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

September 30, 2014

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

RECEIVED

SEP 29 2014


PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Re: SBG v. PGW: Complainants' Motion In Limine & Applications for Subpoenas

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 Motion and Applications for Subpoenas 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 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

COUNSEL FOR SBG MANAGEMENT SERVICES, INC.

Mailing Address: P.O. BOX 549

ABINGTON, PA 19001

Street Address: 1095 Rydal Road

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

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.
PHILADELPHIA GAS WORKS
Respondent

: DOCKET NO. C-2012-2308462

RECEIVED

SEP 29 2014

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**SBG MANAGEMENT SERVICES, INC./
FERN ROCK REALTY**

Complainant

V.

PHILADELPHIA GAS WORKS

Respondent

:
: DOCKET NO. C-2012-2308465

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

Complainant

V.

PHILADELPHIA GAS WORKS

Respondent

:
: DOCKET NO. C-2012-2334253

NOTICE TO PLEAD

TO: PHILADELPHIA GAS WORKS, RESPONDENT:

Pursuant to 52 Pa. Code Section 5.371, you are hereby notified to file a written response to this Motion In Limine which was served on this date, of the above-captioned matters, within five (5) days from service hereof or you may be deemed to be in default and relevant facts stated in these pleadings may be deemed admitted, the Pennsylvania Public Utility Commission ("Commission") may rule on this Motion without further input, and a judgment may be entered against you. All pleadings, such as an Answer to the enclosed Motion, must be filed with the Secretary of the Commission, with a copy served on the undersigned counsel for Complainants.

Date: 9/29/2014

Respectfully Submitted By: Donna S. Ross
DONNA S. ROSS
COUNSEL FOR COMPLAINANTS
Mailing Address: P.O. Box 549, Abington, PA 19001
Street Address: 1095 Rydal Road, Rydal, PA 19046
Mobile Phone: 484-888-9578
Office: 215-938-6665; facsimile: 215-935.6587
Email: dsross@sbgmanagement.com; dsross90@gmail.com
Pa. Attorney Id. No. 59747

RECEIVED

SEP 29 2014

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Donna S. Ross, Esquire
SBG Property Management Services, Inc.
P.O. Box 549
Abington, PA 19001
Phone: 484-888-9578
Office: 215-938-6665
Facsimile: 215-938-7613
Email: dsross90@gmail.com; dsross@sbgmanagement.com
Pennsylvania Attorney ID. NO. 59747

Attorney for Complainants

RECEIVED

SEP 29 2014

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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 <i>Complainant</i>	:	DOCKET NO. C-2012-2308454
V.	:	
PHILADELPHIA GAS WORKS	:	

<i>Respondent</i>	:	
	:	
SBG MANAGEMENT SERVICES, INC./	:	
OAK LANE REALTY CO., LP	:	DOCKET NO. C-2012-2308462
<i>Complainant</i>	:	
v.	:	
PHILADELPHIA GAS WORKS	:	
<i>Respondent</i>	:	
	:	
SBG MANAGEMENT SERVICES, INC./	:	
FERN ROCK REALTY	:	DOCKET NO. C-2012-2308465
<i>Complainant</i>	:	
v.	:	
PHILADELPHIA GAS WORKS	:	
<i>Respondent</i>	:	
	:	
SBG MANAGEMENT SERVICES, INC./	:	
COLONIAL GARDEN REALTY, LP	:	DOCKET NO. C-2012-2334253
<i>Complainant</i>	:	
v.	:	
PHILADELPHIA GAS WORKS	:	
<i>Respondent</i>	:	

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 IN LIMINE TO EXCLUDE ANY EVIDENCE THAT WAS NOT TIMELY DISCLOSED IN RESPONSE TO DISCOVERY REQUESTS SERVED TO RESPONDENT

AND NOW, comes Complainants, by their undersigned counsel, hereby move to exclude any evidence offered at hearing/trial by Respondent, PGW that was not timely disclosed in response to propounded discovery and requests for admissions served by Complainants in these matters, pursuant to the rules of discovery found at 52 Pa.Code § 5.323 et. seq., 5.331 et al. related to the sequencing and timing of discovery. These rules are promulgated in accordance with the scope of discovery and trial preparation generally codified at 52 Pa.Code § 5.321(c) and 5.323(a), 5.323(b)(1) and (2) pertaining to hearing preparation material which is consistent with Pa.R.C.P. Rule 4003.3 and subject to Rule 4003.1 (Scope of Discovery Generally). In support of the motion in limine, Complainants aver as follows:

1. Procedural History of Discovery In These Consolidated Matters.

1. Discovery in these matters has been lengthy and contentious between the parties.
2. On July 23, 2014, the presiding officer, ALJ Vero issued an Order imposing a mandatory schedule and definitive date closing discovery, including all responses and objections to any existing or new discovery propounded by the parties, by September 15, 2014. *(See Order of ALJ Eranda Vero dated July 23, 2014, attached hereto as Exhibit "A")*.

3. The Order dated July 23, 2014 also imposed the deadline of October 6, 2014 for filing any and all discovery motions, pre-hearing motions and applications for subpoenas.
4. On August 21, 2014, ALJ Vero issued an Order on Complainants' Motion for Sanctions for Respondent's failure to comply with certain discovery requests in Complainants' Set II Interrogatories and Requests for Production of Documents. In paragraph 7 of the Order, ALJ Vero held that if Respondent/PGW failed again to comply with the Order, PGW would be precluded from introducing **“any evidence in the form of testimony, exhibits, examples or documentation, at the remaining hearing and in the pre-filed testimony presented by PGW, to be used by PGW to defend against Complainants' cases in chief or in PGW's defenses that requires the use of, relates to or refers to' the missing information in PGW's response to Complainants' Set II-38”** interrogatory and request for production [sic].
5. On July 30, 2014, Complainants filed a timely Motion to Compel and moved for Sanctions against Respondent to answer certain subject interrogatories from Set III of Interrogatories and Requests for Production of Documents, which to date has not been decided by the Commission.
6. On September 15, 2014, Complainants filed a timely Motion to Compel and moved for Sanctions against Respondent to answer certain subject interrogatories and produce documents from Set IV of propounded Interrogatories and Requests for Production of Documents, which to date has not been decided by the Commission.
7. On September 22, 2014, Complainants filed a timely Motion to Compel and Determination of Sufficiency of Answer and moved for Sanctions against Respondent to answer Requests for Admissions from Complainants' propounded Requests for Admissions, which to date has not been decided by the Commission.

