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April 27, 2022

**VIA ELECTRONIC FILING**

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

RE: Pennsylvania Public Utility Commission v. Columbia Gas of Pennsylvania, Inc.;  
Docket No. R-2022-3031211; **PREHEARING CONFERENCE  
MEMORANDUM OF THE RETAIL ENERGY SUPPLY ASSOCIATION,  
SHIPLEY CHOICE, LLC AND NRG ENERGY, INC.**

Dear Secretary Chiavetta:

Enclosed for filing with the Commission is the Prehearing Conference Memorandum of the Retail Energy Supply Association, Shipley Choice, LLC, and NRG Energy, Inc. (collectively "RESA/NGS Parties") in the above-captioned docket. Copies of this Memorandum have been served in accordance with the attached Certificate of Service.

Thank you for your attention to this matter. If you have any questions related to this filing, please do not hesitate to contact my office.

Very truly yours,

Todd S. Stewart  
*Counsel for The Retail Energy Supply  
Association, Shipley Choice, LLC d/b/a  
Shipley Energy and NRG Energy, Inc.*

TSS/jld/

Enclosure

cc: Deputy Chief Administrative Law Christopher P. Pell (via email – [cpell@pa.gov](mailto:cpell@pa.gov))  
Per Certificate of Service

## CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

### VIA ELECTRONIC MAIL

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DATED: April 27, 2022

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Todd S. Stewart



4. On April 20, 2022, the Honorable Presiding Administrative Law Judge, Deputy Chief Administrative Law Judge Christopher P. Pell, issued a Prehearing Conference Order, that among other things, required the parties to prepare and file a Prehearing Conference Memorandum on or before April 27, 2022, at noon, and scheduled a Prehearing Conference to be held telephonically on Friday, April 29, 2022, at 9:00 am.

5. This Memorandum is submitted in compliance with Your Honor's April 20, 2022, Order.

## **II. EXPECTED ISSUES**

6. RESA/NGS Parties have a common concern about the way that Columbia manages its billing system, and in particular the current limit on rate codes available to suppliers. The current restriction is unreasonable and, in some cases, has prohibited suppliers from providing service to customers for lack of the ability to bill those customers. RESA/NGS Parties also have concerns about operational requirements including balancing fees for transferring balances between customers; Columbia's failure to provide scheduling confirmation for all cycles; variable fees for transfers of balances between counterparties; and, intra-day and real time customer metering. All of these issues involve the fees charged and/or service provided by Columbia.

## **III. PROPOSED WITNESSES**

7. RESA/NGS Parties have not yet identified witnesses for this matter but will do so and provide notice to Your Honor and the other parties at the earliest possible time. RESA/NGS Parties reserve the right to offer additional witnesses as necessitated by the issues.

#### **IV. LITIGATION SCHEDULE**

8. RESA/NGS Parties are committed to working with the other parties and Your Honor to develop a schedule that meets all the parties' needs. RESA/NGS Parties are currently available for the hearing dates proposed in the Prehearing Order.

#### **V. DISCOVERY**

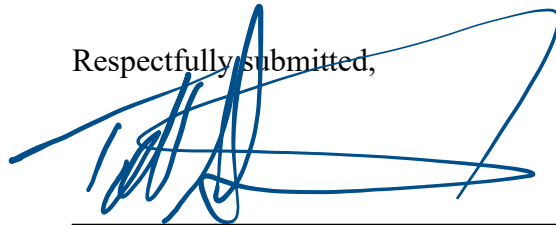
9. RESA/NGS Parties have submitted two sets of discovery as of the date of this Prehearing Memorandum and will endeavor to engage the process efficiently and complete their initial discovery as early as possible. RESA/NGS Parties will work cooperatively with the Company and all the other parties in order to minimize discovery issues that might require the attention of the Presiding Administrative Law Judge. Moreover, RESA/NGS Parties would not object to the typical discovery modifications proposed by the Office of Consumer Advocate in cases such as this.

#### **VI. SETTLEMENT**

10. RESA/NGS Parties are willing to engage in settlement discussions with any and all parties at any time during this proceeding and welcome the opportunity to do so at the earliest possible date.

**WHEREFORE**, RESA/NGS Parties respectfully submit this Prehearing Conference Memorandum in anticipation of the Prehearing Conference currently scheduled to be held telephonically on Friday, April 29, 2022, at 9:00 am.

Respectfully submitted,



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Todd S. Stewart

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DATED: April 27, 2022