**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Chris Cunningham :

 :

 v. : C-2013-2361851 :

UGI Utilities Gas Division :

**PREHEARING ORDER**

An Initial Telephonic Hearing, in the above-captioned case, is scheduled for Monday, August 12, 2013 at 10:00 a.m. **You must be available when contacted by the presiding officer or your case will be dismissed.** **If you will be at a telephone number that is different than the number on the hearing notice, you must notify me of that telephone number at least five (5) business days before the hearing**.

The parties are hereby directed to comply with the following requirements:

1. A request for a change of the scheduled hearing date must state the agreement or opposition of other parties, and must be submitted in writing no later than five (5) business days prior to the hearing. 52 Pa. Code §1.15(b). Requests for changing a hearing date must be sent to me and all parties of record. The correct address is:

 Elizabeth H. Barnes, Administrative Law Judge

 Pennsylvania Public Utility Commission

 P.O. Box 3265

 Harrisburg, PA 17105-3265

 **Telephone:** (717) 787-3988

 **Fax:** (717) 787-0481

**Changes are granted only in rare situations where good cause exists.**

2. **Commission policy promotes settlements.** 52 Pa. Code §5.231(a). Each utility shall contact you at least one week before the scheduled hearing to talk over a possible settlement of this case. Even if you are unable to settle this case, you may still resolve many questions or issues during your talks. If an agreement is reached, a formal hearing will not be necessary and the scheduled hearing will be cancelled.

3. **THIS CASE WILL BE DISMISSED IF YOU DO NOT PARTICIPATE IN THE HEARING AND PRESENT EVIDENCE ON THE ISSUES RAISED.**

4. The Responsible Utility Customer Protection Act, 66 Pa. C.S. §§1401, *et seq.*,became effective on December 14, 2004, and applies to this case. This law provides strict requirements that the Commission must follow in handling customer complaints. The application of this law may result in the issuance of less favorable payment terms than a customer’s current payment arrangement.

5. The customer must make monthly payments for current usage on or before the billing due date while this complaint is pending. **FAILURE TO MAKE PAYMENTS MAY RESULT IN TERMINATION OF YOUR SERVICE.**

6. As the party seeking affirmative relief from the Commission, Complainant bears the burden of proof and must present evidence sufficient to demonstrate that the utility has violated the Public Utility Code, or a regulation or order of the Commission. 66 Pa. C.S. §332(a).

7. If you intend to present any documents or exhibits for my consideration, you must send one copy to the other party and three copies to me at least five (5) business days before the hearing. Proposed exhibits should be properly pre-marked for identification purposes.

8. The utility must prepare and submit the following documents at least five business days before the hearing:

 (a) a copy of any quotes offered to extend its natural gas facilities to Complainant.

 (b) a copy of any pertinent portions of any Commission-approved natural gas service tariff(s) relevant to the issues in this proceeding.

9. Pursuant to 52 Pa. Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa. Code §1.24(b).

10. If you intend to subpoena witnesses for the hearing, you should review the procedures established in 52 Pa. Code §5.421. You must submit your written application to me sufficiently in advance of the hearing date so that the other parties will have the required ten days notice to answer or object, and so that you will have enough time to receive the subpoena and serve it.

11. Although the hearing is being conducted telephonically for the convenience of the parties, it is still a formal hearing and will be conducted in accordance with the Commission’s Rules of Practice and Procedure.

Date: July 1, 2013 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Elizabeth H. Barnes

 Administrative Law Judge

**C-2013-2361851 - CHRIS CUNNINGHAM v. UGI UTILITIES GAS DIVISION**CHRIS CUNNINGHAM2731 NORTHAMPTON STREETBETHLEHEM PA 18020908.894.8895MARK C MORROW ESQUIREUGI CORPORATION460 NORTH GULPH ROADKING OF PRUSSIA PA 19406610.768.3628***E-Serve***