

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Robbin Stanton	:	
	:	
v.	:	F-2023-3043322
	:	
Philadelphia Gas Works	:	

INITIAL DECISION ON REMAND

Before
F. Joseph Brady
Administrative Law Judge

INTRODUCTION

This Initial Decision on Remand sustains the Formal Complaint of a gas service customer seeking a payment arrangement because the customer met her burden of proving that she is eligible for a Commission-issued payment arrangement.

HISTORY OF THE PROCEEDING

On September 21, 2023, Robbin Stanton (Complainant or Ms. Stanton) filed a Formal Complaint (Complaint) with the Pennsylvania Public Utility Commission (Commission) against Philadelphia Gas Works (PGW, Company, or Respondent).¹ Ms.

¹ The Complaint is a timely appeal from the determination of the Commission’s Bureau of Consumer Services (BCS), at BCS No. 3906743, which dismissed the Complainant’s informal complaint. A timely BCS appeal is subject to *de novo* review. 52 Pa. Code § 56.173(a).

Stanton checked the boxes on the Complaint form stating that the utility is threatening to shut off her service or has already shut off her service, that she is requesting a Commission-issued payment arrangement, and that there are incorrect charges on her bill. Ms. Stanton further explained that she believed she was being charged for more than one meter.

On October 20, 2023, PGW filed its Answer to the Complaint which admitted in part and denied in part the various material allegations of the Complaint.

On December 20, 2023, a hearing was held. The Complainant appeared, *pro se*, testified on her own behalf, and offered no exhibits for the record. Graciela Christlieb, Esquire, appeared on behalf of PGW and presented the testimony of one witness, Ronda Cobb, a Customer Review Officer at PGW. Ms. Cobb sponsored one exhibit, which was admitted into the record without objection.

On April 10, 2024, the Commission issued my Initial Decision, wherein I determined that a payment arrangement be established consistent with Sections 1405(b), 66 Pa.C.S. § 1405(b), and 332(a), 66 Pa.C.S. § 332(a), of the Public Utility Code (Code) and the Responsible Consumer Protection Act (Act). More specifically, I determined that a payment arrangement of six months be set for a customer with a gross monthly income level in excess of 300% of the Federal Poverty Level (FPL). I.D. at 6-7.

On January 23, 2025, the Commission entered an Opinion and Order granting the Petition for Recission or Amendment filed by Robbin Stanton, rescinding the Final Order of the Commission entered on May 13, 2024, and remanding this matter to the Office of Administrative Law Judge (OALJ) for such further proceedings, as deemed necessary, to clarify the record and ensure an accurate value for Complainant's eligible income. *Robbin K. Stanton v. Phila. Gas Works*, Docket No. F-2023-3043322 (Opinion and Order entered Jan. 23, 2025).

By Further Telephonic Hearing on Remand Notice dated May 12, 2025, a Further Telephonic Hearing on Remand was scheduled for July 16, 2025.

A Prehearing Order was issued on May 15, 2025, advising the parties of the date and time of the scheduled hearing on remand, and informing them of the procedures applicable to this proceeding.

On July 16, 2025, the hearing on remand convened as scheduled. The Complainant appeared, *pro se*, testified on her own behalf, and offered no exhibits for the record. Graciela Christlieb, Esquire, appeared on behalf of PGW.

The record closed on July 30, 2025, upon the filing of the transcript with the Commission.

FINDINGS OF FACT

1. Complainant is Robbin Stanton.
2. Respondent is Philadelphia Gas Works, a gas utility under the jurisdiction of the Pennsylvania Public Utility Commission.
3. Complainant receives gas service from PGW at 121 South Ruby Street, Philadelphia, Pennsylvania 19139 (Service Address). Tr. 6.
4. Complainant resides alone at the Service Address. Tr. 18, 22, 26.
5. Complainant works thirty hours per week. Tr. 18.
6. Complainant makes \$26.94 per hour. Tr. 18.

7. Complainant's gross monthly household income is \$3,502.20.² Tr. 18.

8. Complainant's household income exceeds 250% of the FPL, but is not more than 300% of the FPL, for a single-person household.³

DISCUSSION

Originally, Complainant was determined eligible for a Level 4 six-month payment arrangement under Chapter 14 of the Act.⁴ This payment arrangement was based on a gross monthly household income of \$5,160.00 and a household size of two. I.D. at 3. Subsequently, the Commission remanded this matter to OALJ in order to clarify the record regarding Complainant's income. *Robbin K. Stanton v. Phila. Gas Works*, Docket No. F-2023-3043322 (Opinion and Order entered Jan. 23, 2025).

² Ms. Stanton testified that she makes \$26.94/hr. for 30 hours per week. ($\$26.94 \times 30 = \$808.20/\text{wk.}$) ($52 \text{ wks.} \times \$808.20 = \$42,026.40/\text{yr.}$) ($\$42,026.40 \div 12 \text{ mos.} = \$3,502.20/\text{mo.}$). Tr. 18.

