



COMMONWEALTH OF PENNSYLVANIA

October 11, 2023

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 IV of its Energy Efficiency and Conservation Plan / Docket No. M-2023-3043230

Dear Secretary Chiavetta:

Enclosed please find the Answer, Notice of Intervention, 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,

/s/ Steven C. Gray

Steven C. Gray
Senior Supervising
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 : **Docket No. M-2023-3043230**
Division for Approval of Phase IV of its :
Energy Efficiency and Conservation Plan :
:

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

Pursuant to 52 Pa. Code § 5.61(a), the Office of Small Business Advocate (“OSBA”) submits this Answer to the Petition of UGI Utilities, Inc. – Electric Division (“UGI-E” or the “Company”) for Approval of Phase IV of its Energy Efficiency and Conservation (“EE&C”) Plan (“*Petition*”) that was filed with the Pennsylvania Public Utility Commission (“Commission”) on September 21, 2023.

Answer

After an initial review of the Petition, the OSBA has identified the following initial list of issues that it will evaluate in this proceeding:

- The OSBA will evaluate whether the Company has reasonably complied with the provisions of the settlement in the Phase III EE&C proceeding;
- The OSBA will evaluate whether the Company’s actual reductions in customer loads is consistent with reported plan savings;
- Whether the Company’s proposed Phase IV EE&C spending is reasonably balanced among and within the rate classes;
- Whether the Company has implemented reasonable controls to ensure that revenues and costs are correctly attributed to the EE&C rate class groups;
- Whether the Company’s proposal to add two pathways to the non-residential EE&C programs is reasonable and will result greater participation by smaller non-residential customers; and
- Whether the Company’s proposal to significantly shift programs from the Large C&I rate class group to the Small C&I group is reasonable and credible.

Conclusion

In view of the issues set forth above, 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,

/s/ Steven C. Gray

Steven C. Gray
Attorney I.D. No. 77538
Senior Supervising
Assistant Small Business Advocate

For:
NazAarah Sabree
Small Business Advocate

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Dated: October 11, 2023

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of UGI Utilities, Inc. – : Docket No. M-2023-3043230
Electric Division for Approval of : :
Phase IV of its Energy Efficiency and : :
Conservation Plan : :

**NOTICE OF INTERVENTION
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Office of Small Business Advocate (“OSBA”) files this Notice of Intervention with respect to the Petition of UGI Utilities, Inc. – Electric Division (“UGI-E” or the “Company”) for Approval of Phase IV of its Energy Efficiency and Conservation (“EE&C”) Plan (“Petition”) that was filed with the Pennsylvania Public Utility Commission (“Commission”) on September 21, 2023. In support of this Notice of Intervention, the OSBA avers as follows:

1. The OSBA is an agency of the Commonwealth of Pennsylvania authorized by the Small Business Advocate Act (Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50) to represent the interest of small business consumers as a party in proceedings before the Commission.

2. Representing the OSBA in this proceeding is:

Steven C. Gray, Esquire
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Respectfully submitted,

/s/ Steven C. Gray

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Senior Supervising
Assistant Small Business Advocate
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For:
NazAarah Sabree
Small Business Advocate

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

Date: October 11, 2023

**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 September 21, 2023, UGI Utilities, Inc. – Electric Division (“UGI-E” or the “Company”) filed a Petition for Approval of Phase IV of its Energy Efficiency and Conservation (“EE&C”) Plan (“Petition”) with the Commission.

The Small Business Advocate is intervening in this proceeding in order to protect the interests of the Company’s small business customers. A thorough inquiry by the Commission into all of the elements of the Petition is necessary to ascertain whether the Company’s proposed 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 any aspect of the Company’s EE&C plan proposal that is not proven by UGI-E to be just, reasonable, and non-discriminatory.

Dated: October 11, 2023

VERIFICATION

I, NazAarah Sabree, 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: October 11, 2023



(Signature)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of UGI Utilities, Inc. – Electric : **Docket No. M-2023-3043230**
Division for Approval of Phase IV of its :
Energy Efficiency and Conservation Plan :
:

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email (*unless otherwise 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.
Chief Administrative Law Judge
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DATE: October 11, 2023

/s/ Steven C. Gray

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