG if your monthly gross is:
1	\$1,823 or less	\$1,824-\$3,038
2	\$2,465 or less	\$2,466-\$4,108
3	\$3,108 or less	\$3,109-\$5,179
4	\$3,750 or less	\$3,751-\$6,250
Each add. person add	\$643	\$644-\$1,071

PL_20230907180001.dat-17151-000002874

**Please return this portion with your payment.
Write your account number on your check or money order made payable to Philadelphia Gas Works**

Account Number: [REDACTED]
Notice Date: Sep 07, 2023
Please Pay: \$6,705.36

Place "X" in box for address corrections. Print corrections on reverse side.

Amount Enclosed:

008576 000002874
NETTIE LAWRENCE
454 E CHURCH LN
PHILA PA 19144-5873



Philadelphia Gas Works
P.O. Box 11700
Newark, NJ 07101-4700



PHILADELPHIA GAS WORKS

PUC

Opening XML

Case Number: 3942325
Company Name: PGW (PHILA. GAS WORKS (NGDC))
Company Code: 0766
Company Type: GAS TRANSPORTER
Customer First Name: NETTIE
Customer Middle Initial:
Customer Last Name: LAWRENCE
Customer Account Number: [REDACTED]
Customer Home Phone w/ Area Code:
Customer Work Phone w/ Area Code:
Customer Service Class: RESIDENTIAL
Customer Mail Address 1:
Customer Mail Address 2:
Customer Mail Address City:
Customer Mail Address State:
Customer Mail Address Zip:
Customer Mail Address 4-Zip:
Customer Service Address 1: 454 E CHURCH LN
Customer Service Address 2:
Customer Service Address City: PHILADELPHIA
Customer Service Address State: PA
Customer Service Address Zip: 19144
Customer Service Address 4-Zip:
Customer Family Adults: 2
Customer Family Children: 1
Customer Family Age: 15
Gross Income

Source	Income Amount
A1-WAGES	5833.33
A2-STUDENT	0

Date Open: 2023-09-15
Reason For Contact: ON - PAR NEEDED (# 61)
Term Date: 2023-09-19
Business Name:
Case Problem:
Company Position: 09/15/2023 MUST PAY \$6000 OR \$536 PER MONTH TO MAINTAIN SERVICE.
Related Information: 61 – PAYMENT ARRANGEMENT REQUEST. - RELIEF SOUGHT - PAR TO STAY TERMINATION. THE CELL PHONE NUMBER [REDACTED] [REDACTED] HAS BEEN ALLOWED TO BE SHARED. THE EMAIL ADDRESS NETTIELAWRENCE@GMAIL.COM HAS BEEN ALLOWED TO BE SHARED.

Case Misc Info: EMAIL OKAY/TEXT OKAY
Hot Issue:
Case Origin: TELEPHONE
Prior Case Number: 3724262
Universal Service: M
Arrearage: 6000
BCS Investigator First Name: BCS
BCS Investigator Last Name: CASE POOL
BCS Investigator Phone w/ Area Code: [REDACTED]
BCSIntaker First Name: MARIE
BCSIntaker Last Name: KENNEDY
Number Of Time Send: 1
Number Of Time Faxed: 0
Number Of Time Faxed: 7172658273

PHILADELPHIA GAS WORKS

PUC

Opening XML

Case Number: 3955838
Company Name: PGW (PHILA. GAS WORKS (NGDC))
Company Code: 0766
Company Type: GAS TRANSPORTER
Customer First Name: NETTIE
Customer Middle Initial: M
Customer Last Name: LAWRENCE
Customer Account Number: [REDACTED]
Customer Home Phone w/ Area Code:
Customer Work Phone w/ Area Code:
Customer Service Class: RESIDENTIAL
Customer Mail Address 1:
Customer Mail Address 2:
Customer Mail Address City:
Customer Mail Address State:
Customer Mail Address Zip:
Customer Mail Address 4-Zip:
Customer Service Address 1: 454 E CHURCH LN
Customer Service Address 2:
Customer Service Address City: PHILADELPHIA
Customer Service Address State: PA
Customer Service Address Zip: 19144
Customer Service Address 4-Zip:
Customer Family Adults: 1
Customer Family Children: 1
Customer Family Age: 15
Gross Income

Source	Income Amount
CustIncome	3000

Date Open: 2023-11-16
Reason For Contact: BILLING DISPUTES (# 18)
Term Date: 2023-11-21
Business Name:
Case Problem: 18 – HIGH BILL DISPUTE. THE CUSTOMER IS DISPUTING THE BILL BECAUSE THEY ARE TOO HIGH. - RELIEF SOUGHT - I AM ASKING FOR THEM TO EVALUATE THE METER OR ANOTHER ITEM THAT IS CAUSING THESE ASTRONOMICAL BILLS AND GIVE ME AN AGREEMENT I CAN AFFORD THE CELL PHONE NUMBER [REDACTED] HAS BEEN ALLOWED TO BE SHARED. THE EMAIL ADDRESS NETTIELAWRENCE@GMAIL.COM HAS BEEN ALLOWED TO BE SHARED.

Company Position: 11/16/2023 THEY SAID THEY CANNOT OFFER ME ANOTHER AGREEMENT UNTIL AFTER 18 MONTHS AND THEY WILL SEND

SOMEONE TO LOOK AT THE HOUSE FOR THE BILLS. I WAS
SELECTED FOR THEIR HEATING PROGRAM AND THEY
IDENTIFIED I HAVE SEVERAL AIR LEAKS IN THE HOUSE AND
MY METER COULD BE FAULTY.

Related Information:

Case Misc Info:

Hot Issue:

Case Origin: PUC WEBSITE

Prior Case Number: 3942325

Universal Service: M

Arrearage: 7000

BCS Investigator First Name: BCS

BCS Investigator Last Name: CASE POOL

BCS Investigator Phone w/ Area Code: [REDACTED]

BCSIntaker First Name: VICKI

BCSIntaker Last Name: ROSS

Number Of Time Send: 1

Number Of Time Faxed: 0

Number Of Time Faxed: 7172658273

PHILADELPHIA GAS WORKS

PUC

Closing XML

Case Number: 3942325
Company Name: PGW (PHILA. GAS WORKS (NGDC))
Company Code: 0766
Company Type: GAS TRANSPORTER
Customer First Name: NETTIE
Customer Middle Initial:
Customer Last Name: LAWRENCE
Account Number: [REDACTED]
Service Address 1: 454 E CHURCH LN
Service Address 2:
Service City: PHILADELPHIA
Service State: PA
Service Zip 5: 19144
Service Zip 4:
Decision Issue: N
Oral Written: W
Violation: NO
Chapter:
Section Rule:
Total Balance: 6840.96
Date Closed: 2023-11-08
Resolution: DISMISSAL LETTER: CASE DISMISSED PER 1405(D). CUSTOMER HAS NOT SATISFIED PRIOR PUC PAR BCS #3552995.
Balance Date: 2023-10-10
Service Restored Pay: 0.00
Service Continue Amount: 1700.00
Service Continue Date:
Terms:
Special Budget Amount: 0.00
Regular Budget Amount: 146.00
Arrears Payment Plus: 0.00
FinalMonthlyPayment: 0.00
CurrentMonthlyPayment: 0.00
EndMonthlyPayment: 0.00
LetterDescription:
HeadDate: 2023-11-08
Paragraph:
Bill Date:
Reconnect Amount: 0
Pay Amount: 0.00
BCS Investigator First Name: MARY
BCS Investigator Last Name: GIBSON
Number Of Time Send: 1
Number Of Time Faxed: 0
PUC Fax: 7172658273



FORMAL COMPLAINT - PRINTABLE FORM

Filing this form begins a legal proceeding and you will be a party to the case. If you do not wish to be a party to the case, consider filing an informal complaint.



Please legibly complete this form in ink.

1. CUSTOMER (COMPLAINANT) INFORMATION

Provide your contact information and utility account number. *It is your responsibility to update the PUC with any changes to your address and to where you want documents sent to you.*

Name Nettie Lawrence

Street/P.O. Box 454 E Church lane Apt# _____

City Philadelphia State PA Zip 19144

County Philadelphia

Telephone Number(s) Where We Can Contact You During the Day:

Home: [REDACTED] Mobile: [REDACTED]

Email Address nettielawrence@gmail.com

Utility Account Number (from your bill) [REDACTED] PGW

If your complaint involves utility service provided to a different address or in a different name than your mailing address, please list this information below.

Name _____

Street/P.O. Box _____ Apt# _____

City _____ State _____ Zip _____

2. NAME OF UTILITY OR COMPANY (RESPONDENT)

Provide the full name of the utility or company about which you are complaining. The name of your utility or company is on your bill.

Phila Gas Works

3. TYPE OF UTILITY SERVICE

Check the box listing the type of utility service that is the subject of your complaint (check only one):

- | | |
|---|--|
| <input type="checkbox"/> Electric | <input type="checkbox"/> Storm Water |
| <input checked="" type="checkbox"/> Gas | <input type="checkbox"/> Steam Heat |
| <input type="checkbox"/> Water | <input type="checkbox"/> Motor Carrier (taxi, moving company, limo) |
| <input type="checkbox"/> Wastewater/Sewer | <input type="checkbox"/> Telephone/Telecommunications (local, long distance) |

Note: The PUC does not regulate high-speed internet service, cell phones or cable TV.

4. REASON FOR COMPLAINT

What kind of problem are you having with the utility or company?

