

**COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In the Matter of:

Docket No. C-2012-2304167--SBG Management Services, Inc. (Elrae) v. Philadelphia Gas Works  
Docket No. C-2012-2304183--SBG Management Services, Inc. v. Philadelphia Gas Works  
Docket No. C-2012-2304215--SBG Management Services, Inc. v. Philadelphia Gas Works  
Docket No. C-2012-2304303--SBG Management Services, Inc. (v. Philadelphia Gas Works  
Docket No. C-2012-2304324--SBG Management Services, Inc. v. Philadelphia Gas Works  
Docket No. C-2012-2308454--SBG Management Services, Inc. v. Philadelphia Gas Works  
Docket No. C-2012-2308462--SBG Management Services, Inc. v. Philadelphia Gas Works  
Docket No. C-2012-2308465--SBG Management Services, Inc. v. Philadelphia Gas Works  
Docket No. C-2012-2334253--SBG Management Services, Inc./Colonial Garden Realty Co., L.P. v. Philadelphia Gas Works

**CERTIFICATE OF SERVICE**

I hereby certify that on December 9, 2013, I have served the foregoing Complainants' Answer to PGW's Motion for Reconsideration, upon the Secretary for the Pennsylvania Public Utility by e-filing and a copy of the same upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54:


VIA Email and/or First Class Mail only:

For the PA Public Utility Commission:  
Administrative Law Judge Eranda Vero  
PA Public Utility Commission  
Suite 4063--801 Market Street  
Philadelphia, PA 19107  
Email: evero@pa.gov

For Respondent:  
Laureto Farinas, Esquire, Philadelphia Gas Works  
Attorney for PGW and Respondents  
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Phil Pulley and Kathy Treadwell, SBG Management Services, Inc.:  
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Date: December 9, 2013

BY:   
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Pennsylvania Attorney I.D. No.—45118

**ATTORNEY FOR COMPLAINANTS AND  
SBG MANAGEMENT SERVICES, INC.**

# **SBG Management Services, Inc.**

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December 9, 2013

Administrative Law Judge Eranda Vero  
Pennsylvania Public Utility Commission  
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Philadelphia, PA 19107  
Email: evero@pa.gov

Laureto Farinas, Esquire  
Senior Attorney—Philadelphia Gas Works  
Attorney for Respondent Philadelphia Gas Works  
800 W. Montgomery Avenue, 4<sup>th</sup> Floor  
Philadelphia, PA 19122

**RE: SBG Management Services, Inc. (and related entities) v. PGW, Docket Nos. C-2012-2304167; C-2012-2304183; C-2012-2304215; C-2012-2304303; C-2012-2304324; C-2012-2308454; C-2012-2308462; C-2012-2308465; and C-2012-2334253**

Dear Judge Vero and Mr. Farinas:

On behalf of the Complainants in the above-referenced matters, an Answer to PGW's Motion for Reconsideration is being filed, today, with the Pennsylvania Public Utility Commission. Copies of the same are being served on you, in accordance with the attached Certificate of Service.

If you have questions or require additional information, please do not hesitate to contact me at 215-260-4562 or as described in the contact information, below. Your assistance in this matter is appreciated.

Sincerely,



Francine Thornton Boone, Esquire  
Attorney for Complainants  
General Counsel, SBG Management Services, Inc.  
P.O. Box 549, Abington, PA 19001  
c: 215-260-4562  
e: [fboone@sbgmanagement.com](mailto:fboone@sbgmanagement.com) or [Booneft@aol.com](mailto:Booneft@aol.com)

Enclosure

cc: Phil Pulley, SBG Management Services, Inc. (by email)  
Kathy Treadwell, SBG Management Services, Inc. (by email)

**COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE PENNSYLVANIA  
PUBLIC UTILITY COMMISSION**

In the (Consolidated) Matters of:

Docket No. C-2012-2304167--SBG Management Services, Inc. (Elrae) v. Philadelphia Gas Works

