

**PENNSYLVANIA PUBLIC UTILITY COMMISSION  
HARRISBURG, PENNSYLVANIA 17105-3265**

**Pennsylvania Public Utility Commission  
Law Bureau Prosecutory Staff  
v.  
Able Co. LTD.**

**PUBLIC MEETING  
January 14, 2010  
1183704-LAW  
Docket Nos. C-20042415  
A-120025**

**JOINT STATEMENT OF COMMISSIONER KIM PIZZINGRILLI  
AND COMMISSIONER WAYNE E. GARDNER**

Able Co. LTD. is a small natural gas company with a long history of non-compliance with Commission orders, regulations and provisions of the Public Utility Code. Violations include failure to comply with gas safety regulations, failure to file annual assessment reports, failure to file annual reports and failure to comply with prior Commission orders directing the payment of civil penalties. This is the third default order issued in recent years for non-compliance. Able has failed to respond to any of the prior complaints precipitating the entry of default orders and has not taken any action to remedy its non-compliance. The penalties imposed in these prior orders remain unpaid. Additionally, we note that in early 2009, the Commission undertook review of the performance and financial status of small natural gas companies. To date, Able has not responded to staff data requests related to this review.

Given Able's consistent disregard for its obligations as a natural gas company, pursuant to statute and Commission regulations and orders, we are deeply concerned about Able's ability to provide safe and reliable utility service to its customers. Adding to our concern is that it is unclear whether Able's customers are aware of its non-compliance and whether they are receiving service at just and reasonable rates. It is our expectation that staff will continue to closely monitor this company, thoroughly investigate all issues relating to Able's provision of utility service and take appropriate action to ensure that Able provides its customers with safe and reliable service. Furthermore, the Law Bureau should closely track the deadlines set forth in the default order and, if this company does not comply with the directives therein, take further action as deemed necessary.

**January 14, 2010**  
Date

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**KIM PIZZINGRILLI, COMMISSIONER**

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**WAYNE E. GARDNER, COMMISSIONER**