Check all boxes below that apply and state the reason for your complaint. Explain specifically what you believe the utility or company has done wrong. Provide relevant details including dates, times and places and any other information that may be important. If the complaint is about billing, tell us the amount you believe is not correct. Use additional paper if you need more space. **Your complaint may be dismissed without a hearing if you do not provide specific information.**

- The utility is threatening to shut off my service or has already shut off my service.
- I would like a payment agreement.
- Incorrect charges are on my bill. Provide dates that are important and an explanation about any amounts or charges that you believe are not correct. Attach a copy of the bill(s) in question if you have them.
- I am having a reliability, safety or quality problem with my utility service. Explain the problem, including dates, times or places and any other relevant details that may be important.

Other (explain) _____

5. REQUESTED RELIEF

How do you want your complaint to be resolved?

Explain what you want the PUC to order the utility or company to do. Use additional paper if you need more space.

I need an evaluation on why my gas is so high. The bill ranges to about 500 a month. Also I need to have an agreement that I can afford. They set me on an agreement for 400 a month, and I just came off CRP. I need an evaluation and a new agreement. They sent a company out to review my problems but then has done nothing.

Note: The PUC can decide that a customer was not billed correctly and can order billing refunds. The PUC can also fine a utility or company for not following rules and can order a utility or company to correct a problem with your service. Under state law, the PUC cannot decide whether a utility or company should pay customers for loss or damages. Damage claims may be sought in an appropriate civil court.

6. PROTECTION FROM ABUSE (PFA)/DOMESTIC VIOLENCE

Has a court granted you a PFA order or any other order which provides clear evidence of domestic violence against you that is currently in effect for your personal safety or welfare? The PUC needs this information to properly process your complaint so that your identity is not made public.

Has a court granted a PFA order or any other order for your personal safety or welfare?

- Yes If your answer is "yes," attach a copy of the current PFA order to this Formal Complaint form. *Due to the confidential nature of the PFA, you cannot eFile your Formal Complaint. You will need to print out this form and mail it to the Secretary of the Commission.*
- No

Note: You **MUST** answer this question if your complaint is against a natural gas distribution utility, an electric distribution utility or a water distribution utility AND your complaint is about a problem involving billing, a request to receive service, a security deposit request, termination of service or a request for a payment agreement.

7. PRIOR UTILITY CONTACT

a. Is this an appeal from a decision of the PUC's Bureau of Consumer Services (BCS)?

Yes

No

Note: If you answered yes, move to Section 8. No further contact with the utility or company is required. If you answered no, answer the question in Section 7 b. and answer the question in Section 7 c. if relevant.

b. If this is not an appeal from a BCS decision, have you spoken to a utility or company representative about this complaint?

Yes

No

Note: You **MUST** contact the utility first if (1) you are a residential customer, (2) your complaint is against a natural gas distribution utility, an electric distribution utility or a water utility AND (3) your complaint is about a billing problem, a service problem, a termination of service problem, or a request for a payment agreement.

c. If you tried to speak to a utility company representative about your complaint but were not able to do so, please explain why.

Note: Even if you are not required to contact the utility or company, you should always try to speak to a utility or company representative about your problem before you file a Formal Complaint with the PUC.

8. TWO OPTIONS TO FILE YOUR FORMAL COMPLAINT — CHOOSE ONE

OPTION 1

Electronically by eFile

One option is to create an account on the PUC's eFiling system, or, use your existing eFiling account. **This is the quickest and easiest way to receive, file and submit documents.**

eFiling permits consumers, utilities and attorneys to file certain documents electronically with the PUC without filing paper copies, serve documents electronically on other parties if they agree to such service, and to receive electronic service of documents from the PUC.

You agree to open and use an eFiling account - free of charge through the PUC's website. By selecting this method, you will electronically receive documents.

Visit <https://efiling.puc.pa.gov/> to learn more and create an eFiling account.

You will automatically receive eService with your eFiling account.

OPTION 2

Mail

Mail the completed form with your original signature and any attachments to this address and retain the tracking information as proof of submission:

**Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, Pennsylvania 17120**

If you select the option to mail your formal complaint, you are required to select the method by which you would like the PUC to communicate with you. You must choose one of the three options on the next page for ways you would like to receive documents.

9. THREE OPTIONS TO RECEIVE DOCUMENTS — CHOOSE ONE

It is **REQUIRED** to select **ONE** of the following options for receiving all hearing notices, orders and related documents from the PUC:

OPTION 1

eFILING: This is the **quickest and easiest way to receive all documents**. You agree to open and use an eFiling account - free of charge through the PUC's website. By selecting this method you will electronically receive documents. To create an eFiling account, visit <https://efiling.puc.pa.gov/>.



You will automatically receive eService with your eFiling account.

OPTION 2

FIRST CLASS MAIL: You agree to receive all documents by First Class Mail (using the address you provided on Page 1).



Check the box and initial here _____ if you are selecting **FIRST CLASS MAIL** service.

OPTION 3

EMAIL: You agree to receive all documents by email (using the email address you provided on page 1). Keep in mind, you will only be able to **receive documents** by email from the PUC. You will not be able to email documents to the Commission.

To **file documents**, you must submit them through an eFiling account or mail them. To create an eFiling account, visit <https://efiling.puc.pa.gov/>.



Check the box and initial here _____ if you are selecting **EMAIL** service.

Please Note: It is important to select **ONE** of the three options above.

IF AN OPTION IS NOT SELECTED, THIS MAY DELAY THE PROCESSING OF YOUR COMPLAINT.

10. LEGAL REPRESENTATION

If you are filing a Formal Complaint as an individual on your own behalf, you are **NOT** required to have a lawyer. You may represent yourself at the hearing.

If you are already represented by a lawyer in this matter, provide your lawyer's contact information, which is required. Please make sure your lawyer is aware of your complaint. If represented by a lawyer, both you and your lawyer must be present at your hearing.

Lawyer's Name _____
 Street/P.O. Box _____ Apt# _____
 City _____ State _____ Zip _____
 Area Code/Phone Number _____
 Email Address _____

Note: Corporations, associations, partnerships, limited liability companies and political subdivisions are **required** to have a lawyer represent them at a hearing **and** to file any motions, answers, briefs or other legal pleadings.

11. VERIFICATION AND SIGNATURE

You **MUST** sign and date your complaint. If you file by mail, you must sign your name in ink on the line provided below. Date the form. If you do not sign with your original signature and date, the PUC will not accept your complaint.

Verification:

I Nettie Lawrence, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Nettie Lawrence
(Signature of Complainant)

11/16/2023
(Date)

Title of authorized employee or officer (only applicable to corporations, associations, partnerships, limited liability companies or political subdivisions)

Note: If the Complainant is a corporation, association, partnership, limited liability company or political subdivision, the verification **must** be signed by an authorized officer or authorized employee. If the Formal Complaint is **not** signed by one of these individuals, the PUC will **not** accept it.

PHILADELPHIA GAS WORKS

PUC

Closing XML

Case Number: 3955838
Company Name: PGW (PHILA. GAS WORKS (NGDC))
Company Code: 0766
Company Type: GAS TRANSPORTER
Customer First Name: NETTIE
Customer Middle Initial: M
Customer Last Name: LAWRENCE
Account Number: [REDACTED]
Service Address 1: 454 E CHURCH LN
Service Address 2:
Service City: PHILADELPHIA
Service State: PA
Service Zip 5: 19144
Service Zip 4:
Decision Issue: N
Oral Written: O
Violation: NO
Chapter:
Section Rule:
Total Balance: 888.00
Date Closed: 2023-11-17
Resolution: CASE CLOSED: CUSTOMER FILED FORMAL COMPLAINT DOCKET # C2023-3044246 WHICH IS OPEN. THE PUC WILL NOT ISSUE AN INFORMAL DECISION FOR A CASE THAT HAS A FORMAL COMPLAINT OPEN. THEREFORE, THIS CASE IS BEING CLOSED WITHOUT A DECISION. CASE CLOSED.
Balance Date: 2023-11-17
Service Restored Pay:
Service Continue Amount:
Service Continue Date:
Terms:
Special Budget Amount:
Regular Budget Amount:
Arrears Payment Plus:
FinalMonthlyPayment:
CurrentMonthlyPayment:
EndMonthlyPayment:
LetterDescription:
HeadDate:
Paragraph:
Bill Date:
Reconnect Amount: 0

Pay Amount:

BCS Investigator First Name: TORRIN

BCS Investigator Last Name: CAVANAUGH

Number Of Time Send: 1

Number Of Time Faxed: 0

PUC Fax: 7172658273

Customer Contact: Service [X]

Date: 01/17/2024 Time: 1:33:00 PM Source: _____ Related Tran: _____
CC Type: SERV - Service [v] Created: 01/17/2024 at: 1:33:34 PM by: EDOWNEY
Area: 800 - Residential General Service [v] Changed: _____ at: _____ by: _____
 Surveyable Auto Delete Date: 01/17/2028 Class: Inquiry

Comments: Eamonn Downey was here on a Meter Test Exchange order with Order # 14253512 , with a result of Partially Completed , with activities of (Partial Complete - Customer/Landlord Responsibilities - No Access To Work Area) , with comments of "EDowney(17-JAN-24):cold call meter test exchange.. per instruction left 490 no answer at door notified rpu sup"

Letter

Status: _____ Print Date: _____ Run Number: _____ Reprint: [v]
Template: _____

Review List Tickler

Follow Up: [] to Review Group to User
Priority: [] Review Group... []

Account: [REDACTED] Lawrence, Nettie [v]
Premise: 454 E Church Ln/Phila,Pa [v]
Person: Lawrence, Nettie [v]

[Change] [Cancel]

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nettie Lawrence :
 :
 v. : C-2023-3044246
 :
 Philadelphia Gas Works :

**ORDER
GRANTING RESPONDENT’S MOTION FOR A CONTINUANCE**

On November 16, 2023, Nettie Lawrence (Complainant) filed a Formal Complaint (Complaint) against Philadelphia Gas Works (PGW or Respondent) with the Pennsylvania Public Utility Commission (Commission). In the Complaint, the Complainant requested an evaluation of her gas bills and a new payment agreement.