II. Legal Points of Authority

8. Respondent/PGW has repeatedly asserted that it has complied with all discovery requests as ordered and has provided Complainants with all the information and supporting documentation available and in its possession related to Complainants' propounded discovery. However, on September 24, 2014, upon reviewing PGW's responses to discovery, Complainants' counsel had to contact opposing counsel and request verifications for PGW personnel who gave responses to Set II and Set III discovery requests which were due in October 2013, July 2014 and September 2014 respectively.
9. It is axiomatic for Complainants to conclude and rely upon PGW's assertions that they have fully complied with all discovery requests subject to the Orders of the presiding officer. Complainants can conclude that anything in the form of statements, documents, writings, reports, analyses, data, correspondence, notes, electronic data, contact screens, etc. as requested in the propounded requests not turned over to Complainants by the close of discovery on September 15, 2014 would confirm that PGW has no other evidence in its possession, does not exist and that no such documents or

- related information has ever existed in response to the propounded interrogatories, requests for production of documents, statements, and requests for admissions, thus without the existence of such, PGW would be precluded from introducing evidence to the contrary at the hearings.
10. The purpose of the discovery rules is to prevent surprise and unfairness and to allow a fair trial on the merits. (*See Linder v. Churnetski Transportation, Inc.*, 360 Pa.Super. 366, 520 A.2d 502, 503 (Pa.Super. 1987).
 11. In *Gonzales v. Procaccio Bros. Trucking, Co.*, 268 Pa.Super. 245, 407 A.2d 1338, 1341 (Pa.Super. 1979), the Pennsylvania Superior Court acknowledged that the preclusion of testimony at trial may be an appropriate remedy to avoid undue surprise based on inadequate discovery responses.
 12. The *Gonzales* court stated, “Pa.R.C.P. No. 4019 envisions a procedure by which the court, when confronted with a failure or refusal to answer interrogatories, will exercise judicial discretion in formulating an appropriate sanction order.” *Id.* at 1341.
 13. The court will balance the the substantive rights of the parties with procedural need to move the case to a prompt disposition. *Ibid.*
 14. Counsel has a right to rely on interrogatories as complete and full after the close of discovery, to hold otherwise renders the rules of discovery and discovery deadlines obsolete. (*Petrina v. Mattleman*, 2011 Phila.Ct. Com. Pl. Lexis 116 (May 2011) *affirmed without opinion* 40 A.3d 182 (Pa. Super. Ct. 2011).
 15. The discovery rules governing these proceedings also provide that if statements requested to a party are not provided to the requesting party, the requesting party may move for an order from the presiding officer. 52 Pa.Code § 5.323(b).
 16. Where Respondent has not provided information nor has not turned over discovery by September 15, 2014, the closing date for discovery in these matters per ALJ Vero’s July 23, 2014 order, Respondent should be precluded from introducing “any evidence in the form of testimony, exhibits, examples or documentation, at the remaining hearing and in the pre-filed testimony presented by PGW, to be used by PGW to defend against Complainants’ cases in chief or in PGW’s defenses that requires the use of, relates to or refers to the missing information in PGW’s responses, that such information does not exist and has never existed, thus is not in their possession, regarding PGW’s duty to supply information that has not been disclosed by the court’s deadline to close discovery on September 15, 2014.
 17. Where the presiding officer may take the stance that this request is pre-mature given the fact that the outstanding motions to compel before her and yet undecided may direct Respondent to provide timely additional answers and documents related to Complainants’ Set III, Set IV and Requests for Admissions, Complainants respectfully request that the presiding officer stay her ruling on this motion until all discovery matters are decided.

18. Complainants are filing this Motion at this time to comply with the presiding officer's order dated July 23, 2014, paragraph 3, setting an October 6, 2014 deadline for the Commission to receive all discovery motions, pre-hearing motions and applications for subpoenas.
19. Complainants request the opportunity to reassert an oral motion to exclude evidence prior to the hearings to be scheduled on these matters should PGW be ordered to provide subsequent information consistent with her rulings in the motions before her and also impose a time deadline upon PGW to provide the information no later than thirty days before the hearings so that Complainants have adequate time to review and evaluate the information and file appropriate pleadings before trial to avoid surprise. In the alternative, Complainants request an opportunity to file amended motions, pleadings and responses to incorporate the presiding officer's rulings and determinations consistent with the pending motions before the presiding officer.
20. Complainants further request an opportunity to file for supplemental applications for subpoena(s) to call witnesses at hearing should any additional newly obtained information be provided by PGW pursuant to an Order of the presiding officer to prevent surprise at the hearing.

III. Conclusion:

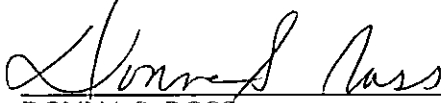
Complainants Motion in Limine should be granted for the following: 1) Pursuant to the Order dated July 23, 2014, all discovery closed on September 15, 2014. 2) Pursuant to the Order dated July 23, 2014, all discovery motions, pre-hearing motions and applications for subpoenas are due October 6, 2014. 3) Complainants are still in need of discovery as requested in Sets, II, III, IV and Requests for Admissions from Respondent. 4) Complainants are preparing for trial/hearing relying upon the information and discovery received from PGW as of the closing date for discovery, September 15, 2014. 4) Any additional information that PGW would introduce at the hearing would be highly prejudicial, unfair, and prevent Complainants from properly preparing their cases to forward their claims and defend against PGW. 5) Pennsylvania Rules of Discovery, the administrative rules governing these proceedings and case law precedent supports Complainants' assertions herein that their motion in limine should be granted. 6) To the extent that the presiding officer rules on the outstanding motions pending before her and decides that PGW must provide additional information, Complainants request the opportunity to file amended motions, pleadings, responses consistent with those rulings, apply for subpoenas to call witnesses not otherwise identified in discovery that has been received by September 15, 2014 and/or reassert an oral motion in limine prior to the hearings on these matters.

WHEREFORE, for the reasons set forth above and upon consideration of the rules of discovery found at 52 Pa.Code § 5.323 et. seq., 5.331 et al. related to the sequencing and timing of discovery, the scope of discovery and trial preparation generally codified at 52 Pa.Code § 5.321(c) and 5.323(a), 5.323(b)(1) and (2) regarding hearing preparation material all of which are consistent with

Pa.R.C.P. Rule 4003.3 which is subject to Rule 4003.1 (Scope of Discovery Generally). Complainants' respectfully request that their Motion be granted and that Respondent be excluded from introducing any evidence in the form of testimony, exhibits, examples or documentation, at the remaining hearing and in the pre-filed testimony presented by PGW, to be used by PGW to defend against Complainants' cases in chief or in PGW's defenses that requires the use of, relates to or refers to the missing information and that such information, documentation or the like does not exist and, thus not in their possession, as determined by PGW's responses where the information sought by Complainants' was not provided at the close of discovery as of September 15, 2014, or as further determined by an Order of the presiding officer.

