
Megan E. Rulli

mrulli@postschell.com
717-612-6012 Direct
717-731-1985 Direct Fax
File #: 162080

October 24, 2023

VIA EMAIL (MHOYER@PA.GOV)

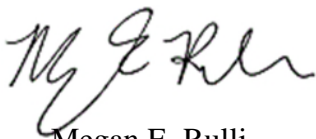
The Honorable Mark A. Hoyer
Deputy Chief Administrative Law Judge
PA Public Utility Commission
Suite 220, Piatt Place
301 Fifth Avenue
Pittsburgh, PA 15222

**Re: Petition of UGI Utilities, Inc. - Electric Division for Approval of Phase IV of its
EE&C Plan
Docket No. M-2023-3043230**

Dear Judge Hoyer:

Attached you will find the Prehearing Memorandum submitted on behalf of UGI Utilities, Inc. – Electric Division – in the above-referenced proceeding. Copies are being provided as indicated on the attached Certificate of Service.

Respectfully submitted,



Megan E. Rulli

MER/kl
Attachment

cc: Rosemary Chiavetta, Secretary (*letter and Certificate of Service only*)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).


VIA E-MAIL ONLY

Steven C. Gray, Esquire
Office of Small Business Advocate
555 Walnut Street
Forum Place, 1st Floor
Harrisburg, PA 17101
sgray@pa.gov

Melanie J. El Atieh, Esquire
Darryl A. Lawrence, Esquire
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923
melatieh@paoca.org
dlawrence@paoca.org

Richard Kanaskie, Esquire
Bureau of Investigation & Enforcement
Commonwealth Keystone Building
400 North Street, 2nd Floor West
P.O. Box 3265
Harrisburg, PA 17105-3265
rkanaskie@pa.gov

Date: October 24, 2023



Megan E. Rulli

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**PREHEARING CONFERENCE MEMORANDUM OF
UGI UTILITIES, INC. – ELECTRIC DIVISION**

TO DEPUTY CHIEF ADMINISTRATIVE LAW JUDGE MARK A. HOYER:

Pursuant to 52 Pa. Code § 5.222(d) and the Prehearing Conference Order dated October 18, 2023, UGI Utilities, Inc. – Electric Division (“UGI Electric” or “Company”) hereby submits this Prehearing Conference Memorandum.

I. BACKGROUND

On September 21, 2023, UGI Electric filed the above-captioned Petition with the Pennsylvania Public Utility Commission (“Commission”), which included the Company’s supporting written direct testimony and exhibits. This filing was made pursuant to the Commission’s December 23, 2009 Secretarial Letter at Docket No. M-2009-2142851 (“*December 23, 2009 Secretarial Letter*”), which provided guidance on voluntary Energy Efficiency and Conservation Plans (“EE&C Plans”) submitted by electric distribution companies that are not subject to Act 129 of 2008, P.L. 1592, 66 Pa.C.S §§ 2806.1 and 2806.2 (“Act 129”).

In its Petition, UGI Electric requested Commission approval of the Company’s voluntary Phase IV Energy Efficiency and Conservation Plan (“Phase IV EE&C Plan”). The voluntary Phase IV EE&C Plan includes a portfolio of energy efficiency and conservation practices and peak load reduction and energy education initiatives that are expected to reduce customers’ energy consumption and reduce peak load on UGI Electric’s system.

On October 11, 2023, the Office of Consumer Advocate (“OCA”) filed an Answer to the Petition.

Also on October 11, 2023, the Office of Small Business Advocate (“OSBA”) filed a Notice of Appearance, Public Statement, Answer, and Verification.

On October 18, 2023, the Prehearing Order was issued by Deputy Chief Administrative Law Judge Mark A. Hoyer (“ALJ”), which, in part, scheduled a prehearing conference for October 25, 2023, at 10:00 AM and directed the parties to file prehearing memoranda on or before 3:00 PM on October 24, 2023.

II. SERVICE OF DOCUMENTS

UGI Electric’s attorneys in this proceeding are Timothy K. McHugh, Esquire, Devin T. Ryan, Esquire, and Megan E. Rulli, Esquire. UGI Electric requests that Devin T. Ryan be listed as the recipient for service. Mr. Ryan’s contact information is provided below:

Devin T. Ryan (ID # 316602)
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601
Phone: 717-731-1970
Fax: 717-731-1985
E-mail: dryan@postschell.com

UGI Electric also requests that Mr. McHugh and Ms. Rulli be added to any informal e-mail distribution lists in this proceeding. Mr. McHugh’s e-mail address is MchughT@oneugi.com, and Ms. Rulli’s email address is mrulli@postschell.com. In addition, UGI Electric agrees to receive service of documents electronically in this proceeding.

