



SBG Management Services, Inc.
P.O. Box 549 Abington, PA 19001
Phone 215.938.6665 Fax 215.935-6987

RECEIVED

September 22 , 2014

The Honorable Rosemary Chiavetta
Secretary of the Commission
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

SEP 22 2014

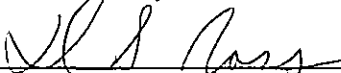
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Re: SBG v. PGW: Complainants' Motion To Dismiss Objections, For Determination of Sufficiency of Answer and To Compel Answers to Request for Admissions

In the Matters of: SBG Management Services, Inc./Colonial Garden Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2304183; SBG Management Services, Inc./Fairmount Realty, v. Philadelphia Gas Works, Docket No. C-2012-2304215 ; SBG Management Services, Inc./Simon Gardens Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2304324; SBG Management Services, Inc./Elrae Garden Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2304167 ; SBG Management Services, Inc./Marshall Square Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2304303; SBG Management Services, Inc./Marchwood Realty v. Philadelphia Gas Works, Docket No. C-2012-2308454; SBG Management Services, Inc./Simon Gardens Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2308460; SBG Management Services, Inc./Oak Lane Realty Co., LP v. Philadelphia Gas Works, Docket No. C-2012-2308462; SBG Management Services, Inc./Fern Rock Realty v. Philadelphia Gas Works, Docket No. C-2012-2308465; and SBG Management Services, Inc./Colonial Garden Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2308469

Dear Madam Secretary Chiavetta:

Kindly accept for filing Complainant's Motions and Certificate of Service thereof in the above-referenced matters. Copies are attached hereto in each of the matters listed above to be filed with the Commission, The Honorable ALJ Eranda Vero and Mr. Farinas for PGW have been served upon the Respondent and all active parties on today's date via U.S. Mail/overnight mail.

Signature: 

Name/Address/Phone: DONNA S. ROSS, ESQUIRE
COUNSEL FOR SBG MANAGEMENT SERVICES, INC.
Mailing Address: P.O. BOX 549
ABINGTON, PA 19001
Street Address: 1095 Rydal Road, Suite325
Rydal, PA 19046
Mobile Phone: 484-888-9578
Office: 215-938-6665; Telefacsimile Number: 215-935-6987
Email: dsross@sbgmanagement.com; dsross90@gmail.com
Pennsylvania Attorney I.D. No. 59747



SBG Management Services, Inc.

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September 22, 2014

The Honorable ALJ Eranda Vero
Pennsylvania Public Utility Commission, Suite 4063,
801 Market Street, Philadelphia, PA 19107

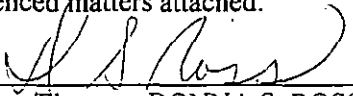
For Pennsylvania Public Utility Commission
Via U.S. Mail First Class/overnight mail

RE: SBG v. PGW: Complainants' Motion to Dismiss Respondent's Objections, For Determination of Sufficiency of Answer and To Compel Responses to Requests for Admissions

In the Matters of: SBG Management Services, Inc./Colonial Garden Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2304183; SBG Management Services, Inc./Fairmount Realty, v. Philadelphia Gas Works, Docket No. C-2012-2304215; SBG Management Services, Inc./Simon Gardens Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2304324; SBG Management Services, Inc./Elrae Garden Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2304167; SBG Management Services, Inc./Marshall Square Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2304303; SBG Management Services, Inc./Marchwood Realty v. Philadelphia Gas Works, Docket No. C-2012-2308454; SBG Management Services, Inc./Simon Gardens Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2308460; SBG Management Services, Inc./Oak Lane Realty Co., LP v. Philadelphia Gas Works, Docket No. C-2012-2308462; SBG Management Services, Inc./Fern Rock Realty v. Philadelphia Gas Works, Docket No. C-2012-2308465; and SBG Management Services, Inc./Colonial Garden Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2308469

Dear Judge Vero:

Enclosed please find my Enclosed please find Complainants' Motions. Copies have been served upon the Commission and to opposing counsel and all relevant parties with Certificate of Service thereof in the above-referenced matters attached.