Docket No. C-2012-2304183--SBG Management Services, Inc. v. Philadelphia Gas Works

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Docket No. C-2012-2308465--SBG Management Services, Inc. v. Philadelphia Gas Works

Docket No. C-2012-2334253--SBG Management Services, Inc./Colonial Garden Realty Co., L.P. v. Philadelphia Gas Works

**ANSWER OF COMPLAINANTS, SBG MANAGEMENT SERVICES, INC. ("COMPLAINANTS"),  
TO THE MOTION OF RESPONDENT, PHILADELPHIA GAS WORKS ("PGW") FOR  
RECONSIDERATION OF THE PENNSYLVANIA UTILITY COMMISSION'S ("COMMISSION")  
NOVEMBER 14, 2013 ORDER.**

Pursuant to the 52 Pa. Code Section 5.421, Complainants file their Answer to the Philadelphia Gas Works ("PGW") Motion for Reconsideration ("Motion"), particularly with respect to Paragraphs 5, 10, and 11, as filed in connection with the above-referenced matter. This Answer is filed and should be considered, if and only if, the Motion to Amend the November 14, 2013 Order as jointly filed by PGW and Complainants ("Motion to Amend") is denied. If the Motion to Amend is granted, then Complainants respectfully request that this Answer is disregarded and treated as moot. If the Motion to Amend is denied, then Complainants respectfully request that this Answer is considered in the alternative. In support of its Answer, Complainants hereby aver the following:

1. Denied. Complainants deny the allegation contained in Paragraph 1 of the

Answer as Complainants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1 of the Motion.

2. Admitted.

3. Admitted.

4. Admitted in part, denied in part. It is admitted that after Respondent responds to the discovery requests, it would be effective and efficient for parties to have a period of time to discuss and potentially eliminate or settle any issues in the cases. The remainder of the allegations in Paragraph 4 are denied as Complainants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 4 of the Motion.

5. Admitted.

6. Admitted.

7. Admitted in part, denied in part. It is admitted that Complainants initially “did not reject[ed] PGW’s proposal out of hand” and conditioned their agreement to Respondent’s proposal on issues related to the litigation. Since the filing of the Motion, Respondent and Complainants have reached a new and separate agreement on extending the discovery deadlines and on continuing the hearings, which is the subject of the a separate Motion filed on 12/3/2013. Therefore, it is denied that **now** Complainants have conditioned their agreement to the proposal as outlined in Paragraph 7 of the Motion, as this “proposal” is no longer outstanding.

8. Admitted. It is admitted that at the time of filing the Answer, PGW was considering a counter proposal by Complainants and a response was expected by November 20, 2013. Further, the parties presented and exchanged subsequent proposals and responses and a subsequent agreement between the parties was reached after November 20, 2013.

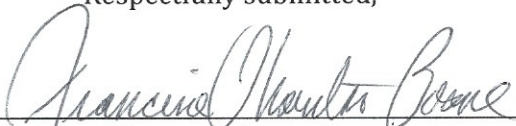
9. Admitted in part; denied in part. It is admitted that the parties have reached an agreement and Complainants respectfully request that the Commission issue an Order to extend the discovery period and to continue the hearing dates as outlined in the Motion to Amend, dated December 3, 2013. If the Motion to Amend is denied and the Commission issues an Order that does not affirm the agreement as outlined in the Motion to Amend, then Complainants argue and allege, in the alternative, that the method described in Paragraphs 3 and 4 should be denied and that the Commission issue an order to Respondent to submit the documents immediately, since we are passed the November 29, 2013 deadline, when the documents were originally due and would have been produced by PGW.

10. Admitted and Agreed.

**WHEREFORE**, for the reasons stated above, Complainants respectfully request that the Commission issue an order consistent with this Answer to PGW's Motion for Reconsideration.

December 9, 2013

Respectfully submitted,



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