

SBG Management Services, Inc.
P.O. Box 549 Abington, PA 19001
Phone 215.938.6665 Fax 215.935.6987

October 18, 2017

VIA ELECTRONIC FILING

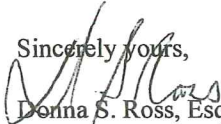
Rosemary Chiavetta, Secretary
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17105-3265

**Re: SBG Response and Motion PGW's Supplemental Petition For Rehearing of the
Commission's December 8, 2016 Final Order in the matters of:
SBG Management Services, Inc./Colonial Garden Realty Co., L.P v. PGW.; Docket No. C-
2012-2304183 and SBG Management Services, Inc./Simon Garden Realty Co., L.P. v. PGW;
Docket No. C-2012-2304324**

Dear Secretary Chiavetta:

Please accept for filing SBG's Response and Motion To Deny and Strike the Rebuttal and Rejoinder
Testimony of Bernard Cummings and Attached Exhibits to PGW's Supplemental Petition for Rehearing of
the Commission's December 8, 2016 Final Order which was filed by PGW on October 3, 2017.

Sincerely yours,


Donna S. Ross, Esquire

Cc: Certificate of Service
Hon. Eranda Vero, ALJ
Daniel Clearfield, Esq.
Laureto Farinas, Esq.

Equal Housing Opportunity
Equal Opportunity Employer

"SBG Management and the owner of the property in question do not discriminate on the basis of handicap
status in the admission to, or treatment of employment in its federally assisted programs and activities." 1

COMMONWEALTH OF PENNSYLVANIA
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

In the Matter of:

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./Simon Gardens Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2304324

Certificate of Service

I hereby certify that 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/email

Mr. Daniel Clearfield, Esquire
Ms. Karen O. Moury, Esquire
Mr. Carl Shultz, Esquire
Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Floor
Harrisburg, PA 17101

For Respondent PGW

Via U.S. Mail First Class/email

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
400 North ST, 2nd Fl, Harrisburg, PA 17105-3265

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

Date: 10/18/2017

By:



DONNA S. ROSS, ESQUIRE
SBG MANAGEMENT SERVICES, INC.
P.O. Box 549
Abington, PA 19001
Phone: 484-888-9578
Facsimile: 215-938-6987
Email: dsross@sbgmanagement.com;
dsross90@gmail.com
Pennsylvania Attorney ID. No. 59747

Equal Housing Opportunity
Equal Opportunity Employer

"SBG Management and the owner of the property in question do not discriminate on the basis of handicap status in the admission to, or treatment of employment in its federally assisted programs and activities." 2

**BEFORE THE
PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

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/SIMON GARDEN REALTY CO. L.P. AND
COLONIAL GARDEN REALTY CO., L.P.'S
ANSWER TO PGW'S SUPPLEMENTAL PETITION FOR REHEARING OF THE
COMMISSION'S DECEMBER 8, 2016 FINAL ORDER**

Respectfully Submitted By,

Donna S. Ross, Esquire
Attorney for SBG Management Services, Inc./
Colonial Garden Realty Co. L.P. and Simon Garden Realty Co. L.P.
P.O. Box 549
Abington, PA 19001
215-938-6665 (phone)
484-888-9578 (mobile)
dsross@sbgmanagement.com
dsross90@gmail.com

In the Matter of:

SBG's Answer to PGW's Supplemental Petition for Reconsideration/Rehearing

In the Matters of: SBG Management Services, Inc./Colonial Garden Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2304183 and SBG Management Services, Inc./Simon Gardens Realty, LP v. Philadelphia Gas Works, Docket No. C-2012-2304324

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Honorable ALJ Eranda Vero
PA PUC
801 Market Street, Suite 4063
Philadelphia, PA 19107
For Pa PUC

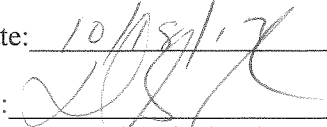
Mr. Daniel Clearfield, Esquire
Ms. Karen Moury, Esquire
Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Fl
Harrisburg, PA 17105
For PGW