Date: 9/29/2014

Respectfully Submitted By:



DONNA S. ROSS,
COUNSEL FOR COMPLAINANTS

COMMONWEALTH OF PENNSYLVANIA
BEFORE THE PENNSYLVANIA PUBLIC
UTILITY COMMISSION

In the Matter of:

Re: Motion In Limine

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

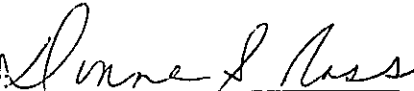
Mr. Phil Pulley and Ms. Kathy Treadwell
SBG Management Services, Inc.
P.O. Box 459, Abington, PA 19001

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: 9/29/2014

By: 

DONNA S. ROSS
SBG MANAGEMENT SERVICES, INC.
P.O. Box 549
Abington, PA 19001
Phone: 484-888-9578
Office: 215-938-6665
Facsimile: 215-938-7613
Email: dsross@sbgmanagement.com; dsross90@gmail.com
Pennsylvania Attorney ID. No. 59747

RECEIVED

SEP 29 2014

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SBG Management Services, Inc. /
Fairmount Manor Realty Co., L.P.

v.

C-2012-2304215

Philadelphia Gas Works

SBG Management Services, Inc. /
Elrea Garden Realty Co., L.P.

v.

C-2012-2304167

Philadelphia Gas Works

SBG Management Services, Inc. /
Marshall Square Realty Co, L.P.

v.

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU C-2012-2304303

Philadelphia Gas Works

SBG Management Services, Inc. /
Colonial Garden Realty Co., L.P.

v.

C-2012-2304183

Philadelphia Gas Works

SBG Management Services, Inc. /
Simon Garden Realty Co., L.P.

v.

C-2012-2304324

Philadelphia Gas Works

SBG Management Services, Inc. /
Colonial Garden Realty Co., LP.

v.

C-2012-2334253

Philadelphia Gas Works

RECEIVED

SEP 29 2014

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU C-2012-2304303

Exhibit "A"

SBG Management Services, Inc. / Marchwood Realty	:	
	:	
v.	:	C-2012-2308454
	:	
Philadelphia Gas Works	:	
	:	
SBG Management Services, Inc. / Oak Lane Realty Co., LP	:	
	:	
v.	:	C-2012-2308462
	:	
Philadelphia Gas Works	:	
	:	
SBG Management Services, Inc. / Fernrock Realty	:	
	:	
v.	:	C-2012-2308465
	:	
Philadelphia Gas Works	:	

DISCOVERY ORDER

I. **HISTORY OF THE PROCEEDING**

On October 9, 2013, the Complainants served Set II of Interrogatories and Requests for Production of Documents on the Respondent, PGW. The Complainants' Set II of Interrogatories and Requests for Production of Documents consisted of 44 interrogatories. On October 21, 2013, PGW filed timely objections to Complainants' Interrogatories and Requests Production of Documents. On October 30, 2013, the Complainants filed a Motion to deny PGW's objections and to compel responses to the Complainants' Interrogatories and Requests for Production of Documents Set II (Motion to Compel). The Respondent's Answer to the Complainants' Motion to Compel was filed on November 4, 2013.

On November 14, 2013, I issued an Order granting, in part, and denying, in part, the Complainants' Motion to Compel.

On November 19, 2013, the Respondent filed a Motion for Reconsideration of paragraphs 5, 10, and 11 of the November 14, 2013 Order (Motion for Reconsideration) requesting additional time to respond to Complainants' Set II of Interrogatories and Requests Production of Documents.

On December 3, 2013, the Complainants and the Respondent filed a Joint Motion to Amend the November 14, 2013 Order to Extend the Time to Conduct Discovery and to Continue the Hearing Dates in the Nine Consolidated Matters (Joint Motion). In their Joint Motion, the parties averred that they had reached an agreement on the extension of time to answer the Complainants' Set II-Discovery Requests and requested a continuance of the scheduled hearings in order to allow the Respondent to provide the required information and the Complainants to review it. The parties stated that they had negotiated this proposal in good faith and believed it to be helpful to the development of facts critical to a resolution of these cases.

By Order dated December 9, 2013, I granted the Parties' Joint Motion requesting an extension of the time to conduct discovery and a continuance of the hearings scheduled in these cases.¹

On January 2, 2014, the Complainants filed a Second Motion to Compel a full response and complete answer to Complainants' Request for Production of Documents and Interrogatories, Set II, Interrogatory No. 26 (Second Motion to Compel). This Motion did not contain a certification by counsel setting forth the specific actions the parties have undertaken to resolve their discovery disputes informally. See Prehearing Order dated March 27, 2013, ¶ 9, in each of the above captioned Complaints.

By e-mail dated January 21, 2014, counsel for PGW informed me that the parties had informally agreed to extend the period of time that PGW had to respond to Complainants' Set II of Interrogatories and Requests Production of Documents from January 17, 2014, to January 31, 2014, and requested that any evidentiary hearing in the three sets of consolidated matters be scheduled after March 31, 2014. The Complainants did not object to this request.

¹ The granting of this Joint Motion rendered Respondent's Motion for Reconsideration moot.

PGW's communication of January 21, 2014, was essentially a request to amend the ordering paragraphs of my December 9, 2013 Order, and was treated as such. By Order dated February 4, 2014, I granted PGW's request to amend the December 9, 2013 Order to extend the time to conduct discovery and to continue the hearing dates. In particular, the February 4, 2014 Order extended the period of time available to PGW for proving a full and complete response to Complainants' Set II of Interrogatories and Requests for Production of Documents to January 31, 2014.

On February 10, 2014, the Complainants filed an Amended Second Motion to Compel. On February 18, 2014, PGW filed its response to Complainants' Amended Second Motion to Compel.

On April 9, 2014, I issued an Order granting, in part, and denying, in part, the Complainants' Amended Second Motion to Compel. The Order denied the Complainants' Amended Second Motion to Compel supplemental responses with regard to Complainants' Set II discovery requests numbered 14, 17, 18, 19, 20, 21, 26, 28, 31, 33, 34, 35, 37, 38, and 39. The Order also directed PGW to submit supplemental responses to Complainants' Set II discovery requests numbered 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 22, 23, 24, 27, 29, 30, and 36, within forty-five (45) days from the day of that Order, or by May 27, 2014.² See April 9, 2014 Order, Ordering Paragraphs ## 3, 4.

