

June 9, 2013

C-2010-2207800

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Pennsylvania Public Utility Commission

Harrisburg Pa 17105-3265

Secretary Rosemary Chiavetta:

JUN 17 2013

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

I hereby request an intersession on the opinion and order dated February 14, 2013, in the matter of Darryl Hicks V. Philadelphia Gas Works. I was not notified of this decision and only became aware by termination of services notice effective April 22, 2013 from PGW dated April 9, 2013, that was not received until April 15, 2013. I immediately contacted your office and was informed the decision had been made and to look it up on the internet. I was assisted by your office in navigating your website to review the two month old decision. (everyone doesn't have internet capability) I was told that a certified letter was sent out and both your office and I have contacted the United States Postal Service and verified that this was not received or signed for by myself. The original certified mail was finally delivered and signed for late May 2013.

This matter has extended over ten years from a false meter reading/recording by a PGW employee. I have lived at my address 462 W. Winona Street Philadelphia Pa. for twenty eight years. I have had PGW gas service the entire time. Please review the information provided in PGW attorney's letter to you and Secretary Mc Nulty dated November 22, 2010. (original Answer with New Matter to the complaint).

**New Matter** (Laureto Farinas, Esq. PGW)

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

15. In May of 2005, PGW notified the complainant that it had concluded that the bill Complainant received on May 3, 2005, for \$6066.01 was the result of the underestimation of the Complainant's account.

19. On March 31, 2010 the complainant requested a high bill investigation on his account. PGW closed the high bill investigation on April 1, 2010 with the resolution that PGW had addresses the same issue in the **Complainant's initial high bill complaint filed May 16, 2005.**

21. Pursuant to 66. Pa. C.S.A. 3314(a), the Commission's statute of limitations is **(3) years** from which the complained of liability arose.

24. In the instant matter, the Complainant did not contact PGW to dispute findings of May 2005 even after the Complainant had been informed of the amount and reason for the bill for previously unbilled usage.

25. The Complainant has exceeded the time in which to file a Complaint on the balance of his account as affected by the May 2005 bill.

26. The Complaint should be dismissed for exceeding the time in which to file a complaint.

**New Matter Response (Darryl Hicks Complainant)**

12. This information provided by the respondent verifies the Complainant being excessively billed due to PGW employee error during meter exchange. PGW's Mr. Willie E. Smith, Dispute Resolution Unit, provided me a Gas Usage Analysis of Account #0061 1150 8257 dated April 1, 2010. The report indicates the meter readings and dates, which verify that **PGW indexed meter 1640845 at 28104** (not 8104) as stated by respondent. This five digit number was an impossible meter reading on meter 1640845 that only had four dials. The PGW employee further violated meter exchange procedures by not recording the termination index number on new meter #1795555 as required by regulations noted below:

Basic Procedure: 3/2004 #9

1. Fill in all required data completely on the meter information and warning sticker tag attached to the face of the new meter

Basic Procedure: 8/2009 #11

2. 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 meter) on the Meter Issue Record and on the meter information and warning sticker attached to the front of the new meter. (form #067-6420)

15. The incorrect meter reading of meter No. 1795555 indexed at 28104 instead of 8104 caused excessive charges. As I have previously questioned how can a five digit meter reading be obtained from a meter with only four dials.

19. PGW's records show that complainant filed dispute on at least two dates in May of 2005 which were timely manner to dispute this bill. PGW never produced meter to verify reading therefor Complainant carried dispute as never resolved. April 1, 2010 Dispute Resolution Unit of PGW finally provide correct information of meter indexing for May of 2005.

21. & 25. PGW admits to initial high bill complaint made 5.16.2005, so these statements are not true according to their own records!

  
Darryl Hicks  
462 W. Winona Street

Philadelphia, Pa. 19144

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

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PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

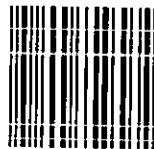
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Secretary  
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