

Todd S. Stewart Office: 717 236-1300 x242 Direct: 717 703-0806 tsstewart@hmslegal.com

100 North Tenth Street, Harrisburg, PA 17101 Phone: 717.236.1300 Fax: 717.236.4841 www.hmslegal.com March 11, 2019

VIA ELECTRONIC FILING

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

> RE: Pennsylvania Public Utility Commission v. Peoples Natural Gas Company LLC; Docket No. R-2018-3006818; PREHEARING CONFERENCE MEMORANDUM OF THE NATURAL GAS SUPPLIER PARTIES AND THE RETAIL ENERGY SUPPLY ASSOCIATION

Dear Secretary Chiavetta:

Enclosed for electronic filing with the Commission is the Prehearing Conference Memorandum of the Natural Gas Supplier Parties ("NGS Parties") and The Retail Energy Supply Association ("RESA") in the above-captioned docket. Copies of the Memorandum have been served in accordance with the attached Certificate of Service.

Thank you for your attention to this matter. If you have any questions related to this filing, please do not hesitate to contact my office.

Very truly you

Todd S. Stewart Counsel for Natural Gas Supplier Parties and The Retail Energy Supply Association

TSS/jld

Enclosure

cc: Administrative Law Judge Joel H. Cheskis (via electronic mail and overnight delivery) Per Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

VIA ELECTRONIC AND FIRST CLASS MAIL

The Honorable Joel H. Cheskis Deputy Chief Administrative Law Judge Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street Harrisburg, PA 17120 jcheskis@pa.gov

Michael W. Gang, Esquire Anthony D. Kanagy, Esquire Devin T. Ryan, Esquire Post & Schell, PC 17 North Second Street, 12th Floor Harrisburg, PA 17101-1601 mgang@postschell.com akanagy@postschell.com dryan@postschell.com Counsel for Peoples Natural Gas Company LLC

William H. Roberts II, Esquire Peoples Natural Gas Company LLC 375 North Shore Drive Pittsburgh, PA 15212 William.h.roberts.@peoples-gas.com Counsel for Peoples Natural Gas Company LLC

Kadeem G. Morris, Esquire Elizabeth R. Marx, Esquire Patrick M. Cicero, Esquire John W. Sweet, Esquire Pennsylvania Utility Law Project 118 Locust Street Harrisburg, PA 17101 pulp@palegalaid.net Counsel for CAUSE-PA Erika L. McLain, Esquire Carrie B. Wright, Esquire Pennsylvania Public Utility Commission Bureau of Investigation and Enforcement Commonwealth Keystone Building 400 North Street Harrisburg, PA 17120 <u>ermclain@pa.gov</u> carwright@pa.gov

Christy M. Appleby Office of Consumer Advocate 555 Walnut Street 5th Floor, Forum Place Harrisburg, PA 17101-1923 cappleby@paoca.org

Erin K. Fure Assistant Small Business Advocate Office of Small Business Advocate 300 North Second Street, Suite 202 Harrisburg, PA 17101 efure@pa.gov

Joseph L. Vullo, Esquire Burke Vullo Reilly Roberts 1460 Wyoming Avenue Forty Fort, PA 18704 <u>ilvullo@bvrrlaw.com</u> Counsel for Community Action Association of Pennsylvania Scott J. Rubin, Esquire 333 Oak Lane Bloomsburg, PA 17815 Scott.j.rubin@gmail.com Counsel for Utility Workers Union of America, Local 612

Emily M. Farah, Esquire Tishekia Williams, Esquire Michael Zimmerman, Esquire Duquesne Light Company 411 7th Avenue, 15th Floor Pittsburgh, PA 15219 efarah@duqlight.com twilliams@duglight.com mzimmerman@duglight.com Counsel for Duquesne Light Company

Linda R. Evers, Esquire Donald R. Wagner, Esquire Michael A. Gruin, Esquire Stevens & Lee 111 N. Sixth Street Reading, PA 19601 lre@stevenslee.com drw@stevenslee.com mag@stevenslee.com Counsel for Duquesne Light Company Kevin J. Moody, Esquire Pennsylvania Independent Oil & Gas Association 212 Locust Street, Suite 300 Harrisburg, PA 17101-1510 kevin@pioga.org Counsel for PIOGA

Pamela C. Polacek, Esquire Vasiliki Karandrikas, Esquire Errin T. McCaulley, Jr., Esquire McNees Wallace & Nurick LLC 100 Pine Street PO Box 1166 Harrisburg, PA 17108 ppolacek@mcneeslaw.com vkarandrikas@mcneeslaw.com emccaulley@mcneeslaw.com Counsel to Snyder Brothers, Inc., VEC Energy LLC, and Snyder Armclar Gas Co., LP