³ See Federal poverty guidelines, 90 Fed. Reg. 5917 (Jan. 17, 2025); <https://aspe.hhs.gov/sites/default/files/documents/dd73d4f00d8a819d10b2fdb70d254f7b/detailed-guidelines-2025.pdf>.

⁴ I note that Chapter 14 has subsequently sunset, effective December 31, 2024, according to its provisions, and is not currently in effect. However, in its Statement of Policy entered December 24, 2024, the Commission clarified that its regulations codified at 52 Pa. Code Chapter 56 shall remain in effect until amended. See *Sunset of Chapter 14, Title 66 of the Pennsylvania Public Utility Code*, Docket No. M-2024-3052328 (Statement of Policy entered Dec. 24, 2024). In particular, the Commission's Statement of Policy states that the principles of Chapter 14, and specifically Section 1405 and definitions of Section 1403 will continue after the expiration of Chapter 14 on December 31, 2024. *Id.* at 5.

Accordingly, a hearing on remand was held on July 16, 2025, wherein Complainant testified that her gross monthly household income is \$3,502.20 and she resides in a single-person household.

Section 1405(a) - (b) of the Code reads as follows:

§ 1405. Payment arrangements

(a) General rule.—The commission is authorized to investigate complaints regarding payment disputes between a public utility, applicants, and customers. The commission is authorized to establish payment arrangements between a public utility, customers, and applicants within the limits established by this chapter.

(b) Length of payment arrangements.—The length of time for a customer to resolve an unpaid balance on an account that is subject to a payment arrangement that is investigated by the commission and is entered into by a public utility and a customer shall not extend beyond:

- (1) Five years for customers with a gross monthly household income level not exceeding 150% of the Federal poverty level.
- (2) Three years for customers with a gross monthly household income level exceeding 150% and not more than 250% of the Federal poverty level.
- (3) One year for customers with a gross monthly household income level exceeding 250% of the Federal poverty level and not more than 300% of the Federal poverty level.
- (4) Six months for customers with a gross monthly household income level exceeding 300% of the Federal poverty level.

66 Pa.C.S. § 1405(a) - (b).

Here, based on a gross household income of \$3,502.20 per month, and a household size of one, Complainant's income exceeds 250% of the FPL, but is not more than 300% of the FPL. Therefore, Complainant qualifies for a Level 3 payment arrangement. 66 Pa.C.S. § 1405(b)(3). Accordingly, Complainant will be granted a one-year repayment period to extinguish her arrearage.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the parties to and subject matter of this case. 66 Pa.C.S. §§ 701, 1401–1419; *Sunset of Chapter 14, Title 66 of the Pennsylvania Public Utility Code*, Docket No. 66 Pa.C.S. §§ 701, 1401–1419; *Sunset of Chapter 14, Title 66 of the Pennsylvania Public Utility Code*, Docket No. M-2024-3052328 (Statement of Policy entered Dec. 24, 2024).

2. The Responsible Utility Customer Protection Act applies to this proceeding. 66 Pa.C.S. §§ 1401–1419; *Sunset of Chapter 14, Title 66 of the Pennsylvania Public Utility Code*, Docket No. M-2024-3052328 (Statement of Policy entered Dec. 24, 2024).

3. The Commission is authorized to establish a payment arrangement between a public utility and a customer. 66 Pa.C.S. § 1405(a); *Sunset of Chapter 14, Title 66 of the Pennsylvania Public Utility Code*, Docket No. M-2024-3052328 (Statement of Policy entered Dec. 24, 2024).

4. The length of time for a customer to resolve an unpaid balance on an account that is subject to a payment arrangement that is investigated by the Commission and is entered into by a public utility and a customer shall not extend beyond one year for customers with a gross monthly household income level exceeding 250% of the Federal poverty level and not more than 300% of the Federal poverty level. 66 Pa.C.S. §

1405(b)(3); *Sunset of Chapter 14, Title 66 of the Pennsylvania Public Utility Code*, Docket No. M-2024-3052328 (Statement of Policy entered Dec. 24, 2024).

5. The Complainant has carried her burden of proving that she is eligible for a Commission-issued payment arrangement. 66 Pa.C.S. §§ 332(a), 1405; *Sunset of Chapter 14, Title 66 of the Pennsylvania Public Utility Code*, Docket No. M-2024-3052328 (Statement of Policy entered Dec. 24, 2024).

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Formal Complaint filed by Robbin Stanton in Robbin Stanton v. Philadelphia Gas Works at Docket No. F-2023-3043322 is sustained.

2. That Robbin Stanton shall make monthly payments consisting of her current budget bill plus one-twelfth (1/12th) of the arrearage owed on the account, commencing with the first billing due date following the entry of the Commission's Final Order in this case, and continuing thereafter on the due date for the payment of each regular monthly bill, until the arrearage on her account has been paid in full.

3. That as long as Robbin Stanton maintains the terms of the payment arrangement stated herein, Philadelphia Gas Works shall not suspend or terminate her utility service except for valid safety or emergency reasons or assess late payments or finance charges against her account.