On April 14, 2014, the Complainants filed a Motion for Reconsideration of the April 9, 2014 Order. In particular, the Complainants requested that I reconsider and/or modify my ruling concerning Complainants Set II-17, 18, 19, 21, 35, 36, 37, 38, and 39. On May 5, 2014, the Respondent filed its response to the Complainants' Motion for Reconsideration of the April 9, 2014 Order.

On May 12, 2014, I issued an Order which granted the Complainants' Motion for Reconsideration of the April 9, 2014 Order only to the extent that it instructed PGW to submit a

² May 25, 2014 fell on a Sunday and May 26, 2014 was a holiday.

supplemental response to Complainants Set II-38 within the original 45-day deadline set by the April 9, 2014 Order, and denied the remainder of the Motion.

By e-mail dated June 6, 2014 and time stamped 11:09 a.m., counsel for the Complainants, Ms. Boone, informed me that the parties had agreed to extend PGW's time to file the supplemental responses to Complainants' Set II of Interrogatories and Requests for Production of Documents on the Respondent from May 27, 2014 to June 27, 2014. The parties had also agreed to extend the Complainants' time to file a motion to compel to July 11, 2014. This information was confirmed by PGW's counsel's own e-mail to me dated June 6, 2014 and time stamped 11:23 a.m.

At 1:27 p.m. on the same day, I acknowledged receipt of the information from the parties and I took the opportunity to warn the parties against any attempt to abuse the discovery proceedings. I also clarified my expectations for the parties concerning the rest of the discovery proceedings.

On June 10, 2014, I received a copy of PGW's objections to Complainants' Set III of Interrogatories and Requests for Production of Documents (Complainants' Set III), which was served on PGW on May 28, 2014, and consists of 28 interrogatories.

By e-mail dated June 10, 2014, I inquired with the parties as to whether this new round of discovery requests was affected by the latest agreement between the parties with regard to the time frame for responding to Complainants' Set II of Interrogatories and Requests for Production of Documents (Complainants' Set II).

By e-mail dated June 10, 2014, and time stamped at 3:46 p.m., Ms. Boone informed me that the parties were requesting the following adjustments to the prior agreement: 1) that PGW's responses to Complainants' Set II and Set III would be due on June 27, 2014; and 2) that any of SBG's motions to compel to PGW's responses to Complainants' Set II and Set III would be due on July 16, 2014.

I responded to Ms. Boone's last communication via e-mail dated June 10, 2014, and time stamped at 5:32 p.m., and took the opportunity to clarify a few points concerning the discovery proceedings in these matters. *Inter alia*, I explained that the Commission's regulations do not provide for Motions to an ALJ for Reconsideration of the ALJ's Order; that the Complainants' Set II and Set III are separate and distinct from each other; and that no motions should be filed that attempt to address both. I emphasized to the parties that, at this point in the discovery proceedings, I would not accept any more motions to compel PGW's responses to Complainants' Set II. In addition, I acknowledged that the parties had extended SBG's time for filing discovery motions from July 11, 2014, to July 16, 2014, and reminded them of the overall history of these cases.

Finally, I provided the parties with a blank Discovery Plan Form designed to urge the parties to plan for the conclusion of the discovery proceedings. I informed the parties of my intention to hold a Discovery Conference with the parties on the second week of July and asked you to inform me of your availability.

On June 13, 2014, I received from PGW a Certificate of Service for its Set I of Interrogatories and Request for Production of Documents (PGW's Set I).

On July 3, 2014 I issued a Discovery Order, which informed the parties, *inter alia*, that a Discovery Conference was scheduled for July 11, 2014, at 1:30 p.m., and requested that they submit discovery memoranda, essentially completing the Discovery Plan Form.

Both parties submitted their Discovery Memoranda timely. Through their respective Discovery Memoranda the parties informed me that they had agreed to extend the period of time for the Complainants to respond to PGW's Set I from July 3, 2014,³ to "the end of August 2014." In addition, the parties informed me that they had agreed, yet again, to extend the time for PGW's responses to SBG's Set II and III from June 27, 2014, to July 11, 2014. See the Complainants' Discovery Memorandum, page 16. As required by my July 3, 2014 Order, the

³ See 52 Pa.Code § 5.342.

parties submitted their discovery plans containing deadlines for the completion of the various stages of discovery proceedings.

The Discovery Conference was held as scheduled on July 11, 2014, at 1:30 p.m. Both parties appeared represented by counsel. After reviewing the discovery plans submitted by the parties and addressing some of the issues raised by them at the Discovery Conference, the following discovery schedule shall be adopted:

1. Discovery on the above-captioned matters will be completed by September 15, 2014. This includes all responses and objections to any existing or new discovery requests propounded by the parties.
2. Each party is limited to ten (10) new, not already propounded, interrogatories or requests for production of documents, with no more than four (4) subsections each.
3. The last date for filing any and all discovery motions, prehearing motions, and applications for subpoenas is October 6, 2014.⁴
4. A prehearing conference will be scheduled to take place on October 30, 2014.

THEREFORE,

IT IS ORDERED:

1. That discovery on the above captioned-matters will be completed by September 15, 2014. This includes all responses and objections to any existing or new discovery requests propounded by the parties.

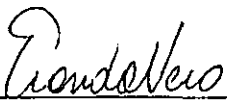
⁴ This date has been modified from the September 30, 2014 deadline set at the Discovery Conference in order to allow the parties more time to prepare the motions and applications for subpoenas.

2. That each party shall be limited to ten (10) new, not already propounded, interrogatories or requests for production of documents, with no more than four (4) subsections each.

3. That the last date for filing any and all discovery motions, prehearing motions, and applications for subpoenas is October 6, 2014.

