



COMMONWEALTH OF PENNSYLVANIA

August 15, 2023

E-FILED

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

Re: Petition of Philadelphia Gas Works for Approval of Demand Side Management Plan for FY 2024-2026 Philadelphia Gas Works Universal Service And Energy Conservation Plan For 2014-2016, 52 Pa. Code § 62.4 - Request for Waivers / Docket No. P-2014-2459362

Dear Secretary Chiavetta:

Enclosed for filing please find the Prehearing Memorandum, 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,

/s/ Sharon E. Webb

Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995

Enclosures

cc: Parties of Record
Angela Vitulli

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Philadelphia Gas Works for :
Approval of Demand Side Management Plan for :
FY 2024-2026 :
And : **Docket No. P-2014-2459362**
Philadelphia Gas Works Universal Service :
and Energy Conservation Plan for 2014-2016 :
52 Pa. Code §62.4 – Request for Waivers :
:

**OFFICE OF SMALL BUSINESS ADVOCATE
PREHEARING MEMORANDUM**

I. INTRODUCTION

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business consumers of utility services before the Pennsylvania Public Utility Commission (“Commission”) pursuant to the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (“the Act”). In order to discharge this statutory duty, the Small Business Advocate deems it necessary to participate as a party to this proceeding. Representing the OSBA in this matter is Assistant Small Business Advocate Sharon E. Webb. Please address all correspondence as follows:

Sharon E. Webb
Assistant Small Business Advocate
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, Pennsylvania 17101
(717) 783-2525
(717) 783-2831 (fax)
swebb@pa.gov

II. FILING BACKGROUND

Petition of Philadelphia Gas Works (“PGW” or “Company”) filed for Approval of Demand Side Management Plan for FY 2024-2026 and Philadelphia Gas Works Universal Service and Energy Conservation Plan for 2014-2016 52 Pa. Code §62.4 – Request for Waivers Docket No. P-2014-2459362 that was filed with the Pennsylvania Public Utility Commission (“Commission”) on June 16, 2023. The OSBA filed a Notice of Intervention on July 10, 2023.

III. IDENTIFICATION OF WITNESSES AND TENTATIVE ISSUES

Assisting in the development and presentation of the OSBA’s case in this proceeding will be:

Angela Vitulli
Industrial Economics, Incorporated
2067 Massachusetts Avenue
Cambridge, MA 02140
(617) 354-0074
avitulli@indecon.com

After an initial review of the materials submitted by PGW, the OSBA has identified the following issues:

1. Whether PGW’s DSM should be continued as proposed in its June 16, 2023 filing;
2. The reasonableness and cost effectiveness of the programs.
3. Any other issues that may arise during the course of the OSBA’s review of the Company’s filing that affect small business customers.

The OSBA will participate in the case to assure that the interests of small business customers of PGW are adequately represented and protected.

As appropriate and necessary, the OSBA will investigate and analyze the claims and proposals of the Company and other parties through discovery, through the cross-examination of witnesses appearing for those parties, through the filing of testimony, and through briefing. The OSBA will particularly focus on any issue where the impact on the interests of the Company's small business consumers would be unjustifiably different than, or disproportionate to, the impact on another class of customers, or otherwise lacking in reasonableness or basic fairness. The OSBA reserves the right to pursue additional issues as they arise throughout the proceeding.

IV. SERVICE OF DOCUMENTS

In accordance with 52 Pa. Code § 1.54(b)(3)(i), the OSBA agrees to accept electronic mail delivery of documents on the due date^a as satisfying the in-hand requirement. At the time of this writing, hard copy delivery of documents to the OSBA is not possible. The OSBA requests that email delivery of documents also be provided to its witnesses identified above.

In addition to email copies of pleadings, briefs, and exceptions, the OSBA requests email copies of responses to discovery propounded by the OSBA or any other party.

^a In accordance with 52 Pa. Code § 1.56(a)(5), documents must be received by 4:30 pm.

V. SETTLEMENT

The OSBA notes its willingness to enter into settlement discussions at the appropriate phase of this proceeding.

VI. HEARING AND BRIEFING SCHEDULE

The OSBA will cooperate with the other parties to develop a procedural schedule.

Respectfully submitted,

/s/ Sharon E. Webb

Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995

Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)

Dated: August 15, 2023

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Philadelphia Gas Works for :
Approval of Demand Side Management Plan for :
FY 2024-2026 :
And : **Docket No. P-2014-2459362**
Philadelphia Gas Works Universal Service :
and Energy Conservation Plan for 2014-2016 :
52 Pa. Code §62.4 – Request for Waivers :
: :
: :

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email (*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 F. Joseph Brady
Administrative Law Judge
Pennsylvania Public Utility Commission
801 Market St, Suite 4063
Philadelphia, PA 19107
fbrady@pa.gov
pmcneal@pa.gov

Gina Miller, Esquire
Darryl A. Lawrence, Esquire
Office of Consumer Advocate
555 Walnut Street, 5th Floor
Harrisburg, PA 17101
lantinucci@paoca.org
dlawrence@paoca.org
(*Counsel for OCA*)

Carrie B. Wright, Esquire
Bureau of Investigation & Enforcement
400 North Street
Commonwealth Keystone Building
Harrisburg, PA 17120
carwright@pa.gov
(*Counsel for BIE*)

John W. Sweet, Esquire
Elizabeth R. Marx, Esquire
Pennsylvania Utility Law Project
117 Locust Street
Harrisburg, PA 17120
emarxpulp@palegalaid.net
pulp@palegalaid.net

Deanne M. O’Dell, Esquire
Eckert Seamans Cherin & Mellot, LLC
213 Market St, 8th Floor
Harrisburg, PA 17101
dclearfield@eckertseamans.com
dodell@eckertseamans.com

Charis Mincavage, Esquire
Adeoulou A. Bakare, Esquire
McNees Wallace & Nurick LLC
100 Pine Street, PO Box 1166
Harrisburg, PA 17108-1166
cmincavage@mwn.com
abakare@mwn.com

Joseph Otis Minnot, Esquire
Ernest Logan Welde, Esquire
Clean Air Council
1355 South 19th St, Suite 300
Philadelphia, PA 19103
Joe_minnot@cleanair.org
Lwelde@cleanair.org

Josie Pickens, Esquire
Robert W. Ballenger, Esquire
Kinteshia S. Scott
Community Legal Services, Inc.
1424 Chestnut Street
Philadelphia, PA 19102
jpickens@clsphila.org
rballenger@clsphila.org
kscott@clsphila.org

DATE: August 15, 2023

/s/ Sharon E. Webb

Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995