III. WITNESSES, ISSUES, AND EVIDENCE

A list of witnesses and the general subject matter of their testimony is provided below. The testimony and related exhibits fully support UGI Electric’s voluntary Phase IV EE&C Plan and demonstrate that the Plan, including the proposed cost-recovery mechanism, is just and reasonable, complies with the guidance provided in the *December 23, 2009 Secretarial Letter*, and should be approved by the Commission. UGI Electric reserves the right to call additional witnesses, as necessary, to address other issues that may arise during the course of this proceeding. Moreover, the Company avers that all issues in this proceeding should be limited to UGI Electric’s Phase IV EE&C Plan.

<u>Witness</u>	<u>Statement</u>	<u>General Subject Matter</u>
Theodore M. Love Partner Green Energy Economics Group, Inc. 2523 Downingsville Road Lincoln, VT 05443	UGI Electric Statement No. 1	Background on the Company’s EE&C Plans and Overview of the Phase IV EE&C Plan; Development of the Phase IV EE&C Plan; Changes Proposed for Phase IV; Benefits and Costs of the Phase IV EE&C Plan; Implementation; Administration and Evaluation, Measurement, and Verification (“EM&V”) of the Phase IV EE&C Plan
Kimberly M. Bassininsky Principal Analyst – Rates UGI Utilities, Inc. 1 UGI Drive Denver, PA 17517	UGI Electric Statement No. 2	Projection of EE&C Plan Costs; Cost Recovery; Phase IV Energy Efficiency and Conservation Rider (“Phase IV EEC Rider”); <i>Pro Forma</i> Tariff Supplement

IV. PROCEDURAL SCHEDULE

UGI Electric proposes the following procedural schedule:

Other Parties’ Written Direct Testimony	December 1, 2023
Parties’ Written Rebuttal Testimony	December 22, 2023

Parties' Written Surrebuttal Testimony	January 9, 2024
Evidentiary Hearing in Harrisburg, PA	January 11, 2024
Main Briefs	February 1, 2024
Reply Briefs	February 15, 2024

UGI Electric observes that the Commission anticipates that voluntary EE&C Plan proceedings should conclude with a recommended decision within 12 months of the petition filing date. *See December 23, 2009 Secretarial Letter*, p. 1. However, the Company's current Phase III EE&C Plan is set to expire on May 31, 2024. Therefore, UGI Electric respectfully requests that the procedural schedule adopted in this proceeding be able to accommodate a final ruling by the Commission on the Phase IV EE&C Plan no later than the public meeting scheduled for May 16, 2024.

V. DISCOVERY

To date, the Company has received and responded to interrogatories from the OSBA. UGI Electric is not aware of any discovery issues and does not propose any special orders regarding discovery. The Company is willing to work with the parties, through informal discovery, to expedite any additional discovery. Further, UGI Electric proposes that discovery conclude prior to the evidentiary hearing.

VI. PUBLIC INPUT HEARINGS

UGI Electric is not aware of any substantial consumer interest with respect to this proceeding. UGI Electric does not propose that any public input hearings be held absent substantial public interest in this proceeding and specific requests for such hearings.

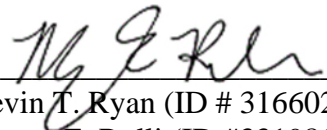
VII. PROTECTION OF CONFIDENTIAL INFORMATION

UGI Electric will submit a Petition for Protective Order for consideration by the ALJ. The Company will seek the concurrence of the other parties as to the form of the Protective Order before submitting the Petition.

VIII. SETTLEMENT

To date, no settlement discussions have been held. However, UGI Electric is willing to work with the parties to resolve this proceeding through settlement. Further, UGI Electric would be willing to enter into a partial settlement, stipulate to certain facts, or both, in order to narrow the issues in this proceeding.

Respectfully submitted,



Devin T. Ryan (ID # 316602)
Megan E. Rulli (ID #331981)
Post & Schell, P.C.
17 North Second St., 12th Floor
Harrisburg, PA 17101-1601
Phone: (717) 731-1970
Fax: (717) 731-1985
Email: dryan@postschell.com
Email: mrulli@ postschell.com

Timothy K. McHugh (ID # 317906)
UGI Corporation
500 North Gulph Road
King of Prussia, PA 19406
Phone: (717) 255-1491
E-mail: MchughT@oneugi.com

Dated: October 24, 2023

Counsel for UGI Utilities, Inc. – Electric
Division