Signature: 

Name/Address/Phone: DONNA S. ROSS, ESQUIRE
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Pennsylvania Attorney I.D. No. 59747



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September 22, 2014

Mr. Laureto Farinas, Esquire
Philadelphia Gas Works
800 W. Montgomery Avenue, 4th Floor
Philadelphia, PA 19122

For Respondent PGW
Via U.S. Mail First Class/overnight mail

Re: SBG v. PGW: Complainant's Motion to Dismiss Objections, For Determination of Sufficiency of Answer and to Compel Responses to Requests for Admissions

In the Matters of: SBG Management Services, Inc./Colonial Garden Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2304183; SBG Management Services, Inc./Fairmount Realty, v. Philadelphia Gas Works, Docket No. C-2012-2304215 ; SBG Management Services, Inc./Simon Gardens Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2304324; SBG Management Services, Inc./Elrae Garden Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2304167 ; SBG Management Services, Inc./Marshall Square Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2304303; SBG Management Services, Inc./Marchwood Realty v. Philadelphia Gas Works, Docket No. C-2012-2308454; SBG Management Services, Inc./Simon Gardens Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2308460; SBG Management Services, Inc./Oak Lane Realty Co., LP v. Philadelphia Gas Works, Docket No. C-2012-2308462; SBG Management Services, Inc./Fern Rock Realty v. Philadelphia Gas Works, Docket No. C-2012-2308465; and SBG Management Services, Inc./Colonial Garden Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2308469

Dear Mr. Farinas:

Enclosed please find Complainants' Motions. Copies have been served upon the Commission and the Honorable ALJ Eranda Vero, with Certificate of Service thereof in the above-referenced matters attached. **In the future, please direct all correspondence to the address of record as described below.** I look forward to hearing from you and if you have any questions for me, please feel free to contact me on 484-888-9578. Thank you for your time and consideration.

Signature: 

Name/Address/Phone: DONNA S. ROSS, ESQUIRE
COUNSEL FOR SBG MANAGEMENT SERVICES, INC.
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Email: dsross@sbgmanagement.com; dsross90@gmail.com
Pennsylvania Attorney I.D. No. 59747

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SBG MANAGEMENT SERVICES, INC./
COLONIAL GARDEN REALTY, LP
Complainant

V.

PHILADELPHIA GAS WORKS
Respondent

: DOCKET NO. C-2012-2304183

SBG MANAGEMENT SERVICES, INC./
FAIRMOUNT REALTY
Complainant

V.

PHILADELPHIA GAS WORKS
Respondent

: DOCKET NO. C-2012-2304215

SBG MANAGEMENT SERVICES, INC./
SIMON GARDENS REALTY, LP
Complainant

V.

PHILADELPHIA GAS WORKS
Respondent

: DOCKET NO. C-2012-2304324

SBG MANAGEMENT SERVICES, INC./
ELRAE GARDEN REALTY, LP
Complainant

V.

PHILADELPHIA GAS WORKS
Respondent

: DOCKET NO. C-2012-2304167

SBG MANAGEMENT SERVICES, INC./
MARSHALL SQUARE REALTY, LP
Complainant

V.

PHILADELPHIA GAS WORKS
Respondent

: DOCKET NO. C-2012-2304303

SBG MANAGEMENT SERVICES, INC./
MARCHWOOD REALTY
Complainant

V.

PHILADELPHIA GAS WORKS
Respondent

: DOCKET NO. C-2012-2308454

SBG MANAGEMENT SERVICES, INC./
OAK LANE REALTY CO., LP
Complainant

V.