On December 6, 2023, PGW filed an Answer to the Complaint. In its Answer, PGW either admitted or denied the various averments of the Complaint and requested that the Complaint be dismissed.

By Initial Call-In Telephonic Hearing Notice dated December 7, 2023, a telephonic hearing was scheduled for January 30, 2024, and the matter was assigned to me. The Notice advised that the Complainant could lose the case for failure to participate in the hearing or present facts on the issues raised.

A Prehearing Order was issued on December 18, 2023. The Prehearing Order reminded the parties of the date and time of the hearing, directed the parties to comply with various procedural requirements, and advised that the Complainant could lose the case for failure to participate in the hearing or present facts on the issues raised.

On January 23, 2024, PGW filed a Motion for Continuance and Prehearing Conference (Motion). Counsel for PGW represented that they reached out to the Complainant to schedule an evaluation as requested in the Complaint and the Complainant stated that she needed an opportunity to speak to someone at the Commission before determining how to proceed. Counsel for PGW also represented that the Complainant agreed to convert the hearing scheduled for January 30, 2024 into a prehearing conference and reschedule the evidentiary hearing to a later date.

Due to the proximity of the hearing, I planned on addressing PGW's Motion at the outset of the hearing on January 30, 2024. Counsel for PGW called in to the hearing and was prepared to go forward with a prehearing conference. However, the Complainant did not call in to the hearing.

Under these circumstances, I will give the Complainant the benefit of the doubt and not dismiss the case for failure to appear. Instead, I will grant PGW's Motion for Continuance and reschedule the evidentiary hearing in this matter for a later date. Accordingly, pursuant to 52 Pa. Code § 1.15(b), I find good cause shown to grant PGW's Motion for a Continuance. No further continuance shall be granted absent extraordinary circumstances.

THEREFORE,

IT IS ORDERED;

1. That the Motion for Continuance by Philadelphia Gas Works, in the matter of Nettie Lawrence v. Philadelphia Gas Works, at Docket No. C-2023-3044246, is granted.
2. That all other provisions of my initial Prehearing Order issued on December 18, 2023, shall remain in effect.

C-2023-3044246 - NETTIE LAWRENCE v. PHILADELPHIA GAS WORKS

NETTIE LAWRENCE
454 E CHURCH LN
PHILADELPHIA PA 19144
267.506.2100
nettielawrence@gmail.com
Accepts eService

GRACIELA CHRISTLIEB ESQUIRE
PHILADELPHIA GAS WORKS
800 WEST MONTGOMERY AVE
PHILADELPHIA PA 19122
215.684.6164
Graciela.Christlieb@pgworks.com
Accepts eService
(Counsel represents Philadelphia Gas Works)

Customer Contact: Customer Review Unit [X]

Date: 01/30/2024 Time: 11:34:00 AM Source: JetSearch Related Tran: Account Maintenance
CC Type: CRU - Customer Review Unit Created: 01/30/2024 at: 11:34:48 AM by: JANTONET
Area: 800 - Residential General Service Changed: at: by:
 Surveyable Auto Delete Date: 01/30/2029 Class: Inquiry

Comments: _CRU_C-2023-3044246_ Jessic A. attended Prehearing Order with Attorney Grace and ALJ Brady. The customer did not phone call in.

Letter

Status: Print Date: Run Number: Reprint: [v]
Template:

Review List Tickler

Follow Up: [] to Review Group to User
Priority: [] Review Group... []

Account: [REDACTED] Lawrence, Nettie [v]
Premise: 454 E Church Ln/Phila,Pa [v]
Person: Lawrence, Nettie [v]

[Change] [Cancel]

Customer Contact: Customer Review Unit [X]

Date: 04/02/2024 Time: 10:24:00 AM Source: JetSearch Related Tran: Account Maintenance

CC Type: CRU - Customer Review Unit [v] Created: 04/02/2024 at: 10:24:25 AM by: JANTONET

Area: 800 - Residential General Service [v] Changed: at: by:

Surveyable Auto Delete Date: 04/02/2029 Class: Inquiry

Comments: _CRU_ spoke to Ms. Lawrence regarding Formal complaint. Ms. Lawrence stated she would like her meter tested after the hearing. I advised Ms. Lawrence she may reinstate her previous payment arrangement by paying a catch-up amount of \$3,825.00. Ms. Lawrence stated all issued wold be discussed at the hearing.

Letter

Status: Print Date: Run Number: Reprint: [v]

Template:

Review List Tickler

Follow Up: [] to Review Group to User

Priority: [] Review Group... []

Account: [REDACTED] Lawrence, Nettie [v]

Premise: 454 E Church Ln/Phila,Pa [v]

Person: Lawrence, Nettie [v]

[Change] [Cancel]

Customer Contact: Customer Review Unit [X]

Date: 04/03/2024 Time: 12:04:00 PM Source: JetSearch Related Tran: Account Maintenance

CC Type: CRU - Customer Review Unit [v] Created: 04/03/2024 at: 12:04:08 PM by: JANTONET

Area: 800 - Residential General Service [v] Changed: at: by:

Surveyable Auto Delete Date: 04/03/2029 Class: Inquiry

Comments: _CRU_ Attended telephonic hearing (C-2020-3044246) with ALJ Brady, Attorney A. Murray, myself and the customer. Both parties agreed to a continuance to allow the meter to be tested.

Letter

Status: Print Date: Run Number: Reprint: [v]

Template:

Review List Tickler

Follow Up: [] to Review Group to User

Priority: [] Review Group... []

Account: [REDACTED] Lawrence, Nettie [v]

Premise: 454 E Church Ln/Phila,Pa [v]

Person: Lawrence, Nettie [v]

[Change] [Cancel]

Customer Contact: Service [X]

Date: 04/09/2024 Time: 1:24:00 PM Source: Related Tran:
CC Type: SERV - Service Created: 04/09/2024 at: 1:24:59 PM by: NBALDO
Area: 800 - Residential General Service Changed: at: by:
 Surveyable Auto Delete Date: 04/09/2028 Class: Inquiry

Comments: Nicholas Baldo was here on a Meter Test Exchange order with Order # 14253512 , with a result of Completed Found Gas ON , Left Gas ON , with activities of (Meter and Connections - Exchange Meter) , with comments of "meter change completed. made checks"

Letter
Status: Print Date: Run Number: Reprint: [v]
Template:

Review List Tickler
Follow Up: [] to Review Group to User
Priority: [] Review Group... []

Account: [Redacted] Lawrence, Nettie [v]
Premise: 454 E Church Ln/Phila,Pa [v]
Person: Lawrence, Nettie [v]

[Change] [Cancel]

Customer Contact: Customer Review Unit

Date: 04/30/2024 Time: 2:01:00 PM Source: JetSearch Related Tran: Account Maintenance
CC Type: CRU - Customer Review Unit Created: 04/30/2024 at: 2:01:57 PM by: JANTONET
Area: 800 - Residential General Service Changed: at: by:
 Surveyable Auto Delete Date: 04/30/2029 Class: Inquiry

Comments: _CRU_ Attended Telephonic hearing with ALJ Brady, Attorney Murray and myself. The customer did not phone into hearing

Letter

Status: Print Date: Run Number: Reprint:

Template:

Review List Tickler

Follow Up: to Review Group to User
Priority: Review Group...

Account:

Premise:

Person:

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nettie Lawrence :
 :
 v. : C-2023-3044246
 :
 Philadelphia Gas Works :

INITIAL DECISION

Before
F. Joseph Brady
Administrative Law Judge

INTRODUCTION

This decision dismisses the Formal Complaint of Nettie Lawrence for failure to appear for the hearing and prosecute the Complaint.

HISTORY OF THE PROCEEDING

On November 16, 2023, Nettie Lawrence (Complainant) eFiled¹ a Formal Complaint (Complaint) with the Pennsylvania Public Utility Commission (Commission) against Philadelphia Gas Works (Respondent or PGW). In the Complaint, the Complainant placed a checkmark in the boxes indicating: “The utility is threatening to shut off my service or has already shut off my service”; “I would like a payment agreement”; and, “I am having a reliability, safety or quality problem with my utility service.”

¹ The Complainant utilized the Commission’s eFile service to electronically file the Formal Complaint. When the Complainant registered for an eFile account with the Commission, the Complainant also registered an email address in order to be served Commission documents via the Commission’s eService process.

On December 6, 2023, the Respondent filed an Answer in which it denied the material allegations of fact and conclusions of law in the Complaint. The Respondent requested that the Complaint be dismissed.

By Initial Call-In Telephonic Hearing Notice dated December 7, 2023, a telephonic hearing was scheduled for January 30, 2024, and the matter was assigned to me. The Notice advised that the Complainant could lose the case for failure to participate in the hearing or present facts on the issues raised.

A Prehearing Order was issued on December 18, 2023. The Prehearing Order reminded the parties of the date and time of the hearing, directed the parties to comply with various procedural requirements, and advised that the Complainant could lose the case for failure to participate in the hearing or present facts on the issues raised.

