
Devin Ryan

dryan@postschell.com
717-612-6052 Direct
717-731-1985 Direct Fax
File #: 215427

December 23, 2025

VIA ELECTRONIC FILING

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Roberta Daubert v. UGI Utilities, Inc. – Gas Division
Docket No. C-2025-3054758**

Dear Secretary Homsher:

Enclosed for filing are the Exception of UGI Utilities, Inc.- Gas Division to the Initial Decision in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,


Devin Ryan

DTR/tjc
Enclosures

cc: Office of Special Assistants (via *Email ra-osa@pa.gov*)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA ELECTRONIC MAIL

Roberta Daubert
33 Oxford Street
Hanover, PA 18706
E-mail: angelsrd@msn.com



Devin Ryan

Dated: December 23, 2025

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I. INTRODUCTION AND BACKGROUND

This case concerns the Formal Complaint filed by Roberta Daubert (“Complainant”) against UGI Utilities, Inc. – Gas Division (“UGI Gas” or the “Company”) about the payments required for her natural gas service account for 33 Oxford Street, PA 18706 (“Service Address”). As relief, the Complainant has requested that the Pennsylvania Public Utility Commission (“Commission”) issue a payment arrangement. (ID at 2.)

On December 3, 2025, the Pennsylvania Public Utility Commission (“Commission”) issued Administrative Law Judge Emily A. Farren’s (“ALJ”) Initial Decision (“ID”), sustaining the Complaint because the Complainant allegedly met her burden of proving that she is eligible for a Commission-issued payment arrangement. (ID at 1.) Specifically, the ID awards the Complainant a 60-month payment arrangement, under which she would pay her current monthly bill plus 1/60th of the non-Customer Assistance Program (“CAP”) arrearage on her account. (ID at 10.) Moreover, the ID directs the Company to compute the Complainant’s outstanding balance based on her unpaid charges less: (1) late payment charges; and (2) a security deposit refund, if applicable. (ID at 9.) The ID also requires the Company to file and serve, within 30 days of the Commission’s Final Order, an account statement of the unpaid charges. (ID at 10.)

As explained in this Exception, the Commission should reverse the ID and dismiss the Formal Complaint in its entirety and with prejudice. Under well-established Commission precedent, a customer should not be awarded a Commission-issued payment arrangement when the Complainant exhibits one or more of the following: (1) a poor payment history; (2) an inability to keep prior Company-issued payment agreements; (3) an inability to pay; or (4) a likeliness to default.

Here, the Complainant has a poor payment history and an undisputed record of failing to keep prior Company-issued payment arrangements. In fact, the Complainant has made only four

payments on her account since 2021, defaulted on two Company-issued payment arrangements, and defaulted on her CAP agreement. The record also shows that the Complainant has an inability to pay and a likeliness to default, given her household income of \$967 per month and an outstanding balance of \$10,338.26. She also has CAP arrears of \$1,457 that would not be subject to the Commission-issued payment arrangement. Lastly, the Commission found in *Brown v. Philadelphia Gas Works* that a customer who only made four payments in the past four years and defaulted on two company-issued payment arrangements did not qualify for a Commission-issued payment arrangement. The Commission should follow that precedent here and deny the Complainant's request for a payment arrangement.

For these reasons, and as explained in more detail below, UGI Gas respectfully requests that the Commission grant this Exception, reverse the ID, and dismiss the Complaint with prejudice.

II. EXCEPTION

A. EXCEPTION NO. 1: THE COMMISSION SHOULD REVERSE THE ID BECAUSE THE COMPLAINANT DOES NOT QUALIFY FOR A COMMISSION-ISSUED PAYMENT ARRANGEMENT (ID AT 1, 7, 9-10; CONCLUSION OF LAW NO. 4).

The ID erroneously concludes that the Complainant sustained her burden of proof that she is entitled to a Commission-issued payment arrangement. (ID at 1, 7, 9-10.) The Commission's standard for evaluating whether a complainant should be denied a Commission-ordered payment arrangement is if the Complainant exhibits one or more of the following: (1) a poor payment history; (2) an inability to keep prior Company-issued payment agreements; (3) an inability to pay; or (4) a likeliness to default.¹ Further, "the Commission can exercise its discretion to issue

¹ See *Dorsey v. Phila. Gas Works*, Docket No. F-2012-2313679, pp. 4-5 (Order entered Nov. 22, 2013); *Getz v. Metro. Edison Co.*, Docket No. C-2014-2459964, p. 24 (Initial Decision dated Apr. 24, 2015), *adopted without*

payment arrangements only on behalf of customers who have demonstrated some evidence of good faith effort to pay their utility bills or who have experienced a significant change of circumstances beyond their control.”²

When applying these principles to this case, the Complainant does not qualify for a Commission-issued payment arrangement. First, the Complainant has a poor payment history and an indisputable record of failing to keep prior Company-issued payment arrangements. As noted in the ID, the Complainant: (1) “made four payments to UGI since 2021”; (2) “entered into, and subsequently broke, two Company-issued payment arrangements”; (3) “failed to make CAP payments”; and (4) “defaulted on a CAP agreement.” (ID at 4, 7.) Also, given the severe lack of payments and multiple defaulted payment arrangements, it is evident that the Complainant has not shown a good faith effort to pay her gas service bills.