: DOCKET NO. C-2012-2308462

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

SEP 22 2014

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Pennsylvania Attorney ID. NO. 59747

Attorney for Complainants

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SBG MANAGEMENT SERVICES, INC./ COLONIAL GARDEN REALTY, LP <i>Complainant</i>	: DOCKET NO. C-2012-2304183
V.	:
PHILADELPHIA GAS WORKS <i>Respondent</i>	:
SBG MANAGEMENT SERVICES, INC./ FAIRMOUNT REALTY <i>Complainant</i>	: DOCKET NO. C-2012-2304215
V.	:
PHILADELPHIA GAS WORKS <i>Respondent</i>	:
SBG MANAGEMENT SERVICES, INC./ SIMON GARDENS REALTY, LP <i>Complainant</i>	: DOCKET NO. C-2012-2304324
V.	:
PHILADELPHIA GAS WORKS <i>Respondent</i>	:
SBG MANAGEMENT SERVICES, INC./ ELRAE GARDEN REALTY, LP <i>Complainant</i>	: DOCKET NO. C-2012-2304167
V.	:
PHILADELPHIA GAS WORKS <i>Respondent</i>	:
SBG MANAGEMENT SERVICES, INC./ MARSHALL SQUARE REALTY, LP <i>Complainant</i>	: DOCKET NO. C-2012-2304303
V.	:
PHILADELPHIA GAS WORKS <i>Respondent</i>	:
SBG MANAGEMENT SERVICES, INC./ MARCHWOOD REALTY	: DOCKET NO. C-2012-2308454

<p style="text-align: center;"><i>Complainant</i></p> <p>V.</p> <p>PHILADELPHIA GAS WORKS</p> <p style="text-align: center;"><i>Respondent</i></p>	<p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p>	
<p>SBG MANAGEMENT SERVICES, INC./</p> <p>OAK LANE REALTY CO., LP</p> <p style="text-align: center;"><i>Complainant</i></p>	<p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p>	<p>DOCKET NO. C-2012-2308462</p>
<p>V.</p> <p>PHILADELPHIA GAS WORKS</p> <p style="text-align: center;"><i>Respondent</i></p>	<p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p>	
<p>SBG MANAGEMENT SERVICES, INC./</p> <p>FERN ROCK REALTY</p> <p style="text-align: center;"><i>Complainant</i></p>	<p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p>	<p>DOCKET NO. C-2012-2308465</p>
<p>V.</p> <p>PHILADELPHIA GAS WORKS</p> <p style="text-align: center;"><i>Respondent</i></p>	<p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p>	
<p>SBG MANAGEMENT SERVICES, INC./</p> <p>COLONIAL GARDEN REALTY, LP</p> <p style="text-align: center;"><i>Complainant</i></p>	<p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p>	<p>DOCKET NO. C-2012-2334253</p>
<p>V.</p> <p>PHILADELPHIA GAS WORKS</p> <p style="text-align: center;"><i>Respondent</i></p>	<p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p>	

COMPLAINANTS'

SBG MANAGEMENT SERVICES, INC., et al COLONIAL GARDEN REALTY CO. (I and II), FAIRMOUNT REALTY CO., SIMON GARDENS, ELRAE GARDEN REALTY, MARCHWOOD REALTY, FERNROCK REALTY, OAK LANE REALTY CO., L.P., AND MARSHALL SQUARE REALTY ("COMPLAINANTS"), MOTION TO DISMISS PGW'S OBJECTIONS, AND MOTION FOR A DETERMINATION OF SUFFICIENCY OF ANSWER AND TO COMPEL RESPONSES TO COMPLAINANTS' REQUESTS FOR ADMISSIONS PHILADELPHIA GAS WORKS

Pursuant to 52 Pa. Code Sections 5.350(a) – (f), 5.321(c), 5.323(a), Complainants, by their undersigned counsel, hereby move to dismiss the Objections (individually, "Objection" or collectively, "Objections") of Philadelphia Gas Works ("PGW" or "Respondent"), which are attached hereto as Exhibit "A", and requests a determination which compels PGW to answer Complainants' Requests for Admissions, which are attached hereto as "Exhibit "B".. In support of Complainants' motion we aver as follows:

I. SUMMARY

On August 25, 2014 Complainants propounded Requests for Admissions to Respondent /PGW. On September 15, 2014, Respondent served Complainants with their answers. Respondent has objected to seven (7) requests (Numbers, 38, 50, 54, 67, 68, 69, and 91) based upon relevancy. Under the rules of discovery for these proceedings which are governed by 52 Pa. Code §5.323(a) relating to scope of discovery and the subsequent sub-chapters, which are consistent

with the Pa.R.C.P. 4003.3, the responding party who objects in response to requests for admissions at §5.350(3), must be specifically state grounds for objections. A party must not object solely on the ground that the request presents a genuine issue for trial. The respondent may not object and claim that the request is irrelevant, when in fact, the issue may present a genuine issue of fact for trial. It for the presiding officer to determine whether an objection is justified. 52 Pa. Code §5.350(e).

As further explained in the *Explanatory Comment -1978*, Pa.R.C.P 4014 (1) “The scope of the requests is enlarged. The prior Rule permitted requests for admission only as to truth of any relevant matters of fact or the genuineness of any writing, agreement, or record. The revision will cover all matters within the scope of deposition Rules 4003.1 through 4003.5. This includes all matters that relate to the truth of any matter, but also to statements or opinions of fact or of the application of law to fact.”

“Where the respondent believes that a request for admission involves a genuine issue of fact for trial, this alone does not make the request objectionable. He must deny the matter or set forth reasons why he cannot admit or deny it.” Pa.R.C.P. 4014(5) *Explanatory Comment-1978*. 52 Pa. Code §5.372, is consistent with the Pa.R.C.P. sanction Rule 4019(d), which is specifically mentioned in subdivision (b), provides that if, at trial, a party is required to prove that which should have been admitted, the expenses, including counsel fees, of proving such matters may be imposed upon the respondent unless the admission was of no substantial importance, or the request could have been held objectionable, or the respondent reasonably believed he could prevail at trial on the issue, or there was other good reason for the failure to admit.”

Moreover, regarding discovery in these matters under 52 P.S. Code §5.321(c) as to scope ...It is not ground for objection that the information sought will be admissible at hearing if the information sought appears reasonably calculated to lead to the discovery of admissible evidence.

I. Respondent’s objections and refusal to answer are improper where the answers requested are necessary for further developing the theory of Complainants’ cases and aids in the proofs of the allegations presented in its’ Complaints.

1. Respondent objects to Complainants’ Request for Admission No. 38 which reads as follows:

REQUEST FOR ADMISSION NO. 38:

Admit that pursuant to 66 Pa. Code §1408 surcharges for uncollectible expenses are prohibited and that the commission shall not grant or order for any public utility a cash receipts reconciliation clause or another automatic surcharge mechanism for uncollectible expenses.

Respondent's basis to object is that surcharges for uncollectible expenses are not relevant to these proceedings. Respondent is unable to make that determination whether the request is relevant because the answer, whether admitted or denied, may be very relevant to Complainants' allegations, proofs and theory of its case. Respondent is not the presiding officer and trier of fact in this matter. Furthermore, the admission is a direct restatement of the statute. Respondent's objection is obdurate and without basis and shows bad faith. The information is relevant to determine whether PGW imposed such charges on Complainants' accounts.

2. Respondent objects to Request for Admission No. 50 which reads as follows:

REQUEST FOR ADMISSION NO. 50:

Admit that 42 Pa.C.S. § 8101 supersedes 52 Pa. Code § 56.22 limits post judgment interest to 6% per year and supersedes the regulation that provides for assessing 18% interest per year on amounts owed to a public utility.