On January 23, 2024, PGW filed a Motion for Continuance and Prehearing Conference (Motion). Counsel for PGW represented that they reached out to the Complainant to schedule an evaluation as requested in the Complaint and the Complainant stated that she needed an opportunity to speak to someone at the Commission before determining how to proceed. Counsel for PGW also represented that the Complainant agreed to convert the hearing scheduled for January 30, 2024, into a prehearing conference and reschedule the evidentiary hearing to a later date. Due to the proximity of the hearing, I planned on addressing PGW's Motion at the outset of the hearing on January 30, 2024. On January 30, 2024, Counsel for PGW called in to the hearing and was prepared to go forward with a prehearing conference. However, the Complainant did not call in to the hearing. Under these circumstances, I gave the Complainant the benefit of the doubt and granted PGW's Motion.

On February 2, 2024, I issued an Order formally granting PGW's Motion for Continuance.

By Call-In Telephone Cancellation/Reschedule Hearing Notice dated February 2, 2024, a telephonic hearing was rescheduled for April 3, 2024.

On April 3, 2024, the hearing convened as scheduled. The Complainant appeared *pro se*. Anita Murray, Esquire appeared on behalf of PGW, along with a witness. The hearing was converted to a prehearing conference in order to establish dates to have the Complainant's meter tested by PGW and for the hearing to reconvene. The parties agreed on the record to have the meter tested on April 9, 2024, and the hearing to reconvene on April 30, 2024, at 1:00 pm. Tr. 3-4.

By Further Call-In Telephonic Hearing Notice dated April 3, 2024, a telephonic hearing was scheduled for April 30, 2024, at 1:00 pm. The Hearing Notice provided the parties with the Toll-Free Bridge Number and the PIN to call and participate in the telephonic hearing. The Hearing Notice further stated as follows:

FAILURE TO APPEAR: You may lose the case if you do not take part in this hearing and present evidence on the issue(s) 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.

CONTINUANCES. You may request a continuance of the hearing if you have a good reason. All continuances will be granted only for good cause. To request a continuance, you must submit a written request (a "motion") at least five (5) days before the hearing. Your motion should include: 1) The case name, number, and hearing date; 2) The reason for the request; and 3) Whether the other party agrees (or if you do not know).

The April 3, 2024, Hearing Notice was eServed to the Complainant at the Complainant's request and in the ordinary course of the Commission's business to the email address provided by the Complainant. The Hearing Notice was not returned to the Commission as undeliverable.

On April 30, 2024, at 12:33 pm, the Complainant sent an email to Counsel for PGW and my legal assistant stating she had an emergency at her son's school and would not be able to attend the hearing. I instructed my legal assistant to inform all parties that the hearing

would go forward as scheduled and if the Complainant failed to appear, she could submit something in writing why she did not appear by 12:00 p.m. the next day. The Complainant was also instructed that she must include supporting documentation.

On April 30, 2024, the hearing convened as scheduled. Anita Murray, Esquire, appeared on behalf of PGW, along with a witness, and was ready to proceed. The Complainant was not present to start the hearing. After a short recess to allow time for the Complainant to appear, the hearing proceeded in the Complainant's absence. No testimony was taken, and no exhibits were introduced into the record. At the hearing, the Respondent moved to dismiss the Complaint for the Complainant's failure to appear and prosecute. I took this motion under advisement.

On May 1, 2024, the Complainant sent an email and attachment to Ms. Murray that reiterated she did not attend the hearing because of an issue with her son at school. Ms. Murray forwarded the email and attachment to my legal assistant. Consequently, per my instruction, my legal assistant advised the Complainant, via email, to provide a note (*i.e.* documentation) from an administrator at her son's school about the incident. The Complainant did not respond to the email and the Commission has not received any further contact by the Complainant.

The record closed on June 28, 2024, upon the filing of the transcript with the Commission.

FINDINGS OF FACT

1. The Complainant is Nettie Lawrence.
2. The Respondent is Philadelphia Gas Works.
3. On November 16, 2023, the Complainant filed a Formal Complaint against the Respondent.

4. On December 6, 2023, the Respondent filed an Answer to the Complaint.
5. On December 7, 2023, a Call-In Telephonic Hearing Notice was eServed on the parties scheduling an initial telephonic hearing on January 30, 2024.
6. On December 18, 2024, a Prehearing Order was eServed on the parties which reminded the parties of the date and time of the hearing.
7. On January 23, 2024, PGW filed a Motion for Continuance and Prehearing Conference.
8. On January 30, 2024, the hearing convened as scheduled.
9. Counsel for PGW called in to the January 30, 2024 hearing.
10. The Complainant did not appear at the January 30, 2024 hearing.
11. On February 2, 2024, an Order was issued granting PGW's Motion for Continuance.
12. On February 2, 2024, a Call-In Telephone Cancellation/Reschedule Hearing Notice was eServed on the parties scheduling an initial telephonic hearing on April 3, 2024.
13. On April 3, 2024, the hearing convened as scheduled and was converted to a prehearing conference wherein the parties agreed to have the meter tested on April 9, 2024, and the hearing reconvene on April 30, 2024 at 1:00 pm. Tr. 3-4.
14. On April 3, 2024, a Further Call-In Telephone Cancellation/Reschedule Hearing Notice was eServed on the parties scheduling a further hearing on April 30, 2024, at 1:00 p.m.

15. The April 3, 2024, Hearing Notice was eServed to the Complainant at the Complainant's request and in the ordinary course of the Commission's business to the email address provided by the Complainant.

16. The Hearing Notice was not returned to the Commission as undeliverable.

17. On April 30, 2024, at 12:33 pm, the Complainant sent an email to Counsel for PGW and my legal assistant stating that she had an emergency at her son's school and would not be able to attend the hearing.

18. On April 30, 2024, all parties were informed that the hearing would go forward and if the Complainant failed to appear, she could submit a reason why she failed to appear in writing with supporting documentation by 12:00 p.m. on May 1, 2024.

19. The Complainant failed to appear and participate in the scheduled telephonic hearing on April 30, 2024. Tr. 7-8.

20. Counsel for the Respondent, along with a witness, was present and prepared to proceed at the April 30, 2024, hearing. Tr. 8.

21. The Complainant has not submitted any evidence to support that there was an emergency at her son's school on April 30, 2024, that prevented her from attending the scheduled hearing.

DISCUSSION

Administrative agencies, such as the Commission, are required to provide due process to the parties appearing before them. *Schneider v. Pa. Pub. Util. Comm'n*, 479 A.2d 10 (Pa. Cmwlth. 1984). This due process requirement is satisfied when the parties are provided notice and the opportunity to be heard. *Id.*

The record shows that Complainant was provided notice and the opportunity to be heard. First, at the April 3, 2024, prehearing conference, the Complainant agreed on the record to the hearing being reconvened on April 30, 2024 at 1:00 p.m. Second, on April 3, 2024, the Complainant was eServed a Hearing Notice which advised the parties of the date and time of the hearing, and how to participate. The Hearing Notice advised the Complainant that the case could be dismissed if the Complainant did not call in and participate in the hearing.

The Notice for the April 30, 2024 hearing was eServed and emailed to the Complainant at the email address provided by the Complainant. It was not returned as undeliverable. Accordingly, I must presume that this document, which was sent in the ordinary course of business, was received by the Complainant. *Hu v. PGW Energy Co.*, Docket No. C-2019-3012075 (Order entered Dec. 19, 2019); *Zirkel v. Phila. Gas Works*, Docket No. C-2016-2561176 (Final Order entered Jan. 27, 2017); *Morella v. PGW Energy Co.*, Docket No. C-2016-2553416 (Final Order entered Nov. 16, 2016).

Once a hearing is scheduled and the parties are duly notified by the Commission, it is the responsibility of the parties to appear and participate in the hearing. *Mumma v. PPL Elec. Utils. Corp.*, Docket No. C-00014869 (Opinion and Order entered Jan. 28, 2002). Both the Public Utility Code and the Commission's regulations provide that, after being notified, a party who fails to appear at a scheduled hearing shall be deemed to have waived the opportunity to participate in the hearing and shall not be permitted to later reopen the matter or be permitted to recall excused witnesses. 66 Pa.C.S. § 332(f); 52 Pa. Code § 5.245(a). However, these provisions in the Code and in the Commission's regulations do not apply if the presiding officer determines that the party's failure to appear at the hearing was unavoidable and that the interests of the other parties and of the public would not be prejudiced by permitting the reopening or further examination. 66 Pa.C.S. § 332(f); 52 Pa. Code § 5.245(b).

The party who failed to appear at the hearing has the burden of explaining why his/her failure to appear was unavoidable. 66 Pa.C.S. § 332(a); *Herr v. West Penn Power Co.*, Docket No. C-2021-3028202 (Opinion and Order entered Sept. 15, 2022) (*Herr*). When there are no facts in the record that the party's failure to appear was unavoidable, the complaint should

be dismissed. *Brown v. PGW Energy Co.*, Docket No. C-2019-3009486 (Opinion and Order entered Apr. 22, 2022); *Little v. Pittsburgh Water & Sewer Auth.*, Docket No. F-2021-3027107 (Opinion and Order entered Feb. 7, 2022); *Williams v. PGW Energy Co.*, Docket No. C-2018-3000734 (Opinion and Order entered Mar. 14, 2019); *Jefferson v. UGI Utils., Inc.*, Docket No. Z-00269892 (Opinion and Order entered Dec. 26, 1995); 66 Pa.C.S. § 332(f); 52 Pa. Code § 5.245(a).

