

8/1/2012

SECRETARY OF THE COMMISSION
2nd FLOOR
KEYSTONE BUILDING
400 NORTH STREET
HARRISBURG, PA.17105-3265
Secretary
Rosemary Chiavetta:

RECEIVED
2012 AUG -8 AM 9: 51
PA.P.U.C.
SECRETARY'S BUREAU

C-2010-2207800

I Darryl Hicks file exceptions to the Initial Decision of the Administrative Law Judge, Cynthia Williams Fordham, in the matter of Darryl Hicks v. Philadelphia Gas Works, dated July 12, 2012.

Exception of Administrative Law Judge p.3:

1. By correspondence dated March 15, 2012, the Respondent's counsel provided PGW Exhibit 6 - a seven (7) page exhibit entitled "E-mail re` CRP enrollment records". The Complainant did not object to the admission of Exhibit 6 by March 27, 2012. Therefore, PGW Exhibit 6 will be admitted into evidence as a late filed exhibit pursuant to 52 Pa. Code § 5.404(a).

I was not aware of how to proceed after review of Exhibit 6 dated March 12, 2012, until present, therefore, I would object to this being admitted into evidence as it did not provide stipulated information for late filing. I welcomed the opportunity for PGW to provide the physical proof of my enrollment into the CRP program in accordance with the procedures and guidelines of said program. It appears to be non-existent, and information provided is nothing more than Respondents Exhibit 2 and 4 with a cover letter. I would like a complete investigation of all alleged enrollments, both physical signatures and complete computer input of PGW process with I.D. of whom, when and where, entered information into PGW system to my account #006111508257. Exhibit 2, p.2 (Contacts for Account: Hicks, Darryl) doesn't list the meter service transaction and I.D. of worker who did not perform services in accordance of PGW's meter change rules and regulations. I have not been contacted by Respondent or Administrative Law Judge, since hearing of Feb. 6, 2012, until Initial Decision of Administrative Law Judge was sent 7/12/2012.

**Exception of Administrative Law Judge p.5 (13),(16),(17). P.6(22):
CPR Enrollment Procedures Process should be as follows:**

1. The representative ask for income documentation and Social Security cards for each member of the household. The representative then calculates the customer's gross monthly income and enter it into the computer system to get the customer's CRP payment.
2. The representative review the new CRP agreement with the customer, noting the new CRP payment amount. The representative explains the \$3 charge on the CRP bill that is applied to the customer's arrearage.

3. The representative explains the amount of monthly arrearage forgiveness and the customer's responsibility to pay his/her bill on time and in full in order to receive arrearage forgiveness each month.
4. The representative tells the customer that applying for LIHEAP was a requirement of the CRP and explained how and when to apply, as well as how LIHEAP benefits are credited to the CRP account.
5. The representative explain that the customer's gas service could be terminated if he/she misses more than one CRP payment.
6. The representative tells the customer that he/she was required to re-certify for the CRP after one year and explained the re-certification process to the customer.
7. The representative tells the customer that he/she was required to accept CWP services if he/she was chosen to participate in the CWP.

At the end of the contact, the customer signs the new CRP agreement; the representative makes copies of the income documentation and Social Security cards, and the representative give the customer a copy of the new CRP agreement and the CRP brochure. Customers complete a LIHEAP application during the CRP application process when it is LIHEAP season.

CRP Re-Certification

CRP participants are automatically scheduled for re-certification on the eleventh month after they enrolled or they last re-certified. The customer is required to send income information to PGW or come into the district office with the information.

I have not participated in this process and or provided PGW with this information. The Respondent (PGW) admits that I was not a recipient of the Low Income Home Energy Assistance (LIHEAP) grant, on page 2 of Answer with New Matter of the Philadelphia Gas Works, filed November 22, 2010.

Exception of Administrative Law Judge p.4 (6), (8), (11)

6. On May 2, 2005, the Complainant's meter, meter #1640845, was removed (Tr. 61, 66; PGW Ex. 2 at 5; PGW Ex. 3).
8. The Respondent tested meter #1640845 on May 3, 2005, and June 4, 2005
11. In response to the Complainant's dispute, the Respondent conducted an investigation and found the bill to be correct. The Respondent sent the Complainant a letter explaining its findings and notifying him of his right to contact the Commission

I submit the following PGW procedures were not followed and information provided in initial Pennsylvania Public Utility Commission, Formal Complaint Form verifies that Respondents **Answer with New Matter p.3 (12) is not factual**

12. PGW records show that it estimated the Complainant's bills for the period from February 8, 2000 through April 2005. PGW completed a meter exchange on May 2, 2005. PGW removed Meter No. 1640845 at index 8104 and installed the new Meter No. 1795555 at index 0000.