Respondent's basis to object is relevance and asserted that the only interest charges related to these proceedings is "interest type" charges on late payments. The question itself is a restatement of the statute. Respondent improperly characterizes that the issues related to "interest type" charges are limited to late payment charges only in these matters. The relevancy of this question pertains to whether or not PGW properly calculated post-judgment interest to Complainants' accounts after they had filed liens on their properties. Respondent's objection is obdurate and without basis and shows bad faith. The information is relevant to determine whether PGW's underlying accounting and billing properly calculated late payment interest charges and post-judgment interest and imposed and/or credited such interest to Complainants' bills and statement of accounts. The information is also relevant and pertains to whether PGW properly calculated, credited and imposed proper legal interest charges to Complainants' billings and statement of accounts for service.

3. Respondent objects to Request for Admission No. 54 which reads as follows:

REQUEST FOR ADMISSION NO. 54:

Admit that 42 Pa.C.S. § 8101 limits post judgment interest for an unpaid lined amount or lien to 6% per year from the date of filing the lien.

Respondent objects based upon relevance, but admits that under the statute (42 Pa.C.S. § 8101) post-judgment interest is limited to 6% per year. Again, Respondent is mischaracterizing the issues of these Complaints. The relevancy of this question pertains to whether or not PGW's underlying accounting and billing properly calculated post-judgment interest and imposed and/or credited such interest to Complainants' bills and statement of accounts.

4. Respondent objects to Request for Admission No. 67 which reads as follows:

REQUEST FOR ADMISSION NO. 67:

Admit that in accordance with 52 Pa.Code § 56.266, since 2001, for each Tenant Account for residential service at the named property address or Subject Property (Subject Properties) which are the subject of these Complaints (“Tenant Account(s)”), that PGW, obtained an actual meter reading once service was discontinued at that address location and billed the tenant for said Tenant Account, as the proper and legally responsible residential customer for prior service at the location where service was discontinued.

Respondent objects as to relevance, stating that Tenant Accounts are not part of these proceedings. However, where PGW has provided documents related to their accounting and billing practices showing that Tenant Accounts have been commingled with Complainants’ statement of accounts and PGW has further admitted in Requests Nos. 64 and 65 that it can show through their records that Complainants were the true legally responsible parties who were properly billed, charged and collected for service since the initiation of gas service at the Subject Properties, it is incumbent upon PGW to answer the question and if there is supporting documentation that has been requested by Complainants in discovery to support this contention, then PGW must produce it. (*See 1305 Walnut St. Corp. d/b/a Holiday Inn Express v. Philadelphia Gas Works, 2013 Pa.PUC Lexis 734 (2013)*).

5. Respondent objects to Request for Admissions nos. 68, 69, and 70, all of which relate to whether PGW properly transferred prior balances and sought redress for collections of Tenant accounts. The issue here is whether PGW’s underlying accounting scheme and practices negligently, erroneously and/or wrongfully transferred prior residential service to Tenant accounts to the Subject Properties which is a genuine issue of fact that affects the accuracy and underline correctness of Complainants’ billing statements and statement of accounts. The information is relevant and an answer should be required.

6. Respondent objects to Request for Admission No. 91 based on relevance and that Complainants’ accounts are commercial accounts. This assumes facts not in evidence and furthermore thwarts the real issues of this case of whether PGW properly detailed the billing, calculated, credited, charged and collected proper sums for Complainants’ accounts, all of which affects the accuracy and underline correctness of Complainants’ billing statements and accounts. The information is relevant and an answer should be required.

To the extent that Respondent is concerned with breach of privacy of the Tenant Applicant, Respondent has already provided information and admitted through discovery that Tenant accounts and debts are commingled with Complainants’ accounting determinations in their state-

ment of accounts, which provide the basis of these requests, therefore, Respondent's concerns are unwarranted. Moreover, for the sake of per accounting purposes to determine the accuracy of Complainants' billings, charges, fees and all sums in reference to their accounts, it is necessary to know what Tenant charges are on their accounts in order to back out their sums paid or due in order for Complainants to ascertain their true obligation for gas service.