In this case, the Complainant has failed to present evidence why her failure to appear was unavoidable despite being given ample opportunity to do so. The Complainant sent an email a half hour before the scheduled hearing stating she was unable to appear for the hearing because of an emergency at her son's school. Due to the proximity to the scheduled hearing time, the hearing went forward, and the Complainant did not appear. However, the Complainant was given the opportunity to submit in writing her reason for failing to appear with supporting documentation. The Complainant never provided the supporting documentation. The only further communication received by the Complainant was a letter sent to, and forwarded by, Counsel for PGW, wherein the Complainant again stated that she had an emergency at her son's school and could not attend the hearing but offered no corroborating documentation. To this date, the Complainant has not submitted any evidence to support her averment that the purported emergency at her son's school actually occurred. 66 Pa.C.S. § 332(a); *Herr*.

Further, I find another continuance is not warranted in this case. On January 30, 2024, Counsel for PGW appeared for the originally scheduled hearing and was prepared to proceed. However, the Complainant failed to appear. Nevertheless, the Complainant was given the benefit of the doubt, and the hearing was rescheduled for April 3, 2024. On April 3, 2024, Counsel for PGW appeared for the hearing with a witness and was prepared to proceed. This time the Complainant appeared, but prior to going on the record, she stated that she could not go forward until her meter was tested. Once again, PGW and the Commission accommodated the Complainant and converted the hearing to a prehearing conference in order to establish dates to have the Complainant's meter tested by PGW and for the hearing to reconvene. The parties agreed on the record to have the meter tested on April 9, 2024, and the Complainant agreed to reconvene the hearing for a third time on April 30, 2024. Tr. pp. 3-4. On April 30, 2024,

Counsel for PGW appeared for the hearing with a witness and was prepared to proceed but the Complainant failed to appear. To this date, the Complainant has not provided a verified reason for failing to attend the hearing. For these reasons, I find that granting another continuance to the Complainant would unduly prejudice PGW, which has already expended considerable time and resources necessary to prepare and attend the previous three hearings. I also find that the continued expenditure of resources necessary to give the Complainant another opportunity to present her case is inimical to the interests of PGW, the Commission, and the public. 66 Pa.C.S. § 332(f); 52 Pa. Code § 5.245(b); *Williams*, pp. 13-14.

Based on the foregoing, I find the Complainant waived the opportunity to participate in a hearing on the matters raised in the Complaint, the Complainant's absence was not unavoidable, and the Complaint should be dismissed.

Finally, Section 332(a) of the Public Utility Code provides that the party seeking relief from the Commission has the burden of proof. 66 Pa.C.S. § 332(a). To establish a sufficient case and satisfy the burden of proof, the complainant must show that the respondent public utility is responsible or accountable for the problem described in the complaint. *Patterson v. Bell Tel. Co. of Pa.*, 72 Pa.P.U.C. 196 (1990); *Feinstein v. Phila. Suburban Water Co.*, 50 Pa.P.U.C. 300 (1976). Such a showing must be by a preponderance of the evidence. *Samuel J. Lansberry, Inc. v. Pa. Pub. Util. Comm'n*, 578 A.2d 600 (Pa. Cmwlth. 1990). A preponderance of the evidence is established by presenting evidence more convincing, by even the smallest amount, than that presented by the other party. *Se-Ling Hosiery v. Margulies*, 70 A.2d 854 (Pa. 1950).

As the proponent of any request for relief, the Complainant bears the burden of proof. By failing to participate and proffer any evidence to support the Complaint, the Complainant has failed to meet this burden. Thus, it is appropriate to dismiss the Complaint. *Brown v. PGW Energy Co.*, Docket No. C-2019-3009486 (Opinion and Order entered Apr. 22, 2022); *Williams v. PGW Energy Co.*, Docket No. C-2018-300734 (Opinion and Order entered Mar. 14, 2019) (citing *Jefferson v. UGI Utils., Inc.*, Docket No. Z-00269892 (Opinion and Order entered Dec. 26, 1995)).

Accordingly, the Respondent's motion to dismiss will be granted.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the subject matter of and the parties to this proceeding. 66 Pa.C.S. § 701.

2. The Commission is required to provide due process to the parties appearing before them; this due process requirement is satisfied when the parties are provided notice and the opportunity to be heard. *Schneider v. Pa. Pub. Util. Comm'n*, 479 A.2d 10 (Pa. Cmwlth. 1984).

3. Notice electronically served to a party with no notification that service failed is presumed received. *Hu v. PGW Energy Co.*, Docket No. C-2019-3012075 (Order entered Dec. 19, 2019); *Zirkel v. Phila. Gas Works*, Docket No. C-2016-2561176 (Final Order entered Apr. 7, 2017); *Morella v. PGW Energy Co.*, Docket No. C-2016-2553416 (Final Order entered Jan. 31, 2017).

4. After being notified, a party who fails to appear at a scheduled hearing shall be deemed to have waived the opportunity to participate in the hearing and shall not be permitted to later reopen the matter or be permitted to recall excused witnesses. 66 Pa.C.S. § 332(f); 52 Pa. Code § 5.245(a).

5. If there are no facts in the record that a party's failure to appear at a hearing was unavoidable, the complaint should be dismissed. *Brown v. PGW Energy Co.*, Docket No. C-2019-3009486 (Opinion and Order entered Apr. 22, 2022); *Little v. Pittsburgh Water & Sewer Auth.*, Docket No. F-2021-3027107 (Opinion and Order entered Feb. 7, 2022); *Williams v. PGW Energy Co.*, Docket No. C-2018-3000734 (Opinion and Order entered Mar. 14, 2019); *Jefferson v. UGI Utils., Inc.*, Docket No. Z-00269892 (Opinion and Order entered Dec. 26, 1995).

6. The Complainant's due process rights have been fully protected and Complainant's failure to appear was not unavoidable. *Schneider v. Pa. Pub. Util. Comm'n*, 479 A.2d 10 (Pa. Cmwlth. 1984); 66 Pa.C.S. § 332(f); 52 Pa. Code § 5.245(a).

7. As the party seeking relief, the Complainant bears the burden of proof by a preponderance of the evidence. 66 Pa.C.S. § 332(a); *Se-Ling Hosiery v. Margulies*, 70 A.2d 854 (Pa. 1950).

8. By failing to participate in the hearing and proffer any evidence to support the complaint, the Complainant has failed to meet the burden of proof. 66 Pa.C.S. § 332(a).

ORDER

THEREFORE,

IT IS ORDERED:

1. That Philadelphia Gas Works' Motion to Dismiss the Formal Complaint of Nettie Lawrence at Docket Number C-2023-3044246 is granted.

2. That the Formal Complaint filed by Nettie Lawrence in Nettie Lawrence v. Philadelphia Gas Works, Docket Number C-2023-3044246, is hereby dismissed.

3. That Docket No. C-2023-3044246 be marked closed.

Date: August 21, 2024

/s/
F. Joseph Brady
Administrative Law Judge

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120**

Public Meeting held November 21, 2024

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Kathryn L. Zerfuss
John F. Coleman, Jr.
Ralph V. Yanora

Nettie Lawrence

C-2023-3044246

v.

Philadelphia Gas Works

OPINION AND ORDER

BY THE COMMISSION:

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is the Initial Decision (Initial Decision or I.D.) of Administrative Law Judge (ALJ) F. Joseph Brady, issued on August 24, 2024, dismissing the Formal Complaint (Complaint) of Nettie Lawrence (Complainant) against Philadelphia Gas Works (PGW) for failure to appear and prosecute the Complaint. No Exceptions have been filed. However, we have exercised our right to review the Initial Decision pursuant to Section 332(h) of the Public Utility Code (Code), 66 Pa.C.S. § 332(h). For the reasons stated below, we shall vacate the Initial Decision and remand

the matter to the Office of Administrative Law Judge for further proceedings, as deemed necessary, consistent with this Opinion and Order.

I. History of the Proceeding

On November 16, 2023, the Complainant eFiled the Complaint with the Commission against PGW. In the Complaint, the Complainant alleged that PGW was threatening to, or already has, shut off service; that she would like a payment agreement; and that she is having a reliability, safety, or quality problem with her utility service. Complaint at 2.

On December 6, 2023, PGW filed an Answer in which it denied the material allegations in the Complaint and requested that the Complaint be dismissed. Answer at 2.

By a December 2, 2023 Initial Call-In Telephonic Hearing Notice, a telephonic hearing was scheduled for January 30, 2024, and the matter was assigned to ALJ Brady. The Notice, *inter alia*, advised that the Complainant could lose the case for failure to participate in the hearing or present facts on the issues raised. I.D. at 2.

On December 18, 2023, the Commission issued a Prehearing Order that, *inter alia*, reminded the Parties of the date and time of the hearing and directed the Parties to comply with various procedural requirements. I.D. at 2.

On January 23, 2024, PGW filed a Motion for Continuance and Prehearing Conference (Motion). In addition, Counsel for PGW represented that they reached out to the Complainant to schedule an evaluation of the service address, as requested in the Complaint, and to remove the Complainant's meter for testing, and that the Complainant stated that she needed an opportunity to speak to someone at the Commission before

determining how to proceed. Furthermore, Counsel for PGW also represented that the Complainant agreed to convert the hearing scheduled for January 30, 2024 into a prehearing conference and to reschedule the evidentiary hearing to a later date. Due to the timing of the filing of the Motion to the proximity of the hearing, the ALJ planned on addressing PGW's Motion at the outset of the January 30, 2024 hearing. On January 30, 2024, Counsel for PGW called in to the hearing and was prepared to go forward with a prehearing conference. However, the Complainant did not call in to the hearing. I.D. at 2.

On February 2, 2024, given the circumstances in this case, the ALJ granted PGW's Motion via an Order. I.D. at 2.

