



COMMONWEALTH OF PENNSYLVANIA

September 7, 2018

E-FILED

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Petition of UGI Utilities, Inc. – Electric Division for Approval of Phase III of its Energy Efficiency and Conservation Plan / Docket No. M-2018-3004144

Dear Secretary Chiavetta:

Enclosed please find the Answer, Public Statement, and Verification, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,


Steven C. Gray
Assistant Small Business Advocate
Attorney ID No. 77538

Enclosures

cc: Robert D. Knecht
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of UGI Utilities, Inc. – Electric :
Division for Approval of Phase III of its : **Docket No. M-2018-3004144**
Energy Efficiency and Conservation :
Plan :

**ANSWER OF THE
OFFICE OF SMALL BUSINESS ADVOCATE**

Pursuant to 52 Pa. Code § 5.61 (relating to answers to petitions), the Office of Small Business Advocate (“OSBA”) submits this Answer to the Petition of UGI Utilities, Inc. – Electric Division (“UGI” or the “Company”) for Approval of Phase III of its Energy Efficiency and Conservation (“EE&C”) Plan (“*Petition*”) that was filed with the Pennsylvania Public Utility Commission (“Commission”) on August 21, 2018.

Responses to the *Petition’s* Numbered Paragraphs

Introduction

1. The averments of Paragraph 1 contain conclusions of law to which no response is required. By way of further response, 66 Pa. C.S. §§ 102 and 2803 speak for themselves. The remaining averments of Paragraph 1 are denied, as the OSBA has no first-hand knowledge of those facts.

2. The averments of Paragraph 2 contain conclusions of law to which no response is required. By way of further response, Act 129, the December 23, 2009, Secretarial Letter cited by the Company in Paragraph 2, and 66 Pa. C.S. § 2806 speak for themselves.

3. Admitted.

4. Admitted.

5. Admitted.
6. Admitted.
7. Admitted.
8. Admitted.
9. Admitted.
10. Admitted.
11. Admitted.
12. Admitted.
13. Admitted.
14. Admitted.
15. Admitted.

Applicable Standards

16. The averments of Paragraph 16 contain conclusions of law to which no response is required. By way of further response, the Secretarial Letter cited by the Company in Paragraph 16 speaks for itself.

17. The averments of Paragraph 17 contain conclusions of law to which no response is required. By way of further response, the various Commission Orders cited by the Company in Paragraph 17 speak for themselves. The remaining averments of Paragraph 17 are denied, and strict proof thereof is demanded.

18. The averments of Paragraph 18 contain conclusions of law to which no response is required. By way of further response, any Commission pronouncements on the issues set forth in Paragraph 18 speak for themselves.

Overview of UGI Electric's EE&C Plan

19. The averments of Paragraph 19 contain summaries of UGI's request for relief to which no response is required. By way of further response, the OSBA admits that the Company included a multi-page document titled "UGI Electric Exhibit 1" with the *Petition*. To the extent a response is required, the averments regarding "Exhibit 1" are denied, and strict proof thereof is demanded.

20. The averments of Paragraph 20 contain summaries of UGI's request for relief to which no response is required. To the extent a response is required, the averments of Paragraph 20 are denied, and strict proof thereof is demanded.

21. The averments of Paragraph 21 contain summaries of UGI's request for relief to which no response is required. To the extent a response is required, the averments of Paragraph 21 are denied, and strict proof thereof is demanded.

22. The averments of Paragraph 22 contain summaries of UGI's request for relief to which no response is required. By way of further response, the OSBA admits that the Company included two multi-page documents titled "UGI Electric Statement No. 1" and "UGI Electric Statement No. 2" with the *Petition*. To the extent a response is required, the averments regarding "Statement No. 1" and "Statement No. 2" are denied, and strict proof thereof is demanded.

23. The averments of Paragraph 23 contain summaries of UGI's request for relief to which no response is required. By way of further response, the OSBA admits that the Company included a multi-page page document titled "UGI Electric Exhibit 2" with the *Petition*. To the extent a response is required, the averments regarding "Exhibit 2" are denied, and strict proof thereof is demanded.

EE&C Plan Development Process

24. The averments of Paragraph 24 contain summaries of UGI's request for relief to which no response is required. To the extent a response is required, the averments of Paragraph 24 are denied, and strict proof thereof is demanded.

25. The averments of Paragraph 25 contain summaries of UGI's request for relief to which no response is required. To the extent a response is required, the averments of Paragraph 25 are denied, and strict proof thereof is demanded.

26. Admitted that UGI met with the OSBA on June 6, 2018. The remaining averments of Paragraph 26 are denied, and strict proof thereof is demanded.