VIA ELECTRONIC MAIL ONLY

Andrew.wachter@peoples-gas.com

Todd S. Stewart

DATED: March 11, 2019

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission	•	
	:	
V.	:	Docket No. R-2018-3006818
	:	
Peoples Natural Gas Company LLC	:	

PREHEARING CONFERENCE MEMORANDUM OF THE NATURAL GAS SUPPLIER PARTIES AND THE RETAIL ENERGY SUPPLY ASSOCIATION

TO THE HONORABLE JOEL H. CHESKIS

Pursuant to the Prehearing Order dated March 4, 2019 in the above-captioned matter and the Commission's regulations at 52 Pa. Code §5.221, *et seq.*, Dominion Energy Solutions, Inc. ("DES") and Shipley Choice LLC d/b/a Shipley Energy ("Shipley") ("NGS Parties") and The Retail Energy Supply Association¹, ("RESA") (collectively "NGS/RESA"), hereby submit their Prehearing Conference Memorandum.

I. PROCEDURAL HISTORY

- 1. On or about January 28, 2019, Peoples filed its request to increase rates.
- 2. On February 22, 2019, NGS/RESA petitioned to intervene in the above-captioned

proceeding.

¹ The positions taken in this proceeding represent the positions of the Retail Energy Supply Association (RESA) as an organization but may not represent the views of any particular member of the Association. Founded in 1990, RESA is a broad and diverse group of retail energy suppliers dedicated to promoting efficient, sustainable and customer-oriented competitive retail energy markets. RESA members operate throughout the United States delivering value-added electricity and natural gas service at retail to residential, commercial and industrial energy customers. More information on RESA can be found at <u>www.resausa.org</u>.

3. NGS/RESA have a history of participation in Peoples' proceedings, and currently are participating in the merger proceeding involving Aqua water before this Commission

II. COUNSEL

3. NGS/RESA are represented in this matter by the following counsel:

Todd S. Stewart Attorney I.D. No. 75556 Hawke McKeon & Sniscak LLP 100 N. Tenth Street Harrisburg, PA 17101 Telephone: (717) 236-1300 Facsimile: (717) 236-4841 Email: tsstewart@hmslegal.com

All parties are requested to hereafter serve said counsel with all documents served in this proceeding, including documents served prior to the date of intervention.

III. EXPECTED ISSUES

4. There are a number of proposed tariff changes that have the potential to impact natural gas suppliers and the service they provide to their customers. NGS/RESA intends to further review the filing and determine whether it will present testimony on these issues. Otherwise, NGS/RESA's role will be more passive, to ensure that the result of this proceeding is compatible with the current market in the Peoples' service territory.

IV. PROPOSED WITNESSES

5. NGS/RESA have not yet identified any witnesses for this matter but will do so and provide notice to Your Honor and the other parties at the earliest possible time. NGS/RESA reserve the right to offer additional witnesses as necessitated by the issues.

V. LITIGATION SCHEDULE

6. NGS/RESA are committed to working with the other parties and Your Honor to develop a schedule that meets all the parties' needs.

2

VI. DISCOVERY

7. NGS/RESA have not submitted discovery as of the date of this prehearing memorandum but will endeavor to do so as soon as possible if they find it necessary. NGS/RESA will work cooperatively with the Company and all the other parties in order to minimize discovery issues that might require the attention of the Presiding Administrative Law Judge. Moreover, NGS/RESA would not object to the typical discovery modifications proposed by the Office of Consumer Advocate in cases such as this.

VII. SETTLEMENT

8. NGS/RESA are willing to engage in settlement discussions with any and all parties at any time during this proceeding and welcome the opportunity to do so at the earliest possible date.

WHEREFORE, NGS/RESA respectfully submit this Prehearing Conference Memorandum in anticipation of the Prehearing Conference currently scheduled to be held in person on Thursday, March 14, 2019 at 10:00 a.m.

Respectfully submitted,

Todd S. Stewart Attorney I.D. No. 75556 Hawke McKeon & Sniscak LLP 100 N. Tenth Street Harrisburg, PA 17101 Telephone: (717) 236-1300 Facsimile: (717) 236-4841 Email: tsstewart@hmslegal.com

Counsel for Natural Gas Supplier Parties and The Retail Energy Supply Association

DATED: March 11, 2019