By Call-In Telephone Cancellation/Reschedule Hearing Notice dated February 2, 2024, a telephonic hearing was rescheduled for April 3, 2024. I.D. at 2.

On April 3, 2024, the hearing convened as scheduled. The Complainant appeared *pro se*. Anita Murray, Esquire appeared on behalf of PGW, along with a witness. The hearing was converted to a prehearing conference in order to establish dates to have the Complainant's meter tested by PGW and for the hearing to reconvene. The Parties agreed on the record to have the meter tested on April 9, 2024, and the hearing to reconvene on April 30, 2024, at 1:00 pm. I.D. at 3; Tr. at 3-4.

By Further Call-In Telephonic Hearing Notice dated April 3, 2024, a telephonic hearing was scheduled for April 30, 2024, at 1:00 pm. The Hearing Notice provided the Parties with the Toll-Free Bridge Number and the PIN to call and participate in the telephonic hearing. The Hearing Notice further stated, as follows:

FAILURE TO APPEAR: You may lose the case if you do not take part in this hearing and present evidence on the issue(s) 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.

CONTINUANCES. You may request a continuance of the hearing if you have a good reason. All continuances will be granted only for good cause. To request a continuance, you must submit a written request (a “motion”) at least five (5) days before the hearing. Your motion should include: 1) The case name, number, and hearing date; 2) The reason for the request; and 3) Whether the other party agrees (or if you do not know).

The April 3, 2024, Hearing Notice was eServed to the Complainant at the Complainant’s request, and in the ordinary course of the Commission’s business, to the email address provided by the Complainant. The Hearing Notice was not returned to the Commission as undeliverable. I.D. at 3.

On April 30, 2024, at 12:33 pm, the Complainant sent an email to Counsel for PGW, and to the ALJ’s legal assistant, stating she had an emergency at her son’s school and would not be able to attend the hearing. The ALJ instructed his legal assistant to inform all of the Parties that the hearing would go forward as scheduled and if the Complainant failed to appear, she could submit something in writing why she did not appear by 12:00 p.m. the next day. The Complainant was also instructed that she must include supporting documentation. I.D. at 3,4.

On April 30, 2024, the hearing convened as scheduled. Anita Murray, Esquire, appeared on behalf of PGW, along with a witness, and was ready to proceed. The Complainant was not present to start the hearing. After a short recess to allow time for the Complainant to appear, the hearing proceeded in the Complainant’s absence. No testimony was taken, and no exhibits were introduced into the record. At the hearing, PGW moved to dismiss the Complaint (Motion to Dismiss) for the

Complainant's failure to appear and prosecute and the ALJ took the Motion to Dismiss under advisement. I.D. at 4.

On May 1, 2024, the Complainant sent an email and attachment to Ms. Murray that reiterated she did not attend the hearing because of an issue at her son's school. Ms. Murray forwarded the email and attachment to the ALJ's legal assistant. Consequently, per the ALJ's instruction, his legal assistant advised the Complainant, via email, to provide a note (i.e. documentation) from an administrator at her son's school about the incident. The Complainant did not respond to the email and the Commission has not received any further contact from the Complainant. I.D. at 4.

The record closed on June 28, 2024, and no Exceptions have been filed. I.D. at 4.

II. Discussion

A. Legal Standards

1. Burden of Proof

As the proponent of a rule or order, the Complainant in this proceeding bears the burden of proof pursuant to Section 332(a) of the Code, 66 Pa.C.S. § 332(a). To establish a sufficient case and satisfy the burden of proof, the Complainant must show that the Company is responsible or accountable for the problem described in the Complaint. *Patterson v. The Bell Telephone Company of Pennsylvania*, 72 Pa. P.U.C. 196 (1990). Such a showing must be by a preponderance of the evidence. *Samuel J. Lansberry, Inc. v. Pa. PUC*, 578 A.2d 600 (Pa. Cmwlth. 1990), *alloc. denied*, 529 Pa. 654, 602 A.2d 863 (1992). That is, the Complainant's evidence must be more convincing, by even the smallest amount, than that

presented by the Company. *Se-Ling Hosiery, Inc. v. Margulies*, 70 A.2d 854 (Pa. 1950). Additionally, this Commission's decision must be supported by substantial evidence in the record. *Mill v. Pa. PUC*, 447 A.2d 1100 (Pa. Cmwlth. 1982). More is required than a mere trace of evidence or a suspicion of the existence of a fact sought to be established. *Norfolk & Western Ry. Co. v. Pa. PUC*, 413 A.2d 1037 (Pa. 1980).

Upon the presentation by the Complainant of evidence sufficient to initially satisfy the burden of proof, the burden of going forward with the evidence, also referred to as the burden of persuasion, to rebut the evidence of the customer shifts to the Company. If the evidence presented by the Company is of co-equal value or "weight," the burden of proof has not been satisfied. The Complainant now has to provide some additional evidence to rebut that of the Company. *Burleson v. Pa. PUC*, 443 A.2d 1373 (Pa. Cmwlth. 1982), *aff'd*, 501 Pa. 433, 461 A.2d 1234 (1983).

While the burden of going forward with the evidence may shift back and forth during a proceeding, the burden of proof never shifts. The burden of proof always remains on the party seeking affirmative relief from the Commission. *Milkie v. Pa. PUC*, 768 A.2d 1217 (Pa. Cmwlth. 2001).

Once a hearing is scheduled and the parties are duly notified by the Commission, it is the responsibility of the parties to appear and participate in the hearing. *Mumma v. PPL Elec. Utils. Corp.*, Docket No. C-00014869 (Opinion and Order entered January 28, 2002). Both the Code and the Commission's Regulations provide that, after being notified, a party who fails to appear at a scheduled hearing shall be deemed to have waived the opportunity to participate in the hearing and shall not be permitted to later reopen the matter or be permitted to recall excused witnesses. 66 Pa.C.S. § 332(f); 52 Pa. Code § 5.245(a). However, these provisions in the Code and in the Commission's Regulations do not apply if the presiding officer determines that the party's failure to appear at the hearing was unavoidable and that the interests of the other parties and of the

public would not be prejudiced by permitting the reopening or further examination. 66 Pa.C.S. § 332(f); 52 Pa. Code § 5.245(b).

The party who failed to appear at the hearing has the burden of explaining why his/her failure to appear was unavoidable. 66 Pa.C.S. § 332(a); *Herr v. West Penn Power Co.*, Docket No. C-2021-3028202 (Opinion and Order entered September 15, 2022) (*Herr*). When there are no facts in the record that the party's failure to appear was unavoidable, the complaint should be dismissed. *Brown v. PGW Energy Co.*, Docket No. C-2019-3009486 (Opinion and Order entered April 22, 2022); *Little v. Pittsburgh Water & Sewer Auth.*, Docket No. F-2021-3027107 (Opinion and Order entered February 7, 2022); *Williams v. PGW Energy Co.*, Docket No. C-2018-3000734 (Opinion and Order entered March 14, 2019) (*Williams*); *Jefferson v. UGI Utils., Inc.*, Docket No. Z-00269892 (Opinion and Order entered December 26, 1995); 66 Pa.C.S. § 332(f); 52 Pa. Code § 5.245(a).

B. ALJ's Initial Decision

The ALJ made twenty-one (21) Findings of Fact and reached eight (8) Conclusions of Law. I.D. at 4-6, 10-11. We shall adopt and incorporate herein by reference the ALJ's Findings of Fact and Conclusions of Law, unless they are reversed or modified by this Opinion and Order, either expressly or by necessary implications.

The ALJ explained that in this proceeding, the Complainant has failed to present evidence to explain why her failure to appear was unavoidable, despite being given ample opportunity to do so. The ALJ noted that the Complainant informed the Commission of her inability to participate in the hearing via an email sent a half hour before the scheduled hearing stating she was unable to appear for the hearing because of an emergency at her son's school. Due to the proximity to the scheduled hearing time, the hearing went forward, and the Complainant did not appear. Subsequently, the

Complainant was given the opportunity to submit in writing her reason for failing to appear with supporting documentation. However, the Complainant did not provide the supporting documentation. Rather, the ALJ noted, the only further communication received by the Complainant was a letter sent to, and forwarded by, Counsel for PGW, in which the Complainant again stated that she had an emergency at her son's school and could not attend the hearing but offered no corroborating documentation. I.D. at 8. The ALJ explained that as of the date of the Initial Decision, the Complainant did not submit any evidence to support her averment that the purported emergency at her son's school actually occurred. I.D. at 8 (citing 66 Pa.C.S. § 332(a); *Herr*).

In addition, the ALJ found that another continuance was not warranted. In this regard, the ALJ explained that on January 30, 2024, while Counsel for PGW appeared for the originally scheduled hearing and was prepared to proceed, the Complainant failed to appear. Regardless of the failure to appear, the Complainant was given the benefit of the doubt, and the hearing was rescheduled for April 3, 2024. On April 3, 2024, Counsel for PGW appeared for the hearing with a witness and was prepared to proceed. The Complainant, who also appeared, stated prior to going on the record that she could not go forward until her meter was tested. The ALJ noted that nonetheless, PGW and the Commission accommodated the Complainant and converted the hearing to a prehearing conference in order to establish dates to have the Complainant's meter tested by PGW and for the hearing to reconvene. The Parties agreed on the record to have the meter tested on April 9, 2024, and the Complainant agreed to reconvene the hearing for a third time on April 30, 2024. I.D. at 8 (citing Tr. at. 3-4).

