

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Courtney Spector

v.

Philadelphia Gas Works

:
:
:
:
:

F-2025-3059247

INITIAL DECISION

Before
Alphonso Arnold III
Administrative Law Judge

INTRODUCTION

In this matter, a customer filed a Formal Complaint against her gas utility arguing that she should not be held liable for gas service provided to her prior address after she vacated the address. This Initial Decision dismisses the Complaint for the customer's failure to meet her burden of proof. The gas utility did not err in holding the customer responsible for service provided to the prior address after she vacated the address because the customer never notified the utility of her desire to have service disconnected.

HISTORY OF THE PROCEEDING

On December 1, 2025, Courtney Spector filed a Formal Complaint against Philadelphia Gas Works (“PGW”) with the Pennsylvania Public Utility Commission.¹ The Complaint concerns service provided to 5495 Quentin Street, Apt 1F, Philadelphia, PA 19128 (“Quentin Street”). Ms. Spector alleged that PGW charged her for gas service provided to Quentin Street past the date she vacated the address. Ms. Spector requested that these charges be removed from her account. The Complaint was served on PGW on December 12, 2025.

On January 2, 2026, PGW filed an Answer to the Complaint. PGW asserted that it placed gas service in Ms. Spector’s name at Quentin Street on March 15, 2022. Gas service was taken out of Ms. Spector’s name at Quentin Street in May 2025. PGW asserted that at no time did Ms. Spector contact PGW to ask that gas service be taken out of her name at Quentin Street. PGW concluded its Answer by requesting dismissal of the Complaint.

On January 8, 2026, the Commission issued an Initial Telephonic Hearing Notice scheduling an evidentiary hearing for February 24, 2026, and assigning the case to me as presiding officer.

Also on January 8, 2026, the Commission issued a Prehearing Order which provided the procedural rules that would govern the evidentiary hearing.

On February 24, 2026, the evidentiary hearing was held as scheduled. Ms. Spector testified in support of her Complaint and sponsored two exhibits which were

¹ This Complaint is a timely appeal of the informal decision issued by the Commission’s Bureau of Consumer Services at BCS Case No. 4085524. A timely BCS appeal is subject to *de novo* review. 52 Pa. Code § 56.173(a).

admitted into the record. PGW presented the testimony of Darneese Mallard, a customer review officer employed by PPL.² Ms. Mallard sponsored four exhibits, all of which were admitted into the evidentiary record.

On March 17, 2026, a 24-page electronic transcript of the February 24, 2026 hearing was filed with the Commission. The evidentiary record was closed on this date.

This matter is ready for resolution. For the reasons discussed below, the Complaint will be dismissed.

FINDINGS OF FACT

1. Complainant is Courtney Spector.
2. Respondent is Philadelphia Gas Works.
3. The dispute in this proceeding concerns service provided to 5495 Quentin Street, Apt 1F, Philadelphia, PA 19128. Tr. 7.
4. On March 15, 2022, PGW established gas service in Ms. Spector's name at Quentin Street. PGW Exhibit 1, p. 1; PGW Exhibit 2, p. 1.
5. On March 31, 2024, Ms. Spector vacated Quentin Street. Complainant Exhibit 1.

² Tr. 13-14.

6. On May 1, 2025, Ms. Spector contacted PGW to have her gas service transferred from Quentin Street to a new address. Tr. 15; PGW Exhibit 2, p. 2.

