



17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
717-731-1970 Main
717-731-1985 Main Fax
www.postschell.com

Jessica R. Rogers

jrogers@postschell.com
717-612-6018 Direct
717-731-1985 Direct Fax
File #: 153583

January 13, 2017

VIA ELECTRONIC FILING

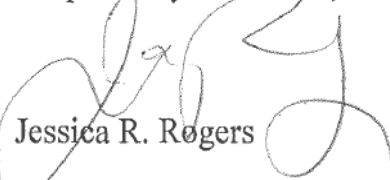
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Petition of UGI Utilities, Inc. - Gas Division for Approval of a Distribution System
Improvement Charge
Docket No. P-2013-2398833**

Dear Secretary Chiavetta:

Attached please find the Petition for Rescission or Amendment of UGI Utilities, Inc. – Gas Division in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Jessica R. Rogers

JRR/skr

Enclosure

cc: Certificate of Service

CERTIFICATE OF SERVICE

**UGI Utilities, Inc. – Gas Division
(Docket No. P-2013-2398833)**

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 AND FIRST CLASS MAIL

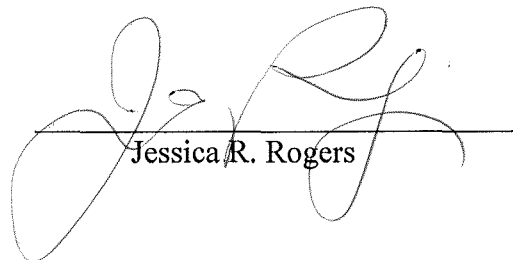
Erin L. Gannon, Esquire
Darryl Lawrence, Esquire
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Steven C. Gray, Esquire
Office of Small Business, Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101

Carrie Wright, Esquire
Bureau of Investigation & Enforcement
Commonwealth Keystone Building
400 North Street, 2nd Floor West
PO Box 3265
Harrisburg, PA 17105-3265

Pamela C. Polacek, Esquire
Vasiliki Karandrikas, Esquire
Alessandra L. Hylander, Esquire
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166

Date: January 13, 2017


Jessica R. Rogers

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of UGI Utilities, Inc. – Gas :
Division for Approval of a Distribution : Docket No. P-2013-2398833
System Improvement Charge :

**Petition for Rescission or Amendment of
UGI Utilities, Inc. – Gas Division**

Pursuant to 66 Pa. C.S. § 703(g), UGI Utilities, Inc. – Gas Division (“UGI-GD” or the “Company”) hereby files this Petition seeking rescission or amendment of a portion of the Opinion and Order of the Pennsylvania Public Utility Commission (“Commission”) issued on November 9, 2016 (“Order”), granting the Company’s Petition for Approval of a Distribution System Improvement Charge (“DSIC”) in the above-captioned proceeding. By this Petition, the Company respectfully requests a minor modification to the Commission’s Ordering Paragraph No. 6.

I. INTRODUCTION

1. UGI-GD is a corporation organized and existing under the laws of the Commonwealth of Pennsylvania. UGI-GD is engaged in the business of selling and distributing natural gas to retail customers within the Commonwealth, and is therefore a “public utility” within the meaning of Section 102 of the Public Utility Code, 66 Pa. C.S. § 102, subject to the regulatory jurisdiction of the Commission. UGI-GD provides natural gas service to approximately 379,000 customers in and around Eastern and Central Pennsylvania, pursuant to certificates of public convenience granted by the Commission. Its system contains approximately 5,599 miles of natural gas distribution mains and 122 miles of natural gas transmission mains as of December 31, 2015.

2. The names, addresses and telephone numbers of UGI-GD's attorneys for purposes of this filing are as follows:

Danielle Jouenne (ID #306839)
UGI Corporation
460 North Gulph Road
King of Prussia, PA 19406
Phone: 610-992-3750
Fax: 610-992-3258
E-mail: JouenneD@ugicorp.com

David B. MacGregor (ID # 28804)
Jessica R. Rogers (ID # 309842)
Post & Schell, P.C.
17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
Phone: 717-731-1970
Fax: 717-731-1985
E-mail: dmacgregor@postschell.com
jrogers@postschell.com

UGI-GD's attorneys are authorized to receive all notices and communications regarding this petition.

3. On February 14, 2012, Governor Corbett signed into law Act 11 of 2012 ("Act 11"), which amends Chapters 3, 13 and 33 of Title 66 of the Public Utility Code ("Code"). Pertinent to this Petition, Act 11 authorized natural gas distribution companies ("NGDCs") to establish a DSIC, which provided utilities with the ability to recover reasonable and prudent costs incurred to repair, improve or replace certain eligible distribution property that is part of the utility's distribution system.