4. That a prehearing conference shall be scheduled to take place on October 30, 2014 on the above-captioned cases.

Date: July 23, 2014



Eranda Vero
Administrative Law Judge

SBG Management Services, Inc./Fairmount Manor Realty Co., L.P.; SBG Management Services, Inc./Elrea Garden Realty Co., L.P.; SBG Management Services, Inc./Marshall Square Realty Co, L.P.; SBG Management Services, Inc./Colonial Garden Realty Co., L.P.; SBG Management Services, Inc./Simon Garden Realty Co., L.P.; SBG Management Services, Inc./Colonial Garden Realty Co., LP.; SBG Management Services, Inc./Marchwood Realty; SBG Management Services, Inc./Oak Lane Realty Co., LP; SBG Management Services, Inc./Fernrock Realty v. Philadelphia Gas Works
Docket Numbers C-2012-2304215, C-2012-2304167, C-2012-2304303, C-2012-2304183, C-2012-2304324, C-2012-2334253, C-2012-2308454, C-2012-2308462, C-2012-2308465

SERVICE LIST

Francine Thornton Boone, Esquire
SBG Management Services, Inc.
P.O. Box 549
Abington, PA 19001
215-260-4562

Laureto Farinas, Esquire
Philadelphia Gas Works
4th Floor
800 W. Montgomery Avenue
Philadelphia, PA 19122
215-684-6982

 **SBG Management Services, Inc.**

P.O. Box 549 Abington, PA 19001
Phone 215.938.6665 Fax 215.935.6987

September 29, 2014

RECEIVED

SEP 29 2014

VIA U.S. MAIL, Overnight Delivery

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

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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

RE: Application for Subpoenas to Attend and Testify at Trial

Dear Judge Vero:

Pursuant to 1 Pa. Code §35.142(a) [*Issuance of Subpoenas*], I am seeking your signature on the applications of the enclosed Subpoenas in order for said Subpoenas to be issued for Trial purposes with regard to the above-referenced matters, in order to comply with the court's deadline for such requests of October 6, 2014. At this time, I respectfully request that you sign the enclosed Subpoenas as well as provide me with a hearing date, time and location/place so that I may insert this information on the subpoenas prior to the service of same; then, kindly return the signed Subpoenas to me in the self-addressed, stamped envelope provided herein for service. Motions before the court regarding discovery in these matters are still pending. To the extent that Complainants' may be entitled to receive additional discovery after the Court rules on the pending discovery motions, I respectfully request the opportunity to submit supplemental applications for subpoenas to other persons not mentioned in these requests should the need arise.

The subpoenas will be served to the following individuals, who are Respondent's current and/or former employees whom we are requesting to attend and testify at the hearings to be scheduled by the Commission because these individuals' names and titles were provided by PGW in response to Complainants' discovery requests and, they were further noted by Respondent as PGW employees with knowledge and information pertinent to the instant matter:

1. Bernard L. Cummings, V.P. Customer Service & Collections;
2. Ralph T. Savage, III, Director of the Customer Resource Center (a/k/a Ted Savage);
3. Tyra Jackson, Director of Regulatory Compliance;
4. Tiffany Higgins, Manager of the Customer Review Unit;
5. Linda Pereira, Senior Customer Review Officer;
6. Ramya Rajan, Manager of the Customer Resource Center;
7. Randy Hollman, (formerly of) Customer Resource Center;
8. Anne Marie Cromley (retired)
9. John Dunn, III
10. The Honorable Daniel D. McCafferty, Philadelphia County Court of Common Pleas
11. Phred Jones, PGW

Thank you for your kind consideration.

Respectfully yours,



Donna S. Ross
Counsel for Complainants

DSR/jb
Enclosures

cc: Mr. Laureto Farinas, Esquire (w/enc.)
Secretary Madam Rosemary Chiavetta (w/enc.)



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In the Matter of:
SBG Management Services, Inc., et al.

Docket Nos.: C-2012-2304183; C-2012-2304215;
C-2012-2304324; C-2012-2304167;
C-2012-2304303; C-2012-2308454;
C-2012-2308460; C-2012-2308462;
C-2012-2308465; C-2012-2308469

vs.

Philadelphia Gas Works

SUBPOENA

To: John J. Dunn, III – 5635 Wisteria Ave, Pennsauken, NJ 08109-1243
(Name and Address)

Pursuant to the authority of this Commission under §§309, 331(d)(2) and 333(j) of the Public Utility Code:

1. YOU ARE ORDERED by the Commission to come to _____
(place)
_____, at _____

Pennsylvania, on _____, at _____ o'clock, in the above case, to testify
(date)
on behalf of the Complainants and to remain until excused;

2. And bring with you and produce the following: Any and all documents, writings, reports, correspondence, materials, data/information, financial accounting records, recordings and other verified proofs and information that have not already been provided, upon which you relied in support of your responses provided to Complainants' discovery requests and actions taken by you pertaining to the above-captioned matters.

This subpoena is issued subject to the provisions of 52 Pa. Code §5.421 (with regard to issuance, notice, service and witness fees).

BY THE COMMISSION

Date _____

Administrative Law Judge

Commonwealth of Pennsylvania

)
) SS:
)

County of

AFFIDAVIT OF SERVICE

Before me, the undersigned authority, personally appeared _____
who, being duly sworn according to law, deposes and says that he/she served a true and correct
copy of the within SUBPOENA upon _____
by handing the same to him/her at _____ on the
_____ day of _____, 2014 at _____ a.m./p.m.

(Signature)

Sworn to and subscribed before me
this _____ day of _____, 2014

Notary Public



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In the Matter of:
SBG Management Services, Inc., et al.

Docket Nos.: C-2012-2304183; C-2012-2304215;
C-2012-2304324; C-2012-2304167;
C-2012-2304303; C-2012-2308454;
C-2012-2308460; C-2012-2308462;
C-2012-2308465; C-2012-2308469

vs.

Philadelphia Gas Works

SUBPOENA

To: Bernard L. Cummings, V.P. Customer Service & Collections – Philadelphia Gas Works
800 W. Montgomery Avenue, Philadelphia, PA 19122
(Name and Address)

Pursuant to the authority of this Commission under §§309, 331(d)(2) and 333(j) of the Public Utility Code:

1. YOU ARE ORDERED by the Commission to come to _____
(place)
_____, at _____

Pennsylvania, on _____, at _____ o'clock, in the above case, to testify
(date)
on behalf of the Complainants and to remain until excused;

2. And bring with you and produce the following: Any and all documents, writings, reports, correspondence, materials, data/information, financial accounting records, recordings and other verified proofs and information that have not already been provided, upon which you relied in support of your responses provided to Complainants' discovery requests and actions taken by you pertaining to the above-captioned matters.

This subpoena is issued subject to the provisions of 52 Pa. Code §5.421 (with regard to issuance, notice, service and witness fees).

BY THE COMMISSION

Date _____

Administrative Law Judge

Commonwealth of Pennsylvania

)

) SS:

County of

)

AFFIDAVIT OF SERVICE

Before me, the undersigned authority, personally appeared _____
who, being duly sworn according to law, deposes and says that he/she served a true and correct
copy of the within SUBPOENA upon _____
by handing the same to him/her at _____ on the
_____ day of _____, 2014 at _____ a.m./p.m.