Mr. Laureto Farinas, Esquire
PGW
800 W. Montgomery Avenue, 4th Fl
Philadelphia, PA 19122
For PGW

Mr. Phil Pulley and Ms. Kathy Treadwell
For SBG

Hon. Rosemary Chiavetta, Secretary
PA PUC
400 North Street, 2nd Fl
Harrisburg, PA 17105-3265
For PA PUC

Date: 10/18/12

By: 

DONNA S. ROSS, ESQUIRE
For SBG MANAGEMENT SERVICES, INC.
P.O. Box 549
Abington, PA 19001
Phone: 484-888-9578
Fax : 215-938-6987
Attorney ID No : 59747
Dsross90@gmail.com
dsross@sbgmanagement.com

**SBG Answer to PGW's 10/3/2017 Supplemental Petition for Rehearing of the
Commission's December 8, 2016 Final Order**

AND NOW, Respondent, SBG Management Services Inc./Colonial Garden Realty Co., L.P. and Simon Garden Realty Co., L.P. ("SBG" or Complainants), by and through their counsel, Donna S. Ross, Esquire, hereby responds to PGW's Supplemental Petition for Rehearing and in thereof responds as follows:

1. Admitted.
2. Admitted.
3. Neither admitted, nor denied. PGW's petition seeks to admit hearsay testimony, incomplete, unauthenticated documentation from a General Base Rate proceeding docketed at R-2017-22586783 to which Respondent, SBG et al is not an interested or participating party, which is a fundamental denial of equal protection and due process under the law.
4. Admitted.
5. Admitted.
6. Admitted in part. Denied in part. PGW's allegations calls for a legal conclusion.
7. Admitted.
8. Denied. SBG is without sufficient information to form a response to the allegation.
9. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
10. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
11. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
12. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
13. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
14. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
15. Denied.

16. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
17. Denied. Admitted to the extent that in these complaint proceedings docketed at C-2012-2304183 and C-2012-2304324, there were several witnesses that testified before the Commission regarding PGW's illegal payment posting practices.
18. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
19. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
20. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
21. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
22. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
23. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
24. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
25. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
26. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
27. Denied in part. Admitted in part. The statement calls for a legal conclusion, no response is required.
28. Denied in part. Admitted in part. The statement calls for a legal conclusion, no response is required.
29. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
30. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.

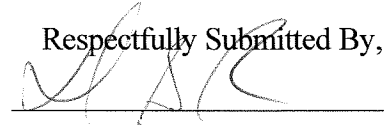
31. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
32. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
33. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
34. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
35. Denied, SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
36. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
37. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
38. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
39. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
40. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
41. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
42. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
43. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.
44. Denied. PGW's petition fails to advance any new or novel theories or arguments not previously considered by the Commission upon reviewing PGW's Exceptions. As such, the Petition does not meet the standard of review warranted to reopen the proceeding.
Pennsylvania Public Utility Commission v. PECO Energy Co., M-00960820, P.U.R. 4th Slip Opinion, (February 12, 1999).

45. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.

46. Denied. SBG is without sufficient information to form a response because SBG is not a party to the action alleged and has not been notified of such action as alleged.

Wherefore, it is only as a result of this litigation that PGW's concealed fiscal schemes were discovered and as a matter of law and public policy the Commission must ensure that PGW's financial accounting practices are conducted in accordance with the Tariff and comports with the Public Utility Code to effect just and reasonable rates for ratepayers. SBG respectfully request that this honorable Commission deny PGW's relief requested and issue a final order consistent with the findings of fact and conclusions of law articulated in its Final Order and Opinion dated December 8, 2016.

Respectfully Submitted By,



Donna S. Ross

Attorney for Complainants

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

Simon Garden Realty Co. L.P.

Dated: 10/18/2017