4. On March 31, 2016, UGI-GD filed a Petition with the Commission requesting authority to implement a DSIC pursuant to 66 Pa. C.S. § 1352, § 1353, and *Implementation of Act 11 of 2012*, Docket No. M-2012-2293611 (Aug. 2, 2012) ("*Final Implementation Order*").

5. On November 9, 2016, the Commission approved the Company's Petition.

II. ARGUMENT

6. UGI-GD supports the vast majority of the Commission's Order. However, the Commission's Order approving the Petition included an additional reporting requirement in Ordering Paragraph No. 6:

That UGI Utilities, Inc. – Gas Division shall provide the estimated number of anticipated new jobs to be created for specific replacement projects with its revised initial DSIC tariff. Additionally, UGI Utilities, Inc. – Gas Division shall track such employment information and provide the actual numbers of jobs created to the Commission by January 31st of each year.

(Order at p. 23). While UGI-GD does not object to producing the jobs data identified in Ordering Paragraph No. 6, it notes that this requirement was not requested by any party to this proceeding.

7. In addition, the Company notes that there has been inconsistent treatment regarding this type of data. For instance, UGI-GD's affiliates, UGI Penn Natural Gas, Inc. and UGI Central Penn Gas, Inc., were ordered to include employment information with the information submitted in the annual audit and reconciliation process. *See Petition of UGI Penn Natural Gas, Inc. for Approval of a Distribution System Improvement Charge*, P-2013-P-2013-2397056, Ordering Paragraph No. 5, p. 46 (Order entered September 11, 2014); *Petition of UGI Central Penn Gas, Inc. for Approval of a Distribution System Improvement Charge*, P-2013-2398835, Ordering Paragraph No. 5, p. 46 (Order entered September 11, 2014). *See also Petition of Peoples Natural Gas Company, LLC for Approval of a Distribution System Improvement Charge*, P-2013-2344596, Ordering Paragraph No. 9, p. 66 (Order entered May 23, 2013). Some utilities were not required to produce employment information at all as part of their DSIC implementation order. *See, e.g., Petition of PPL Electric for Approval of a Distribution System Improvement Charge*, P-2012-2325034 (Order entered May 23, 2013); *Petition of*

Columbia Gas of Pennsylvania, Inc. for Approval of a Distribution System Improvement Charge,
P-2012-2338282 (Order entered March 14, 2013).

8. UGI-GD respectfully requests either that Ordering Paragraph No. 6 be revised to allow UGI-GD to include the job creation data in its Annual Asset Optimization Plan (“AAOP”) each year, rather than on January 31st, or that the Commission rescind the requirement entirely.

9. Pursuant to 52 Pa. Code § 121.6, UGI-GD is required to file its AAOP 60 days after the end of the Long Term Infrastructure Improvement Plan (“LTIIP”) period. The UGI-GD LTIIP runs from January 1 to December 31 of each calendar year. Therefore, the AAOP must be filed by March 1 on an annual basis.

10. UGI-GD requests that it be allowed to include the job creation data identified in Ordering Paragraph No. 6 as part of its AAOP, rather than as a stand-alone filing requirement. UGI-GD believes that making this information part of its AAOP filing will be more convenient for the Commission, the individuals reviewing the data, and the Company in meeting its annual filing obligations.

11. In addition, the other data produced by the Company in its AAOP will provide important context for analyzing the job creation data. The small delay between January 31, the date currently specified in Ordering Paragraph No. 6, and the filing date of the AAOP should not impact the Commission’s ability to review and use the information the Company will be providing. The Company respectfully requests that the Commission modify Ordering Paragraph No. 6 consistent with this Petition.

III. CONCLUSION

WHEREFORE, UGI Utilities, Inc. – Gas Division respectfully requests that the Pennsylvania Public Utility Commission modify Ordering Paragraph No. 6, pursuant to 66 Pa. C.S. § 703(g), consistent with this Petition.

Respectfully submitted,

Danielle Jouenne (ID #306839)
UGI Corporation
460 North Gulph Road
King of Prussia, PA 19406
Phone: 610-992-3750
Fax: 610-992-3258
E-mail: JouenneD@ugicorp.com



David B. MacGregor (ID #28804)
Jessica R. Rogers (ID #309842)
Post & Schell, P.C.
17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
Phone: 717-731-1970
Fax: 717-731-1985
E-mail: dmacgregor@postschell.com
E-mail: jrogers@postschell.com

Of Counsel:

Post & Schell, P.C.

Attorneys for UGI Utilities, Inc. – Gas Division

Date: January 13, 2017