(Signature)

Sworn to and subscribed before me
this _____ day of _____, 2014

Notary Public



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In the Matter of:
SBG Management Services, Inc., et al.

Docket Nos.: C-2012-2304183; C-2012-2304215;
C-2012-2304324; C-2012-2304167;
C-2012-2304303; C-2012-2308454;
C-2012-2308460; C-2012-2308462;
C-2012-2308465; C-2012-2308469

vs.

Philadelphia Gas Works

SUBPOENA

To: Ralph T. Savage, III, Director of the Customer Resource Center (a/k/a Ted Savage) – Philadelphia Gas Works 800 W. Montgomery Avenue, Philadelphia, PA 19122
(Name and Address)

Pursuant to the authority of this Commission under §§309, 331(d)(2) and 333(j) of the Public Utility Code:

1. YOU ARE ORDERED by the Commission to come to _____
(place)
_____, at _____

Pennsylvania, on _____, at _____ o'clock, in the above case, to testify
(date)
on behalf of the Complainants and to remain until excused;

2. And bring with you and produce the following: Any and all documents, writings, reports, correspondence, materials, data/information, financial accounting records, recordings and other verified proofs and information that have not already been provided, upon which you relied in support of your responses provided to Complainants' discovery requests and actions taken by you pertaining to the above-captioned matters.

This subpoena is issued subject to the provisions of 52 Pa. Code §5.421 (with regard to issuance, notice, service and witness fees).

BY THE COMMISSION

Date _____

Administrative Law Judge

Commonwealth of Pennsylvania

)

) SS:

County of

)

AFFIDAVIT OF SERVICE

Before me, the undersigned authority, personally appeared _____
who, being duly sworn according to law, deposes and says that he/she served a true and correct
copy of the within SUBPOENA upon _____
by handing the same to him/her at _____ on the
_____ day of _____, 2014 at _____ a.m./p.m.

(Signature)

Sworn to and subscribed before me
this _____ day of _____, 2014

Notary Public



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In the Matter of:
SBG Management Services, Inc., et al.

Docket Nos.: C-2012-2304183; C-2012-2304215;
C-2012-2304324; C-2012-2304167;
C-2012-2304303; C-2012-2308454;
C-2012-2308460; C-2012-2308462;
C-2012-2308465; C-2012-2308469

vs.

Philadelphia Gas Works

SUBPOENA

To: Tyra Jackson, Director of Regulatory Compliance – Philadelphia Gas Works
800 W. Montgomery Avenue, Philadelphia, PA 19122
(Name and Address)

Pursuant to the authority of this Commission under §§309, 331(d)(2) and 333(j) of the Public Utility Code:

1. YOU ARE ORDERED by the Commission to come to _____
(place)
_____, at _____

Pennsylvania, on _____, at _____ o'clock, in the above case, to testify
(date)
on behalf of the _____ Complainants _____ and to remain until excused;

2. And bring with you and produce the following: Any and all documents, writings, reports, correspondence, materials, data/information, financial accounting records, recordings and other verified proofs and information that have not already been provided, upon which you relied in support of your responses provided to Complainants' discovery requests and actions taken by you pertaining to the above-captioned matters.

This subpoena is issued subject to the provisions of 52 Pa. Code §5.421 (with regard to issuance, notice, service and witness fees).

BY THE COMMISSION

Date _____

Administrative Law Judge

Commonwealth of Pennsylvania

)

) SS:

County of

)

AFFIDAVIT OF SERVICE

Before me, the undersigned authority, personally appeared _____
who, being duly sworn according to law, deposes and says that he/she served a true and correct
copy of the within SUBPOENA upon _____
by handing the same to him/her at _____ on the
_____ day of _____, 2014 at _____ a.m./p.m.

(Signature)

Sworn to and subscribed before me
this _____ day of _____, 2014

Notary Public



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In the Matter of:
SBG Management Services, Inc., et al.

vs.

Philadelphia Gas Works

Docket Nos.: C-2012-2304183; C-2012-2304215;
C-2012-2304324; C-2012-2304167;
C-2012-2304303; C-2012-2308454;
C-2012-2308460; C-2012-2308462;
C-2012-2308465; C-2012-2308469

SUBPOENA

To: Tiffany Higgins, Manager of the Customer Review Unit – Philadelphia Gas Works
800 W. Montgomery Avenue, Philadelphia, PA 19122
(Name and Address)

Pursuant to the authority of this Commission under §§309, 331(d)(2) and 333(j) of the Public Utility Code:

1. YOU ARE ORDERED by the Commission to come to _____
(place)
_____, at _____

Pennsylvania, on _____, at _____ o'clock, in the above case, to testify
(date)
on behalf of the Complainants and to remain until excused;

2. And bring with you and produce the following: Any and all documents, writings, reports, correspondence, materials, data/information, financial accounting records, recordings and other verified proofs and information that have not already been provided, upon which you relied in support of your responses provided to Complainants' discovery requests and actions taken by you pertaining to the above-captioned matters.

This subpoena is issued subject to the provisions of 52 Pa. Code §5.421 (with regard to issuance, notice, service and witness fees).

BY THE COMMISSION

Date _____

Administrative Law Judge

Commonwealth of Pennsylvania)
) SS:
County of)

AFFIDAVIT OF SERVICE

Before me, the undersigned authority, personally appeared _____
who, being duly sworn according to law, deposes and says that he/she served a true and correct
copy of the within SUBPOENA upon _____
by handing the same to him/her at _____ on the
_____ day of _____, 2014 at _____ a.m./p.m.

(Signature)

Sworn to and subscribed before me
this _____ day of _____, 2014

Notary Public



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In the Matter of:
SBG Management Services, Inc., et al.

Docket Nos.: C-2012-2304183; C-2012-2304215;
C-2012-2304324; C-2012-2304167;
C-2012-2304303; C-2012-2308454;
C-2012-2308460; C-2012-2308462;
C-2012-2308465; C-2012-2308469

vs.