The ALJ noted that on April 30, 2024, Counsel for PGW appeared for the hearing with a witness and was prepared to proceed but the Complainant failed to appear. However, the ALJ noted, to date, the Complainant has not provided a verified reason for failing to attend the hearing. I.D. at 8-9. For the foregoing reasons, the ALJ found:

(1) that granting another continuance to the Complainant would unduly prejudice PGW, which has already expended considerable time and resources necessary to prepare and attend the previous three hearings; and (2) that the continued expenditure of resources necessary to give the Complainant another opportunity to present her case is inimical to the interests of PGW, the Commission, and the public. *Id.* (citing 66 Pa.C.S. § 332(f); 52 Pa. Code § 5.245(b); *Williams*, at 13-14).

Based on the foregoing, the ALJ found that the Complainant waived the opportunity to participate in a hearing on the matters raised in the Complaint, the Complainant's absence was not unavoidable, and the Complaint should be dismissed. Accordingly, the ALJ granted PGW's Motion to Dismiss. I.D. at 9, 10.

E. Disposition

We note that any argument that we do not specifically address shall be deemed to have been duly considered and denied without further discussion. The Commission is not required to consider, expressly or at length, each contention or argument raised by the parties. *Consolidated Rail Corp. v. Pa. PUC*, 625A.2d 741 (Pa. Cmwlth. 1993); *see also, generally, University of Pennsylvania v. Pa. PUC*, 485 A.2d 1217 (Pa. Cmwlth. 1984).

Upon review of the pleadings and applicable law, we shall vacate the Initial Decision and remand the matter to the Office of Administrative Law Judge (OALJ) consistent with the following discussion.

The record in this case shows that the Complainant failed to appear at the originally scheduled hearing of January 30, 2024. The hearing was then rescheduled for April 3, 2024, and converted to a prehearing conference whereas the Complainant attended and an agreement was reached on the date and time for her meter to be tested.

The evidentiary hearing was then scheduled for April 30, 2024. On the day of that scheduled hearing, the Complainant sent an e-mail to Counsel for PGW and the Commission stating she had an emergency at her son's school and would not be able to attend. PGW filed a Motion to Dismiss for the Complainant's failure to appear. The Initial Decision, issued August 21, 2024, granted PGW's Motion to Dismiss and dismissed the Complaint.

Notwithstanding the above, given the nature of the correspondence provided by the Complainant, we believe it is prudent to permit one last opportunity for a hearing in this proceeding. We impress on the Complainant to make every reasonable effort to attend this hearing, as the Commission must balance the accommodation of these continuances with the resources and time expended by respondents and the Commission itself. Accordingly, we shall vacate the Initial Decision and remand this matter to the OALJ for such further proceedings, as deemed necessary.

III. Conclusion

Based on our review of the ALJ's Initial Decision, the pleadings, and the applicable law, we shall vacate the ALJ's Initial Decision and remand this matter to the OALJ, for such further proceedings as deemed necessary, consistent with this Opinion and Order; **THEREFORE,**

IT IS ORDERED:

1. That the Initial Decision of Administrative Law Judge F. Joseph Brady, issued on August 24, 2024, is vacated, consistent with this Opinion and Order.

2. That this proceeding is remanded to the Office of Administrative Law Judge for such further proceedings, as deemed necessary, consistent with this Opinion and Order.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Rosemary Chiavetta". The signature is fluid and cursive, with the first name being more prominent.

Rosemary Chiavetta
Secretary

(SEAL)

ORDER ADOPTED: November 21, 2024

ORDER ENTERED: December 12, 2024



PHILADELPHIA GAS WORKS

800 West Montgomery Avenue • Philadelphia, PA 19122

Anita J. Murray, Esquire
Senior Attorney
Legal Department
Direct Dial: 215-684-6659
Fax: 215-684-6798
Email: anita.murray@pgworks.com

March 4, 2025

VIA ELECTRONIC FILING

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

Re: Nettie Lawrence v. Philadelphia Gas Works,
Docket No. C-2023-3044246

Dear Secretary Chiavetta:

Enclosed for electronic filing please find Philadelphia Gas Works' Certificate of Satisfaction in regards to 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.): Nettie Lawrence via Email: nettielawrence@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of Philadelphia Gas Works' Certificate of Satisfaction 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

Nettie Lawrence
nettielawrence@gmail.com

/s/ Anita J. Murray

Anita J. Murray, Esquire

Date: March 4, 2025

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Nettie Lawrence, :
Complainant, :
v. : Docket No. C-2023-3044246
: :
Philadelphia Gas Works, :
Respondent. :

CERTIFICATE OF SATISFACTION

Philadelphia Gas Works (“PGW”), pursuant to 52 Pa. Code § 5.24(b) hereby certifies that it has satisfied the Complaint of Nettie Lawrence (“Complainant”) filed with the Pennsylvania Public Utility Commission at Docket No. C-2023-3044246 (“Complaint”). Therefore, no further Commission action is necessary.

By copy of this Certificate, I am notifying the Complainant of the right to object to this settlement in writing to the Public Utility Commission within ten (10) days of the date of this Certificate. If no objection is received within ten (10) days, the Complaint shall be marked closed.

Respectfully submitted,

/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

Date: March 4, 2025

Counsel for PGW

10-DAY SHUT OFF NOTICE
Your Gas Service May Be Shut Off

Your bill is past due. As a result, PGW will shut off gas to 454 E CHURCH LN on or after 8 a.m. on Apr 07, 2025. This notice will remain effective for 60 days. To talk about your bill or this notice, call our office at 215-235-1777.

We will not shut off gas if you do ONE of the following:

- Pay your past due amount of \$8,034.15.
- Pay the amount you owe on your most recent payment plan.
- Make a payment arrangement (you may be eligible for a special assistance program).
- Contact us to dispute the bill.

At a minimum, you may have to pay all of the following before we turn your service on:

Past Due Amount	\$8,034.15
Security Deposit	\$374.00
Turn On Charge	\$157.20
Total	\$8,565.35

Plus \$372.00 if we must dig up the street.

You are also responsible for all gas service provided to you that is now or has become past due. If shut off, you may be required to pay more than the amount on this notice to have gas turned on.

MEDICAL EMERGENCY NOTICE

LET US KNOW IF SOMEONE LIVING IN YOUR HOME IS SERIOUSLY ILL OR HAS A MEDICAL CONDITION. WE WILL NOT SHUT OFF YOUR SERVICE during such illness, provided you:

1. Have your licensed physician, physician's assistant or nurse practitioner certify in writing that such an illness exists and that it may be aggravated if your service is stopped; and
2. Make arrangements to pay your current bills.
3. Contact us by calling 215-235-1777.
4. HAVE A LICENSED PHYSICIAN, PHYSICIAN'S ASSISTANT OR NURSE PRACTITIONER SEND PGW A LETTER WITHIN 3 DAYS, VERIFYING THE MEDICAL CONDITION.

If you are a victim of abuse and have an order issued by the courts, special medical emergency procedures and protections may be available. **Call us immediately at 215-235-1000 to inform us so these special procedures and protection can be provided.** You will be required to provide us with a copy of the court order.

IMPORTANT TO KNOW – BEFORE WE SHUT OFF YOUR GAS SERVICE

- You may be eligible for a payment agreement or special assistance program. Enrollment into this program may be a way of avoiding shut off. Contact us immediately at 215-235-1777 to find out if you're eligible, and how to enroll. Documentation of your income may be required.
- If you have questions or need more information, please call us today at 215-235-1777 or write us at P.O. Box 3500, Philadelphia, PA 19122. After you talk with PGW, if you are not satisfied, you may file a complaint with the Pennsylvania Public Utility Commission (PUC). The PUC may delay the shutoff if you file the complaint before the shut-off date. To contact them call 1 (800) 692-7380 or write to: Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265.

- Call us if your landlord pays your utility bill. You have certain legal protections.
- If you have trouble understanding or speaking English call us for free interpretation.
- Please contact us if you are disabled and need assistance.
- All adult occupants of the premises whose names are on the mortgage, deed or lease are considered the 'customer' and are responsible for payment of the bill.
- If service is shut off, ANY adult occupant who has been living at the premises may have to pay all or portions of this bill to have service restored.
- If your service is shut off, you must contact us after your payment has been made to be sure you have met all conditions to have the service turned on and to arrange access to your premises. It may take up to seven days to have your service restored.
- If you have a valid **Protection From Abuse** order or an order issued by a court of competent jurisdiction in this Commonwealth that provides clear evidence that you are a victim of domestic violence, there are additional protections available to you. **Call us immediately at 215-235-1000.** You will be required to provide us with a copy of the order.

WINTER SHUT OFF PROVISIONS Dec. 1-March 31

- **Contact us before the shut off date** to give us household and occupant information to see if you qualify for any assistance programs.
- **If you are low income there are special rules about whether we may shut off your gas in the winter.** Add together the monthly income in your household. Look at the chart below to determine your group. You may need to provide us with proof of income.
- **If your income is 150% of the federal poverty guidelines or below, we must first ask the PUC for permission to shut off your service.** We will notify you prior to shutting off service if we ask the PUC for permission to terminate your gas service.
- **If your income is above 150% but does not exceed 250% of the federal poverty guidelines, we will not shut off your service if one of these conditions applies to you:**
 - o Someone in your household is 12 or younger or 65 or older; or
 - o You have paid at least one-half of your last two monthly gas bills; or
 - o If over the last two months you have paid at least 15% of your household income toward the gas bills.
- **If we reconnect your service during the winter months (between December 1st and March 31st)** we will restore your service within 24 hours of you meeting all requirements to have service reconnected. When street digging is required, it may take up to seven days.