Second, the record demonstrates that the Complainant has an inability to pay and a likeliness to default. The Complainant’s household income is \$967 per month. (ID at 3.) By comparison, the Complainant’s total outstanding balance at the time of the hearing was \$10,338.26. (ID at 4.) Even if her non-CAP arrearages were subject to a 60-month payment arrangement (as suggested by the ID), she would still have CAP arrears totaling \$1,457 for which she would be responsible to pay. (ID at 3.) Additionally, as noted above, the Complainant has a defaulting on Company-issued payment arrangements. (ID at 4.) Therefore, the Complainant has an inability to pay and a likeliness to default on a Commission-issued payment arrangement.³

modification, Docket No. C-2014-2459964 (Order entered May 28, 2015); *see also Brown v. Phila. Gas Works*, 2022 Pa. PUC LEXIS 374, at *9 (Order entered Nov. 10, 2012).

² *Mason v. Phila. Gas Works*, 2018 Pa. PUC LEXIS 345, at *15-16 (Order entered Oct. 4, 2018) (citing *Crawford v. Nat’l Fuel Gas. Distrib. Corp.*, Docket No. C-20066348 (Order entered Dec. 6, 2007)).

³ The record does not contain any evidence of a significant change in circumstance, as defined by the former Section 1403 of the Public Utility Code, that would help make her eligible for a Commission-issued payment arrangement. *See* 66 Pa. C.S. § 1403 (repealed) (defining “significant change in circumstance”).

Third, the Commission previously denied a payment arrangement under similar facts as those presented in this case. In *Brown v. Philadelphia Gas Works*, the Commission rejected the customer's request for a payment arrangement, finding, in pertinent part:

The record indicates that the Complainant in this proceeding made only four payments between June of 2018 and June of 2022. In addition, the Complainant defaulted on two payment arrangements issued by PGW. Tr. at 15-20. Therefore, we concur with the ALJ's finding that based upon the Complainant's poor payment history and her high outstanding account balance, it is doubtful that the Complainant could afford to make the monthly payment amounts that would be due under a payment arrangement for her non-CAP arrears, in addition to the amounts due under her current usage and her CRP arrears.⁴

Likewise, the Complainant here has only made four payments in the past four years, defaulted on two payment arrangements issued by the utility, and has a high outstanding balance of non-CAP arrears in addition to CAP arrears. (ID at 3-4, 7.) Consequently, the Commission should follow its precedent in *Brown* and deny the Complainant's request for a payment arrangement.

Finally, the Company notes that these principles governing payment arrangements exist to help protect other ratepayers from bearing the costs of ballooning arrearages, as other residential customers pay for those costs in their rates. The Commission should apply those principles here and find that the Complainant is not entitled to a Commission-issued payment arrangement. Otherwise, the Complainant's arrears will continue to grow, and other residential customers will be forced to bear even more costs due to those arrears.

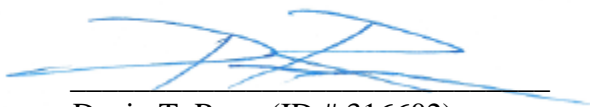
Based on the foregoing, UGI Gas respectfully requests that the Commission grant Exception No. 1, reverse the ID, and dismiss the Complaint with prejudice.

⁴ *Brown*, 2022 Pa. PUC LEXIS 374, at *13 (emphasis added).

III. CONCLUSION

WHEREFORE, the Pennsylvania Public Utility Commission should grant UGI Utilities, Inc. – Gas Division’s Exception and enter a Final Order consistent with this Exception that reverses the Initial Decision and dismisses the Formal Complaint filed by Roberta Daubert with prejudice.

Respectfully submitted,



Michael Swerling (ID # 94748)
Lindsay Berkstresser (ID # 318370)
UGI Corporation
500 North Gulph Road
King of Prussia, PA 19406
Phone: 610-992-3763
Phone: 610-768-6799
E-mail: SwerlingM@ugicorp.com
E-mail: BerkstresserL@ugicorp.com

Devin T. Ryan (ID # 316602)
Alice A. Wade (ID # 335228)
Hayley E. Wilburn (ID # 336055)
Post & Schell, P.C.
One Oxford Centre
301 Grant Street, Suite 3010
Pittsburgh, PA 15219
Phone: 717-612-6052
Fax: 717-731-1985
E-mail: dryan@postschell.com
E-mail: alice.wade@postschell.com
E-mail: hwilburn@postschell.com

Dated: December 23, 2025

Counsel for UGI Utilities, Inc. – Gas Division