

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, Pennsylvania 17120

Paul Witengier

Public Meeting held June 4, 2026

3056500-ALJ

v.

Docket No. F-2025-3056500

Philadelphia Gas Works

STATEMENT OF CHAIRMAN STEPHEN M. DeFRANK

Before us for consideration is the Initial Decision denying the Formal Complaint filed by Paul Witengier against Philadelphia Gas Works (PGW). Mr. Witengier alleged that PGW failed to provide him with the required notice prior to terminating his gas service on May 14, 2025.

On March 23, 2026, Administrative Law Judge (ALJ) Marta Guhl issued an Initial Decision denying Mr. Witengier's Formal Complaint for his failure to meet the burden of proving that PGW violated the Public Utility Code, Commission regulations or Commission order with respect to the termination of gas service at his residence. In her Initial Decision, ALJ Guhl also indicated that although Mr. Witengier disputed PGW's reconnection fee, "a public utility is permitted to charge a reconnection fee in accordance with 52 Pa. Code § 56.191." As noted in the Initial Decision, under the Commission's cited regulation, "[a] public utility may require a reconnection fee based upon the public utility's cost as approved by the Commission prior to reconnection of service following lawful termination of the service. The amount of this fee must be specified in the public utility's tariff on file with the Commission."¹

I agree with the ALJ that Mr. Witengier did not meet his burden of proof regarding PGW's termination of his gas service. However, the record does not establish whether PGW permissibly charged Mr. Witengier a reconnection fee. Neither the testimony provided at the hearing, nor the exhibits admitted into the record clearly identify the reconnection fee that PGW charged to Mr. Witengier.² I am also disappointed to see that PGW failed to identify any provision of its tariff that authorizes the company to charge a reconnection fee and specifies the amount of the fee. Accordingly, the record does not enable me to verify that PGW permissibly charged Mr. Witengier a reconnection fee.

I independently reviewed PGW's tariff, and I cannot conclude that it clearly identifies the reconnection fee. Section 5.9 of PGW's Tariff indicates that "reconnection

¹ I.D. at 8 (citing 52 Pa. Code § 56.191).

² I note that PGW Exhibit 3 is a 10-day shut off notice indicating that PGW may, at a minimum, assess reconnection fees that includes a turn on charge of \$123.23; however, it does not establish the amount that PGW actually charged Mr. Witengier nor the basis for any amount he was charged.

of service will be subject to a reconnection charge, equal to the Customer Service Call Charge for 7/10ths of an hour, plus any excavation charges.”³ Separately, and 24 pages later in PGW’s tariff, Section 12.1 identifies the Customer Service Call Charge as “\$72.05 plus \$8.53 for each additional 1/10th of an hour after the first 6 minutes.”⁴ As a result, customers must perform a calculation based upon their interpretation of two distant tariff provisions in an attempt to determine the reconnection fee. I find this to be convoluted.

Customers seeking to have utility service reconnected are often doing so after their service was terminated because they were unable to pay their bills. Compounding customers’ hardship by requiring them to navigate administrative obstacles to calculate a reconnection fee is not in the public interest. Though I acknowledge that the Commission previously approved PGW’s tariff, Section 5.9 appears to have been in place since 2007, which is almost 20 years ago. Therefore, I urge PGW to amend Section 5.9 of its tariff to clearly specify a reconnection fee that is based upon the Company’s costs.

June 4, 2026



Stephen M. DeFrank, Chairman

³ Philadelphia Gas Works, Supplement No. 21, Gas-Service Tariff-Pa P.U.C. No. 2, First Revised Page No. 32, Canceling Original Page No. 32, Section 5.9, *Reconnection Charge* (Effective October 19, 2007). Available at [CURRENT \(Full\) PGW Gas Services Tariff Through Supp 187 \(June 2026 GCR\) - effective June 1 2026 - FINAL FOR WEB.pdf](#)

⁴ *Id.* at Second Revised Page No. 57 (Effective April 15, 2017).