



COMMONWEALTH OF PENNSYLVANIA

October 24, 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 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/ 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 :
:

**PREHEARING MEMORANDUM
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

I. INTRODUCTION

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business customers 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 these proceedings. Representing the OSBA in the above-referenced matter is Assistant Small Business Advocate Steven C. Gray. Please address all correspondence in that matter as follows:

Steven C. Gray
Senior Supervising
Assistant Small Business Advocate
Office of Small Business Advocate
555 Walnut Street
Forum Place, 1st Floor
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
sgray@pa.gov

II. FILING BACKGROUND

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 Pennsylvania Public Utility Commission (“Commission”).

The Office of Small Business Advocate (“OSBA”) filed an Answer and Notice of Intervention on October 11, 2023.

III. IDENTIFICATION OF WITNESS AND TENTATIVE ISSUES

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

Mr. Robert D. Knecht
Industrial Economics Incorporated
5 Plymouth Road
Lexington, MA 02421
(781) 249 9461
rdk@indecon.com

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

After an initial review of the materials submitted by UGI-E, the OSBA has identified the following list of issues that it will evaluate in this proceeding:

1. Whether the Company has reasonably complied with the provisions of the settlement in the Phase III EE&C proceeding.
2. Whether the actual reductions in customer loads are consistent with reported plan savings.
3. Whether the proposed Phase IV EE&C spending is reasonably balanced among and within the rate classes.
4. Whether the Company has implemented reasonable controls to ensure that

revenues and costs are correctly attributed to the EE&C rate class groups.

5. Whether the Company's proposal to add two pathways to the non-residential EE&C programs is reasonable and will result in greater participation by smaller non-residential customers.

6. 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.

The OSBA reserves the right to pursue additional issues that may arise throughout this 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 date¹ as satisfying the in-hand requirement. 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.

V. SETTLEMENT

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

¹ In accordance with 52 Pa. Code § 1.56(a)(5), documents must be received by 4:30 pm.

VI. HEARING AND BRIEFING SCHEDULE

At the time of this writing, the OSBA is working with the parties to develop a procedural schedule.

Respectfully submitted,

/s/ Steven C. Gray

Steven C. Gray
Senior Supervising
Assistant Small Business Advocate
Attorney ID # 77538

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Dated: October 24, 2023

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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 Mark A. Hoyer
Administrative Law Judge
Pennsylvania Public Utility Commission
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Pittsburgh, PA 15222
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DATE: October 24, 2023

/s/ Steven C. Gray

Steven C. Gray
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