Philadelphia Gas Works

SUBPOENA

To: Linda Pereira, Senior Customer Review Officer – Philadelphia Gas Works
800 W. Montgomery Avenue, Philadelphia, PA 19122
(Name and Address)

Pursuant to the authority of this Commission under §§309, 331(d)(2) and 333(j) of the Public Utility Code:

1. YOU ARE ORDERED by the Commission to come to _____
(place)
_____, at _____

Pennsylvania, on _____, at _____ o'clock, in the above case, to testify
(date)
on behalf of the _____ Complainants _____ and to remain until excused;

2. And bring with you and produce the following: Any and all documents, writings, reports, correspondence, materials, data/information, financial accounting records, recordings and other verified proofs and information that have not already been provided, upon which you relied in support of your responses provided to Complainants' discovery requests and actions taken by you pertaining to the above-captioned matters.

This subpoena is issued subject to the provisions of 52 Pa. Code §5.421 (with regard to issuance, notice, service and witness fees).

BY THE COMMISSION

Date _____

Administrative Law Judge

Commonwealth of Pennsylvania)
) SS:
County of)

AFFIDAVIT OF SERVICE

Before me, the undersigned authority, personally appeared _____
who, being duly sworn according to law, deposes and says that he/she served a true and correct
copy of the within SUBPOENA upon _____
by handing the same to him/her at _____ on the
_____ day of _____, 2014 at _____ a.m./p.m.

(Signature)

Sworn to and subscribed before me
this _____ day of _____, 2014

Notary Public



**COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In the Matter of:
SBG Management Services, Inc., et al.

Docket Nos.: C-2012-2304183; C-2012-2304215;
C-2012-2304324; C-2012-2304167;
C-2012-2304303; C-2012-2308454;
C-2012-2308460; C-2012-2308462;
C-2012-2308465; C-2012-2308469

vs.

Philadelphia Gas Works

SUBPOENA

To: Ramya Rajan, Manager of the Customer Resource Center – Philadelphia Gas Works
800 W. Montgomery Avenue, Philadelphia, PA 19122
(Name and Address)

Pursuant to the authority of this Commission under §§309, 331(d)(2) and 333(j) of the Public Utility Code:

1. YOU ARE ORDERED by the Commission to come to _____
(place)
_____, at _____

Pennsylvania, on _____, at _____ o'clock, in the above case, to testify
(date)
on behalf of the Complainants and to remain until excused;

2. And bring with you and produce the following: Any and all documents, writings, reports, correspondence, materials, data/information, financial accounting records, recordings and other verified proofs and information that have not already been provided, upon which you relied in support of your responses provided to Complainants' discovery requests and actions taken by you pertaining to the above-captioned matters.

This subpoena is issued subject to the provisions of 52 Pa. Code §5.421 (with regard to issuance, notice, service and witness fees).

BY THE COMMISSION

Date _____

Administrative Law Judge

Commonwealth of Pennsylvania)
) SS:
County of)

AFFIDAVIT OF SERVICE

Before me, the undersigned authority, personally appeared _____
who, being duly sworn according to law, deposes and says that he/she served a true and correct
copy of the within SUBPOENA upon _____
by handing the same to him/her at _____ on the
_____ day of _____, 2014 at _____ a.m./p.m.

(Signature)

Sworn to and subscribed before me
this _____ day of _____, 2014

Notary Public



**COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In the Matter of:
SBG Management Services, Inc., et al.

Docket Nos.: C-2012-2304183; C-2012-2304215;
C-2012-2304324; C-2012-2304167;
C-2012-2304303; C-2012-2308454;
C-2012-2308460; C-2012-2308462;
C-2012-2308465; C-2012-2308469

vs.

Philadelphia Gas Works

SUBPOENA

To: Randy Hollman (formerly of) Customer Resource Center – Philadelphia Gas Works
800 W. Montgomery Avenue, Philadelphia, PA 19122
(Name and Address)

Pursuant to the authority of this Commission under §§309, 331(d)(2) and 333(j) of the Public Utility Code:

1. YOU ARE ORDERED by the Commission to come to _____
(place)
_____, at _____

Pennsylvania, on _____, at _____ o'clock, in the above case, to testify
(date)
on behalf of the Complainants and to remain until excused;

2. And bring with you and produce the following: Any and all documents, writings, reports, correspondence, materials, data/information, financial accounting records, recordings and other verified proofs and information that have not already been provided, upon which you relied in support of your responses provided to Complainants' discovery requests and actions taken by you pertaining to the above-captioned matters.

This subpoena is issued subject to the provisions of 52 Pa. Code §5.421 (with regard to issuance, notice, service and witness fees).

BY THE COMMISSION

Date _____

Administrative Law Judge

Commonwealth of Pennsylvania)
) SS:
County of)

AFFIDAVIT OF SERVICE

Before me, the undersigned authority, personally appeared _____
who, being duly sworn according to law, deposes and says that he/she served a true and correct
copy of the within SUBPOENA upon _____
by handing the same to him/her at _____ on the
_____ day of _____, 2014 at _____ a.m./p.m.

(Signature)

Sworn to and subscribed before me
this _____ day of _____, 2014

Notary Public



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In the Matter of:
SBG Management Services, Inc., et al.

Docket Nos.: C-2012-2304183; C-2012-2304215;
C-2012-2304324; C-2012-2304167;
C-2012-2304303; C-2012-2308454;
C-2012-2308460; C-2012-2308462;
C-2012-2308465; C-2012-2308469

vs.

Philadelphia Gas Works

SUBPOENA

To: Anne Marie Cromley (retired) – Philadelphia Gas Works
625 Flamingo Street, Philadelphia, PA 19128
(Name and Address)

Pursuant to the authority of this Commission under §§309, 331(d)(2) and 333(j) of the Public Utility Code:

1. YOU ARE ORDERED by the Commission to come to _____
(place)
_____, at _____

Pennsylvania, on _____, at _____ o'clock, in the above case, to testify
(date)
on behalf of the Complainants and to remain until excused;

2. And bring with you and produce the following: Any and all documents, writings, reports, correspondence, materials, data/information, financial accounting records, recordings and other verified proofs and information that have not already been provided, upon which you relied in support of your responses provided to Complainants' discovery requests and actions taken by you pertaining to the above-captioned matters.

This subpoena is issued subject to the provisions of 52 Pa. Code §5.421 (with regard to issuance, notice, service and witness fees).

BY THE COMMISSION

Date _____

Administrative Law Judge

Commonwealth of Pennsylvania)
) SS:
County of)

AFFIDAVIT OF SERVICE

Before me, the undersigned authority, personally appeared _____
who, being duly sworn according to law, deposes and says that he/she served a true and correct
copy of the within SUBPOENA upon _____
by handing the same to him/her at _____ on the
_____ day of _____, 2014 at _____ a.m./p.m.

(Signature)

Sworn to and subscribed before me
this _____ day of _____, 2014

Notary Public



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In the Matter of:
SBG Management Services, Inc., et al.