7. PGW took gas service out of Ms. Spector's name at Quentin Street on May 1, 2025. Tr. 15.

8. Ms. Spector never formally contacted PGW to close her gas service account at Quentin Street. Tr. 7.

9. PGW has no record of Ms. Spector contacting PGW to disconnect service at Quentin Street. Tr. 17.

10. The ending balance for gas service provided to Quentin Street is \$1,143.29. Tr. 15; PGW Exhibit 1, p. 3.

DISCUSSION

Legal Standards

Courtney Spector is the complainant in this proceeding. A complainant, as the party seeking affirmative relief from the Commission, has the burden of proof by a preponderance of the evidence. 66 Pa.C.S. § 332(a); *Samuel J. Lansberry, Inc. v. Pa. Pub. Util. Comm'n*, 578 A.2d 600 (Pa. Cmwlth. 1990). A preponderance of the evidence is evidence that is more convincing, by even the smallest amount, than that presented by the opposing party. *Se-Ling Hosiery, Inc. v. Margulies*, 70 A.2d 854 (Pa. 1950).

To establish a sufficient case against a utility and satisfy the burden of proof, the complainant must show that the 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). The offense must also be a violation of the Public Utility Code (“Code”), a Commission regulation or order or a violation of a Commission-approved tariff. 66 Pa.C.S. § 701.

The “burden of proof” is composed of two distinct burdens: the burden of production and the burden of persuasion. The burden of production, also called the burden of producing evidence or the burden of coming forward with evidence, determines which party must come forward with evidence to support a particular proposition. The burden of persuasion determines which party must produce sufficient evidence to meet the applicable standard of proof. *Hurley v. Hurley*, 754 A.2d 1283 (Pa. Super. 2000).

Upon the presentation by the complainant of evidence sufficient to initially satisfy the burden of proof, the burden of going forward with the evidence to rebut the evidence of the complainant shifts to the respondent. If the evidence presented by the respondent is of co-equal weight, the complainant has not satisfied their burden of proof. The complainant would be required to provide additional evidence to rebut the evidence of the respondent. *Burleson v. Pa. Pub. Util. Comm’n*, 443 A.2d 1373 (Pa. Cmwlth. 1982). The burden of going forward may shift back and forth during a proceeding, but the ultimate burden of persuasion remains with the complainant. *Milkie v. Pa. Pub. Util. Comm’n*, 768 A.2d 1217 (Pa. Cmwlth. 2001).

In addressing this Complaint, the Commission's decision must be supported by substantial evidence in the record. 2 Pa.C.S. § 704. "Substantial evidence" is such relevant evidence that a reasonable mind might accept as adequate to support a conclusion. More is required than a mere trace of evidence or a suspicion of the existence of a fact sought to be established. *Norfolk & W. Ry. Co. v. Pa. Pub. Util. Comm’n*, 413 A.2d 1037 (Pa. 1980); *Murphy v. Pa. Dep't of Pub. Welfare, White Haven Ctr.*, 480 A.2d 382 (Pa. Cmwlth. 1984).

Ms. Spector in this proceeding has challenged her liability for gas service provided to Quentin Street after she vacated the address. The Commission's regulations provide that a customer who is about to vacate premises supplied with public utility service or who wishes to have service discontinued shall give at least 7 days' notice to the public utility and a non-customer occupant, specifying the date on which it is desired that service be discontinued. In the absence of a notice, the customer shall be responsible for services rendered. 52 Pa. Code § 56.16(a).

Analysis

Ms. Spector's position in this proceeding is that she should not be held liable for PGW gas service provided to Quentin Street after she vacated the address on March 31, 2024.³ PGW gas service was established at Quentin Street in Ms. Spector's name on March 15, 2022.⁴ PGW took gas service out of Ms. Spector's name at Quentin Street on May 1, 2025, when Ms. Spector contacted PGW to have her gas service transferred to a new address.⁵ By Ms. Spector's own admission, she never formally contacted PGW to close her gas service account at the Quentin Street address.⁶ As such, PGW has no record of Ms. Spector contacting PGW to disconnect service at Quentin Street.⁷ Despite this fact, Ms. Spector argued that her failure to give notice should not result in continued financial responsibility for utility service at a property that she no longer occupied.⁸

³ Complainant Exhibit 1.

⁴ PGW Exhibit 1, p. 1; PGW Exhibit 2, p. 1.

⁵ Tr. 15; PGW Exhibit 2, p. 2.