Federal Poverty Guidelines (FPG) 2025

Household Size	Your income is 150% of the FPG or below if your monthly gross is:	Your income is between 151% - 250% of the FPG if your monthly gross is:
1	\$1,956 or less	\$1,957-\$3,260
2	\$2,644 or less	\$2,645-\$4,406
3	\$3,331 or less	\$3,332-\$5,552
4	\$4,019 or less	\$4,020-\$6,698
Each add. person add	\$688	\$689-\$1,146

PL_20250324180001.dat-5183-000000664

Please return this portion with your payment.
Write your account number on your check or money order made payable to Philadelphia Gas Works

Account Number:
Notice Date:
Please Pay:

[REDACTED]
M [REDACTED]
\$8,034.15

Place "X" in box for address corrections. Print corrections on reverse side.

Amount Enclosed:

NETTIE LAWRENCE
454 E CHURCH LN
PHILA PA 19144-5873

Philadelphia Gas Works
P.O. Box 11700
Newark, NJ 07101-4700

From: [Murray, Anita J](#)
To: [Christlieb, Graciela C](#)
Subject: Fw: Nettie Lawrence v. Phila. Gas Works - Settlement
Date: Wednesday, July 23, 2025 6:22:11 AM

From: Murray, Anita J <Anita.Murray@pgworks.com>
Sent: Friday, March 28, 2025 3:18 PM
To: Nettielawrence Lawrence <nettielawrence@gmail.com>
Subject: Re: Nettie Lawrence v. Phila. Gas Works - Settlement

Hi Ms. Lawrence,

Please ignore the shut-off notice as it was sent out mistakenly. The settlement agreement is still in effect with your payment due in April, as agreed.

Thanks, Anita

From: Nettielawrence Lawrence <nettielawrence@gmail.com>
Sent: Friday, March 28, 2025 1:36 PM
To: Murray, Anita J <Anita.Murray@pgworks.com>
Subject: Re: Nettie Lawrence v. Phila. Gas Works - Settlement

External Email Notice. This Email originates from outside of PGW.

Do not click on links or open attachments unless you recognize the sender.

Hi Anita,

I still plan to make the settlement payment by the 15th of April. I just received a notice of shut off for April 7th. Can you help with this. I am desperately trying to get the money for this settlement. It is not mentioned that my service would be shut off. Can you look into this and let me know?

Thanks

On Tue, Mar 4, 2025 at 2:06 PM Murray, Anita J <Anita.Murray@pgworks.com> wrote:
Docket No. C-2023-3044246 (Brady)

Good Afternoon,

The parties have settled this matter and request cancelation of the upcoming hearing. The

Certificate of Satisfaction was filed with the PUC today.

Ms. Lawrence - a copy of the Settlement Letter will be emailed to you separately.

Thanks Anita

From: Murray, Anita J
Sent: Thursday, February 27, 2025 12:29 PM
To: 'pmcneal@pa.gov' <pmcneal@pa.gov>; nettielawrence@gmail.com
<nettielawrence@gmail.com>
Subject: Nettie Lawrence v. Phila. Gas Works - Exhibits

Docket No. C-2023-3044246 (Brady)

Good Afternoon,

Attached please find PGW's exhibits for the upcoming hearing in this matter. The Certificate of Service was filed with the PUC today.

Thanks, Anita

[Description: Logo_PGW-RGB_forMSproducts]

Anita J. Murray | Senior Attorney | Legal Department

Philadelphia Gas Works <<http://www.pgworks.com/>> | [800 W. Montgomery Ave | Philadelphia, PA 19122](#)

Phone: (215) 684-6659 / Fax: (215) 684-6798

Follow us on Facebook <<https://www.facebook.com/mypgw>>

Twitter <<https://mobile.twitter.com/mypgw>> and

YouTube <https://www.youtube.com/results?search_query=philadelphia+gas+works>

PHILADELPHIA GAS WORKS

PUC

Opening XML

Case Number: 4052119
Company Name: PGW (PHILA. GAS WORKS (NGDC))
Company Code: 0766
Company Type: GAS TRANSPORTER
Customer First Name: NETTIE
Customer Middle Initial:
Customer Last Name: LAWRENCE
Customer Account Number: [REDACTED]
Customer Home Phone w/ Area Code:
Customer Work Phone w/ Area Code:
Customer Service Class: RESIDENTIAL
Customer Mail Address 1:
Customer Mail Address 2:
Customer Mail Address City:
Customer Mail Address State:
Customer Mail Address Zip:
Customer Mail Address 4-Zip:
Customer Service Address 1: 454 E CHURCH LN
Customer Service Address 2:
Customer Service Address City: PHILADELPHIA
Customer Service Address State: PA
Customer Service Address Zip: 19144
Customer Service Address 4-Zip:
Customer Family Adults: 0
Customer Family Children: 0
Customer Family Age:
Gross Income
Source **Income Amount**
Date Open: 2025-04-07
Reason For Contact: BILLING DISPUTES (# 18)
Term Date: 2025-04-07
Business Name:
Case Problem: I HAD A FORMAL HEARING AND WE CAME TO AN AGREEMENT TO PAY THE 5500 BY AT LEAST BY APRIL. ALTHOUGH IT IS TOUGH I AGREED. THEY STILL SENT ME A SHUT OFF NOTICE FOR 4/7. THE LAWYER TOLD ME IT WAS A MISTAKE BUT I CALLED BACK AND THE REPRESENTATIVE TOLD ME SHUT OFF IS STILL IN EFFECT. - RELIEF SOUGHT - I WANT TO BE ABLE TO PAY THE 5500 AND BE PUT BACK ON AN AGREEMENT AS WE HAD SETTLED. THE CELL PHONE NUMBER [REDACTED] HAS BEEN ALLOWED TO BE SHARED. THE EMAIL ADDRESS NETTIELAWRENCE@GMAIL.COM HAS BEEN ALLOWED TO BE SHARED.

Company Position: 03/28/2025 THE SHUT OFF WAS IN EFFECT AND THERE WAS NOTHING THEY COULD DO.

Related Information:

Case Misc Info:

Hot Issue:

Case Origin: PUC WEBSITE

Prior Case Number: 3955838

Universal Service: M

Arrearage: 8034.15

BCS Investigator First Name: BCS

BCS Investigator Last Name: CASE POOL

BCS Investigator Phone w/ Area Code: [REDACTED]

BCSIntaker First Name: BRIDGET

BCSIntaker Last Name: GAFFNEY

Number Of Time Send: 1

Number Of Time Faxed: 0

Number Of Time Faxed: 7172658273

Customer Contact: Customer Review Unit [X]

Date: 04/09/2025 Time: 10:28:00 AM Source: JetSearch Related Tran: Account Maintenance

CC Type: CRU - Customer Review Unit [v] Created: 04/09/2025 at: 10:28:38 AM by: DMALLARD

Area: 800 - Residential General Service [v] Changed: at: by:

Surveyable Auto Delete Date: 04/09/2030 Class: Inquiry

Comments: _CRU_ Attempted to contact Ms. Lawrence regarding BCS# 4052119 to no avail. I left a voicemail advising that she did not have an active shut off notice on her account and I advised that her PAR down payment is still due as of 04/15/2025. I informed that if she had any further questions, she may contact the CRU hotline in which I provided the contact number.

Letter

Status: Print Date: Run Number: Reprint: [v]

Template:

Review List Tickler

Follow Up: [] to Review Group to User

Priority: [] Review Group... []

Account: [REDACTED] Lawrence, Nettie [v]

Premise: 454 E Church Ln/Phila,Pa [v]

Person: Lawrence, Nettie [v]

[Change] [Cancel]

PHILADELPHIA GAS WORKS

PUC

Closing XML

Case Number: 4052119
Company Name: PGW (PHILA. GAS WORKS (NGDC))
Company Code: 0766
Company Type: GAS TRANSPORTER
Customer First Name: NETTIE
Customer Middle Initial:
Customer Last Name: LAWRENCE
Account Number: XXXXXXXXXX
Service Address 1: 454 E CHURCH LN
Service Address 2:
Service City: PHILADELPHIA
Service State: PA
Service Zip 5: 19144
Service Zip 4:
Decision Issue: N
Oral Written: W
Violation: NO
Chapter:
Section Rule:
Total Balance: 8765.51
Date Closed: 2025-04-14
Resolution: DISMISSAL ISSUED: COMPANY REPORTING NO CONTACT REGARDING THE CUSTOMER'S COMPLAINT PRIOR TO FILING THE PUC COMPLAINT. CASE DISMISSED PER 56.166(1). DISMISSAL LETTER SENT TO THE CUSTOMER ADVISING THE TERMINATION NOTICE WAS SENT IN ERROR AND THE DOWNPAYMENT OF \$5500.00 IS DUE BY 4/15/25 TO ESTABLISH THE PAYMENT ARRANGEMENT.
Balance Date: 2025-04-10
Service Restored Pay: 0.00
Service Continue Amount: 0.00
Service Continue Date:
Terms:
Special Budget Amount: 0.00
Regular Budget Amount: 186.00
Arrears Payment Plus: 0.00
FinalMonthlyPayment: 0.00
CurrentMonthlyPayment: 0.00
EndMonthlyPayment: 0.00
LetterDescription: SHORT BLANK LETTER
HeadDate: 2025-04-15
Paragraph:
Bill Date:

Reconnect Amount: 0
Pay Amount: 0.00
BCS Investigator First Name: KAREN
BCS Investigator Last Name: FORCE-BERLANDA
Number Of Time Send: 1
Number Of Time Faxed: 0
PUC Fax: 7172658273