Docket Nos.: C-2012-2304183; C-2012-2304215;
C-2012-2304324; C-2012-2304167;
C-2012-2304303; C-2012-2308454;
C-2012-2308460; C-2012-2308462;
C-2012-2308465; C-2012-2308469

vs.

Philadelphia Gas Works

SUBPOENA

To: Phred Jones – Philadelphia Gas Works
800 W. Montgomery Avenue, Philadelphia, PA 19122
(Name and Address)

Pursuant to the authority of this Commission under §§309, 331(d)(2) and 333(j) of the Public Utility Code:

1. YOU ARE ORDERED by the Commission to come to _____
(place)
_____, at _____

Pennsylvania, on _____, at _____ o'clock, in the above case, to testify
(date)
on behalf of the Complainants and to remain until excused;

2. And bring with you and produce the following: Any and all documents, writings, reports, correspondence, materials, data/information, financial accounting records, recordings and other verified proofs and information that have not already been provided, upon which you relied in support of your responses provided to Complainants' discovery requests and actions taken by you pertaining to the above-captioned matters.

This subpoena is issued subject to the provisions of 52 Pa. Code §5.421 (with regard to issuance, notice, service and witness fees).

BY THE COMMISSION

Date _____

Administrative Law Judge

Commonwealth of Pennsylvania

)

) SS:

County of

)

AFFIDAVIT OF SERVICE

Before me, the undersigned authority, personally appeared _____
who, being duly sworn according to law, deposes and says that he/she served a true and correct
copy of the within SUBPOENA upon _____
by handing the same to him/her at _____ on the
_____ day of _____, 2014 at _____ a.m./p.m.

(Signature)

Sworn to and subscribed before me
this _____ day of _____, 2014

Notary Public



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In the Matter of:
SBG Management Services, Inc., et al.

Docket Nos.: C-2012-2304183; C-2012-2304215;
C-2012-2304324; C-2012-2304167;
C-2012-2304303; C-2012-2308454;
C-2012-2308460; C-2012-2308462;
C-2012-2308465; C-2012-2308469

vs.

Philadelphia Gas Works

SUBPOENA

To: Honorable Daniel McCaffery – Court of Common Pleas of Philadelphia County,
Trial Division-Criminal, City Hall-Room 534, Philadelphia, PA 19107
(Name and Address)

Pursuant to the authority of this Commission under §§309, 331(d)(2) and 333(j) of the Public Utility Code:

1. YOU ARE ORDERED by the Commission to come to _____
(place)
_____, at _____

Pennsylvania, on _____, at _____ o'clock, in the above case, to testify
(date)
on behalf of the _____ Complainants _____ and to remain until excused;

2. And bring with you and produce the following: Any and all documents, writings,
reports, correspondence, materials, data/information, financial accounting records, recordings
and other verified proofs and information that have not already been provided, upon which you
relied in support of your responses provided to Complainants' discovery requests and actions
taken by you pertaining to the above-captioned matters.

This subpoena is issued subject to the provisions of 52 Pa. Code §5.421 (with regard to issuance, notice, service and witness fees).

BY THE COMMISSION

Date _____

Administrative Law Judge

Commonwealth of Pennsylvania)
) SS:
County of)

AFFIDAVIT OF SERVICE

Before me, the undersigned authority, personally appeared _____
who, being duly sworn according to law, deposes and says that he/she served a true and correct
copy of the within SUBPOENA upon _____
by handing the same to him/her at _____ on the
_____ day of _____, 2014 at _____ a.m./p.m.

(Signature)

Sworn to and subscribed before me
this _____ day of _____, 2014

Notary Public

00032

00100

FedEx Package Express **US Airbill**

FedEx Tracking Number

8063 1205 4182

Form ID No. 0215

Recipient's Copy

1 From [Redacted] Date 9/29/2014

Sender's Name Donna S. Ross Esq Phone 215 938-6665

Company SBG MANAGEMENT

Address 1095 RYDAL RD

City RYDAL State PA ZIP 19048-1711

PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

2 Your Internal Billing Reference

3 To Recipient's Name Hon. Rosemary Chiavetta Phone 717 772-7777

Company SECRETARY PA PUC

Address 400 NORTH STREET We cannot deliver to P.O. boxes or P.O. ZIP codes. Dept./Floor/Suite/Room

Address PA PUC Commonwealth Bldg Use this line for the HOLD location address or for continuation of your shipping address

City Harrisburg State PA ZIP 17105-3265

0115759565



8063 1205 4182

RECEIVED

SEP 29 2014 Dept./Floor/Suite/Room

4 Express Package Service * To most locations NOTE: Service order has changed. Please select carefully.

Packages up to 150 lbs. For packages over 150 lbs., use the FedEx Express Freight US Airbill

Next Business Day

2 or 3 Business Days

FedEx First Overnight Earliest next business morning delivery to select locations. Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected

FedEx 2Day A.M. Second business morning * Saturday Delivery NOT available.

FedEx Priority Overnight Next business morning * Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected

FedEx 2Day Second business afternoon * Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.

FedEx Standard Overnight Next business afternoon * Saturday Delivery NOT available

FedEx Express Saver Third business day * Saturday Delivery NOT available

5 Packaging * Declared value limit \$500

FedEx Envelope * FedEx Pnk * FedEx Box FedEx Tube Other

6 Special Handling and Delivery Signature Options

SATURDAY Delivery NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver

No Signature Required Package may be left without obtaining a signature for delivery

Direct Signature Someone at recipient's address may sign for delivery. Fee applies.

Indirect Signature If no one is available at recipient's address, someone at a neighboring address may sign for delivery. For residential deliveries only. Fee applies.

Does this shipment contain dangerous goods?

No Yes As per attached Shipper's Declaration. Yes Shipper's Declaration not required.

Dry Ice Dry Ice, 3 UN 1845 _____ kg

Dangerous goods (including dry ice) cannot be shipped in FedEx packaging or placed in a FedEx Express Drop Box

Cargo Aircraft Only

7 Payment Bill to:

Enter FedEx Acct. No. or Credit Card No. below.

Obtain recip. Acct. No.

Sender Acct. No. in Section 1 will be billed Recipient Third Party Credit Card Cash/Check

Total Packages

Total Weight

Credit Card Auth.

*Our liability is limited to US\$100 unless you declare a higher value. See the current FedEx Service Guide for details

611

fedex.com 1800.GoFedEx 1800.463.3339

fedex.com 1800.GoFedEx 1800.463.3339