⁶ Tr. 7.

⁷ Tr. 17.

⁸ Tr. 7.

PGW's position is that Ms. Spector is responsible for the gas service provided to Quentin Street, as billed, due to lack of prior notice.⁹ I agree with the position of PGW.

The Commission's regulations make it clear that a customer is to provide notice to their utility when they are vacating a premises and desire for service to be disconnected. 52 Pa. Code § 56.16(a). The regulations also make it clear that the customer is responsible for services rendered when notice is not given. *Id.* Ms. Spector admitted that she did not provide any type of notice to PGW that she desired to have her gas service disconnected at Quentin Street on March 31, 2024. PGW, therefore, does not have any record of Ms. Spector requesting that her service be disconnected at Quentin Street. It was not until May 1, 2025, that Ms. Spector contacted PGW to have her service transferred from Quentin Street to a new address. PGW correctly held Ms. Spector liable for gas service provided to Quentin Street from March 31, 2024, to May 1, 2025, because Ms. Spector did not provide the required notice to PGW.

In conclusion, Ms. Spector failed to meet her burden of proof in this proceeding. Ms. Spector failed to show that PGW violated a provision of the Code, a Commission regulation or order, or its Commission-approved tariff. In fact, PGW complied with the applicable Commission regulation at Section 56.16(a) by holding Ms. Spector liable for gas service provided to Quentin Street from March 31, 2024, to May 1, 2025. The Complaint will be dismissed in the Ordering paragraphs below.

CONCLUSIONS OF LAW

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

⁹ PGW Exhibit 3, p. 1.

2. As the proponent of a rule or order, Complainant has the burden of proof in this matter. 66 Pa.C.S. § 332(a).

3. To establish a sufficient case and satisfy the burden of proof, the Complainant must show that Respondent is responsible or accountable for the problem described in the Complaint by a preponderance of the evidence. *Patterson v. Bell Tel. Co. of Pa.*, 72 Pa.P.U.C. 196 (1990); *Samuel J. Lansberry, Inc. v. Pa. Pub. Util. Comm'n*, 578 A.2d 600 (Pa. Cmwlth. 1990).

4. The offense must also be a violation of the Public Utility Code, a Commission regulation or order or a Commission-approved tariff. 66 Pa.C.S. § 701.

5. A preponderance of the evidence is 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).

6. The “burden of proof” is composed of two distinct burdens: the burden of production and the burden of persuasion. The burden of production, also called the burden of producing evidence or the burden of coming forward with evidence, determines which party must come forward with evidence to support a particular proposition. The burden of persuasion determines which party must produce sufficient evidence to meet the applicable standard of proof. *Hurley v. Hurley*, 754 A.2d 1283 (Pa. Super. 2000).

7. Upon the presentation by the complainant of evidence sufficient to initially satisfy the burden of proof, the burden of going forward with the evidence to rebut the evidence of the complainant shifts to the respondent. If the evidence presented by the respondent is of co-equal weight, the complainant has not satisfied their burden of proof. The complainant would be required to provide additional evidence to rebut the

evidence of the respondent. *Burleson v. Pa. Pub. Util. Comm'n*, 443 A.2d 1373 (Pa. Cmwlth. 1982).

8. Any finding of fact necessary to support the Commission's adjudication must be based upon substantial evidence. 2 Pa.C.S. § 704.

9. A customer who is about to vacate premises supplied with public utility service or who wishes to have service discontinued shall give at least 7 days' notice to the public utility and a non-customer occupant, specifying the date on which it is desired that service be discontinued. In the absence of a notice, the customer shall be responsible for services rendered. 52 Pa. Code § 56.16(a).

10. Complainant did not meet her burden of proof in this proceeding. 66 Pa.C.S. § 332(a).

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Formal Complaint filed by Courtney Spector at Courtney Spector v. Philadelphia Gas Works, at Docket No. F-2025-3059247, is dismissed.