Under 52 Pa. Code § 5.321.Scope.(c), [i]t is not grounds for objection that the information sought will be inadmissible at hearing if the information sought appears reasonably calculated to lead to the discovery of admissible evidence. Furthermore, it has been determined that the Commission may make a determination related to customer service in determining the underlying calculations as to accuracy of the amount of the billings, charges and liens imposed and adjust accordingly based upon the evidence presented. (See *1305 Walnut St. Corp. d/b/a Holiday Inn Express v. Philadelphia Gas Works*, 2013 Pa.PUC Lexis 734 (2013). Where tenant debt is erroneously placed upon Complainants accounts and liens ensue as a result, the Commission may review and make a determination. The Tenant information is relevant to confirm the tenant portion of the billings as applied to Complainants' statement of accounts, charges and billing transactions..

II. Conclusion:

Respondent's objections should be dismissed and Complainant's motion for determination of sufficiency of answer should be granted, Complainants' seek further relief by respectfully requesting that this Commission compel the Respondent to answer and if they fail to do so to impose necessary and appropriate sanctions. Respondent's objections are without merit and Complainants' requests for admissions are seeking discoverable information relevant to these proceedings. This Commission and the Complainants need the requested information to determine the accuracy of the bills, the appropriate calculation of the outstanding balances, and the proper application of Complainants' payments.

WHEREFORE, for the reasons set forth above and upon consideration of the rules promulgated at 52 Pa.Code §§ 5.323(a) and 5.350, Pa.R.C.P. Rule 4003.3, and 4014 related to discovery in matters before this Commission which has the authority to make a determination on Complainants' Motion, Complainant's respectfully requests that their Motions be granted and that Respondent's objections be dismissed and that the Commission determine the sufficiency of the Respondent's answer is not justified and order the Respondent be compelled to answer fully and completely and produce documents if the answer supports production of documents. Complainant also respectfully requests that Respondent be subjected to the imposition of any and all sanctions that this Commission deems appropriate pursuant to 52 Pa.Code §5.372 and grant any other just and equitable relief as this Commission determines.

Date: 9/22/2014

Respectfully Submitted By:



DONNA S. ROSS, ESQ.
COUNSEL FOR COMPLAINANTS

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

CERTIFICATION OF COUNSEL EFFORTS TO RESOLVE THE DISCOVERY DISPUTES

In accordance with the Pa.R.C.P. 239.3(c) I certify that regarding the motion filed herein, I, Donna S. Ross, Esq., that in good faith that I conferred with counsel for Respondents to resolve the issues pertaining to discovery without court intervention prior to filing this instrument, and we were unable to resolve our differences on these issues. Therefore, Complainants are filing this Motion to Dismiss, For Determination of Sufficiency of Answer and to Compel Responses for Respondent's failure to provide the answers requested.

Date: 9/22/2014

BY: 

DONNA S. ROSS, ESQUIRE
COUNSEL FOR SBG MANAGEMENT SERVICES, INC.
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Pennsylvania Attorney I.D. No. 59747

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COMMONWEALTH OF PENNSYLVANIA
BEFORE THE PENNSYLVANIA PUBLIC
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In the Matter of:

Re: Motions to Dismiss Objections, Determination of Sufficiency of Answer and To Compel Answers

In the Matters of: SBG Management Services, Inc./Colonial Garden Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2304183; SBG Management Services, Inc./Fairmount Realty, v. Philadelphia Gas Works, Docket No. C-2012-2304215; SBG Management Services, Inc./Simon Gardens Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2304324; SBG Management Services, Inc./Elrae Garden Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2304167; SBG Management Services, Inc./Marshall Square Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2304303; SBG Management Services, Inc./Marchwood Realty v. Philadelphia Gas Works, Docket No. C-2012-2308454; SBG Management Services, Inc./Simon Gardens Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2308460; SBG Management Services, Inc./Oak Lane Realty Co., LP v. Philadelphia Gas Works, Docket No. C-2012-2308462; SBG Management Services, Inc./Fern Rock Realty v. Philadelphia Gas Works, Docket No. C-2012-2308465; and SBG Management Services, Inc./Colonial Garden Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2308469