Description of the EE&C Plan

27. The averments of Paragraph 27 contain summaries of UGI's request for relief to which no response is required. To the extent a response is required, the averments of Paragraph 27 are denied, and strict proof thereof is demanded.

28. The averments of Paragraph 28 contain summaries of UGI's request for relief or self-congratulatory statements by the Company to which no response is required. To the extent a response is required, the averments of Paragraph 28 are denied, and strict proof thereof is demanded.

29. The averments of Paragraph 29 contain summaries of UGI's request for relief to which no response is required. To the extent a response is required, the averments of Paragraph 29 are denied, and strict proof thereof is demanded.

30. The averments of Paragraph 30 contain summaries of UGI's request for relief to which no response is required. To the extent a response is required, the averments of Paragraph 30 are denied, and strict proof thereof is demanded.

31. The averments of Paragraph 31 contain summaries of UGI's request for relief to which no response is required. To the extent a response is required, the averments of Paragraph 31 are denied, and strict proof thereof is demanded.

32. The averments of Paragraph 32 contain summaries of UGI's request for relief to which no response is required. To the extent a response is required, the averments of Paragraph 32 are denied, and strict proof thereof is demanded.

Implementation Strategy

33. The averments of Paragraph 33 contain summaries of UGI's request for relief to which no response is required. To the extent a response is required, the averments of Paragraph 33 are denied, and strict proof thereof is demanded.

Public Interest Determination and Request for Relief

34. The averments of Paragraph 34 contain conclusion of law or requests for relief to which no response is required. To the extent a response is required, the averments of Paragraph 34 are denied, and strict proof thereof is demanded.

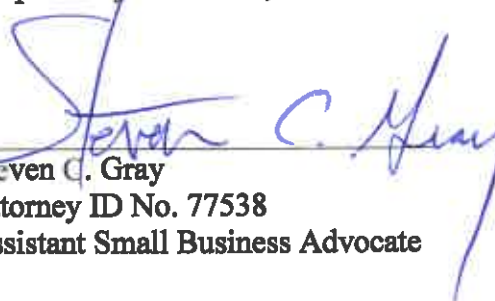
35. The averments of Paragraph 35 are requests for relief to which no response is required.

Conclusion

In view of the foregoing, the Office of Small Business Advocate respectfully requests that the Pennsylvania Public Utility Commission:

- A. Direct the Office of Administrative Law Judge to hold hearings on the *Petition* and prepare an initial decision; and
- B. Grant such other relief as may be necessary or appropriate.

Respectfully submitted,



Steven C. Gray
Attorney ID No. 77538
Assistant Small Business Advocate

For:

John R. Evans
Small Business Advocate

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(717) 783-2831

Dated: September 7, 2018

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of UGI Utilities, Inc. – Electric :
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**PUBLIC STATEMENT OF
THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (the “Act”). The Act further provides that the Small Business Advocate is to issue publicly a written statement stating concisely the specific interest of small business consumers to be protected by his initiation of or intervention in any proceeding involving those interests before the Public Utility Commission (“Commission”) or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of an Answer and Notice of Intervention in the above-captioned Commission proceeding.

On August 21, 2018, UGI Utilities, Inc. – Electric Division (“UGI” or the “Company”) filed with the Commission a Petition for Approval of Phase III of the Company’s Energy Efficiency and Conversation (“EE&C”) Plan.

The Small Business Advocate is intervening in this proceeding to protect the interests of the Company’s small business customers. A thorough inquiry by the Commission into all the elements of the petition is necessary to ascertain whether UGI’s proposal for a Phase III EE&C Plan is just and reasonable.

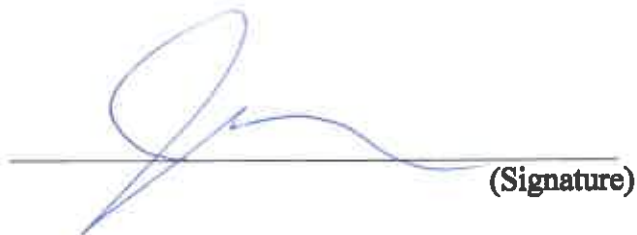
In view of the foregoing, the Small Business Advocate is requesting that the petition be subject to investigation and evidentiary hearings before the Commission. The Small Business Advocate will ask the Commission to deny or modify the Company's petition if it is not proven by UGI to be in accordance with the Public Utility Code and with the Commission's regulations.

Dated: September 7, 2018

VERIFICATION

I, John R. Evans, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: September 7, 2018



(Signature)

**BEFORE THE
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CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email and/or First-Class mail (*unless other noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

The Honorable Charles E. Rainey Jr.
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DATE: September 7, 2018


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