METER AND PIPING SECTION

FIELD OPERATIONS Turn off Procedure

FIELD SERVICE

Effective Date: August 14, 2009 Bulletin Number #256

Supersedes: N/A

Meter Change Procedure

Pseudo 807

On the Meter Order tab of the AIMS work order select "Exchange" from the Meter Action drop down list whenever a meter is changed regardless of reason.

A. Basic Procedure

1. Verify customer name and address.
 2. Verify all new meter data:
 - a. Meter number on the new meter badge is the same as that on the meter bar code sticker and the Meter Issue Record (aka onion skin)
Form #067-6420 (see sample in Appendix B of this section).
 - b. The meter reading on the Meter Issue Record must match the actual new meter index reading.
 - c. The ERT number on the Meter Issue Record must match the ERT number on the new meter.
- 11 Fill in all required data completely (e.g. old meter number and index, number of old ERT, set index of new meter, date of meter exchange and floor or unit designation supplied by the meter) on the Meter Issue Record and on the meter information and warning sticker attached to the front of the new meter (see sample section V -Meter and Piping page 33).



file:///C:/Users/Darryl Hicks/Desktop/Gas Meter.pdf

10/17/2010

The above is a picture of original meter type No. 1640845 with four revolving dials. The chart below displays the actual reading PGW used from meter # 1640845

**GAS USAGE
ANALYSIS OF ACCOUNT**

Darryl Hicks
462 W Winona St.
Philadelphia, Pa. 19144-4508

NON-HEATING
DAILY USAGE
0.97 CCF PER DAY (non heating usage / nu
ACCOUNT # 0061 1150 8257

DATES		METER	NUMBER	DOMESTI	HEAT	NUMBE
FROM	TO	READINGS	OF	USAGE IN	USAG	DEG.DA
04/03/1991	09/18/1992	5214	6809	534	1595	486
<u>09/18/2002</u>	<u>05/02/2005</u>	<u>6809</u>	<u>28104</u>	<u>957</u>	C2122>	5780
04/03/1991	05/02/2005	5214	28104	5143	22890	6260
05/02/2005	03/06/2007	0	2301	673	2301	772
03/06/2007	03/04/2008	2301	3931	364	1630	431
03/04/2008	03/04/2009	3931	5763	365	1832	466
03/04/2009	03/03/2010	5763	7431	364	1668	447
05/02/2005	03/03/2010	0	7431	1766	7431	211

This chart reflects Meter No. 1640845 indexed at 28104 at the time of meter replacement 05/02/2005. This is not possible on a meter with only four dials. This information was not

transferred to the replacement Meter No. 1795555 which was indexed at 0000. This information was provided by PGW, Willie E. Smith, Dispute Resolution Unit. Respondent submitted in **Answer with New Matter p.3 (14)**

14. PGW concluded that the meter (Meter No. 1640845) did not record actual usage since February 8, 2000.

The Respondent and Mr. Willie E. Smith submitted Exhibit #3 page 3 Prover Database-[Find_Meter_Number] report indicating Meter No. 1640845 was tested 5/13/2005 indexed at 8104 proof_check 99.349 and 6/4/2005 indexed at 8104 proof check 99.791. However PGW states the meter did not record properly, and created a new Index No. 28104 as seen in the gas usage chart.

PGW did not follow the documented procedures of changing out a meter; additionally they created two different index numbers which would give a false billing. PGW alleged meter was not recording properly but tested meter twice after switch out and reported it was accurate.

Exception of Administrative Law Judge p.9 section 1312(a), 66 Pa.C.S. 1312(a): & Section 3314(a) of Public Utility Code,

PGW acknowledges multiple complaints of billing after meter change. There is no listing of respondent sending letter informing right to file a complaint in the PGW Exhibit 2 five page narrative (Contacts for Account: Hicks, Darryl) or copy of said letter.