Certificate of Service

I hereby certify that as of today's date, I have served the foregoing instrument in the above referenced matters, upon the parties set forth below, via First Class, U.S. mail/overnight delivery and/or by hand delivery to all parties as listed below, in accordance with the requirements of 52 Pa.Code Section 1.54 and the PA Public Utility Commission Orders.

The Honorable ALJ Eranda Vero
Pennsylvania Public Utility Commission, Suite 4063,
801 Market Street, Philadelphia, PA 19107

For Pennsylvania Public Utility Commission
Via U.S. Mail First Class/overnight mail

Mr. Laureto Farinas, Esquire
Philadelphia Gas Works
800 W. Montgomery Avenue, 4th Floor
Philadelphia, PA 19122

For Respondent PGW
Via U.S. Mail First Class/overnight mail

Mr. Phil Pulley and Ms. Kathy Treadwell
SBG Management Services, Inc.
P.O. Box 459, Abington, PA 19001

For Complainants
Via Hand Delivery

The Honorable Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265, Harrisburg, PA 17105-3265

For Pennsylvania Public Utility Commission
Via U.S. Mail First Class/overnight mail

Date: 9/22/2014

By: 

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Email: dsross@sbgmanagement.com; dsross90@gmail.com
Pennsylvania Attorney ID. No. 59747

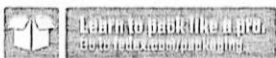
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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

From Please print and press hard. Date 9/22/2014 Sender's FedEx Account Number 2393-0508-3 Sender's Name Donna Ross, Esq. Phone (215) 938-6665 Company SBG MANAGEMENT Address 1095 RYDAL RD City RYDAL State PA ZIP 19046-1711

Your Internal Billing Reference. To Recipient's Name Mrs. Rosemary Chiarella, Secretary Phone (717) 772-7777 Company PA-PUC Address Commonwealth Keystone Bldg 400 North Street Harrisburg PA 17120 0115759565



4 Express Package Service Packages up to 150 lbs. FedEx First Overnight, FedEx Priority Overnight, FedEx Standard Overnight, FedEx 2Day AM, FedEx 2Day, FedEx Express Saver

5 Packaging FedEx Envelope, FedEx Pak, FedEx Box, FedEx Tube, Other

6 Special Handling and Delivery Signature Options SATURDAY Delivery, No Signature Required, Direct Signature, Indirect Signature

Does this shipment contain dangerous goods? No, Yes, Dry Ice, Cargo Aircraft Only

7 Payment Bill to: Sender, Recipient, Third Party, Credit Card, Cash/Check. Total Packages 1, Total Weight 1.4, Total Declared Value \$

Your liability is limited to USD\$100 unless you declare a higher value. See back for details.

PLEASE RETAIN THIS COPY BEFORE AFFIXING TO THE PACKAGE. NO FURTHER NEEDED.

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Your Internal Billing Reference. To Recipient's Name Ms. Frank Vera, Esq. Phone (215) 560-2105 Company PA-PUC Address 501 Market St Suite 4063 Philadelphia PA 19107 0115759565



4 Express Package Service Packages up to 150 lbs. FedEx First Overnight, FedEx Priority Overnight, FedEx Standard Overnight, FedEx 2Day AM, FedEx 2Day, FedEx Express Saver

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Your Internal Billing Reference. To Recipient's Name Mr. Laureto Farinas, Esq. Phone (215) 684-6982 Company FGW Address 800 W. Montgomery Ave 4th Floor Philadelphia PA 19122 0115759565



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