Exception of Administrative Law Judge p. 10 CRP Program/Social Security Number

PGW has not produced physical documentation of CRP enrollment and PGW Exhibit 4 p.2 shows no verification entered electronically into CRP Agreement screen. There is no

indication of worker interview and income is listed as other verified by nothing. Again there is no documentation following of PGW regulations for this program. PGW stated I was not in the LIHEAP program after I questioned being sent renewal application. There was unsubstantiated derogatory inference in Answers and New Matter p.4 (17)

17. The Complainant continued in CRP until September 29, 2009, when PGW suspended the Complainant's enrollment for his failure to recertify legibility. Thereafter, the remaining "frozen arrears" on the Complainant's account became due and owing to PGW.

Conclusion

I feel that I have provided more than sufficient proof and information on both matters. The information I provided was from PGW correspondence. PGW was not able to substantiate its claims through physical or electronic documentation about my account 006111508257. This is unacceptable as computer records extend back more than four years. I have shown proof of PGW not following procedure during meter change causing incorrect index numbers during the meter change out. PGW stipulated my bill was \$400 at time of meter swap. When my meter index number was changed from 8104 to 28104 which is impossible on a four digit meter, I was inaccurately charged \$6,066.01 with growing interest.

The Administrative Law Judge addressed

CPR/ Program/Social Security Numbers p.11 par. 4:

Based on the Respondent's records, the Complainant was enrolled in CRP for periods of time between November 2005 and September 9, 2009. He benefited from being in CRP because he was receiving a discounted bill. The Complainant has not demonstrated that he was not enrolled in the program.

I would reply that I have shown that incorrect process of meter change out is the reason for extremely high billing. The CRP program has not erased any money owed or due PGW. The \$6,066.01 due to improper meter replacement and document procedures caused undue burden on my account. Initial complaint to PGW was not properly addressed as requested. PGW attempted to pacify complaint by entering a credit revenue adjustment for \$551.99 per money contact issued by C. Perez contact dated 5/19/2005 (PGW Exhibit 2 p.5). There was never really a benefit to my account since the billing was not accurate. My account has suffered interest charges on money not owed from the date of meter change. There has been enrollment of my

account to CRP program without my consent. There has been gross violation of policy and procedure by PGW providing documentation for its course of action. The information I have provided clearly show PGW and the Pennsylvania Public Utility Commission are not dealing with the real issue of a false recorded meter reading and indexing (8104 vs. 28104). There are several Public Policy issues that PGW and Pennsylvania Public Utility Commission have violated in responding to this formal complaint. These are gross violations to the trust and responsibility given to them.

RELIEF

I would request a full investigation into the handling of my account since the 05/02/2005 meter extraction/change out. This should include the, who, what, and were with full documentation both physical and I.D. computer entries. Also as requested in the formal complaint dated 10/10/10 the following:

I would like PGW to go back and zero out the account at the point in which they violated their own policy and showed no proof of actual meter usage transferred over to current meter. I would then like to be made whole with actual meter readings each month since 5/2005 (automatic meter reading) and all monies paid in excess of actual reading be credited to current account including interest paid on incorrect past bills.

Service List:

Secretary of the Commission
2nd Fl. Keystone Building
400 North Street
Harrisburg, Pa. 17105-3265

Office of Special Assistant
3rd Fl. Keystone Building
400 North Street
Harrisburg, Pa. 17105-3265

Respondent:
Laureto Farinas, Esquire
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122

RECEIVED
2012 AUG -8 AM 9:51
PA.P.U.C.
SECRETARY'S BUREAU



Darryl Hicks
Complainant
462 W. Winona Street
Philadelphia, PA 19144
215.438.9072

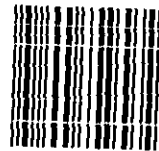
Darryl Hicks
462 W. Winona Street
Philadelphia, Pa. 19144

FIRST CLASS

SECRETARY OF THE COMMISSION
2ND FLOOR KEYSTONE BUILDING
400 NORTH STREET
HARRISBURG PA 17105-3265



1000



17105

U.S. POSTAGE
PAID
PHILADELPHIA, PA
19104
AUG 06, 12
AMOUNT

\$3.30

00020880-26