

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2023-3043594
David Ellis Emery	:	C-2024-3046876
Richard Stewart	:	C-2024-3047836
	:	
v.	:	
	:	
Kaib and Kaib, LLC	:	

**ORDER TRANSFERRING UNPROTESTED BASE RATE CASE
TO THE COMMISSION’S BUREAU OF TECHNICAL UTILITY SERVICES**

On October 6, 2023, Kaib and Kaib, LLC (Kaib and Kaib) filed with the Pennsylvania Public Utility Commission (Commission) Supplement No. 1 to Tariff Gas – Pa.P.U.C. No. 1, to become effective December 4, 2023. Supplement No. 1 would produce an increase in total annual operating revenues for wastewater service of approximately \$28,337, or 65%. The proposed increase would raise the bill for an average residential customer using 12.5 MCF of natural gas a month from \$75 to \$123 a month. On November 16, 2023, Kaib and Kaib filed Original Tariff Gas-Pa. P.U.C. No. 2, replacing in its entirety Original Tariff Gas-Pa. P.U.C. No. 1 as filed on October 6, 2023, and postponing the effective date to December 22, 2023. On December 15, 2023, Kaib and Kaib filed Supplement No. 1 to Tariff Gas-Pa. P.U.C. No. 2, voluntarily postponing the effective date to March 15, 2024. On January 10, 2024, Kaib and Kaib revised its requested annual increase to \$29,488 (approximately 67.8%).

On February 1, 2024, consumer David Ellis Emery, a customer of Kaib and Kaib, filed a formal complaint against the base rate filing. The complaint was docketed at C-2024-3046876.

By Commission Order entered March 14, 2024, and pursuant to 66 Pa.C.S. § 1308(d), Supplement No. 1 to Tariff Gas Pa. P.U.C. No. 1 was suspended by operation of law

until October 15, 2024, unless permitted by Commission Order to become effective at an earlier date.

By the same Order entered March 14, 2024, the Commission instituted an investigation into the lawfulness, justness, and reasonableness of the proposed rate increases in the tariff filing. The Commission ordered that the investigation also include consideration of the lawfulness, justness, and reasonableness of Kaib and Kaib's existing rates, rules, and regulations.

On March 18, 2024, Robert F. Young, Esquire emailed this ALJ to advise that he had been retained to represent Kaib and Kaib in this matter, and that he would contact Mr. Emery to discuss the potential resolution of his complaint.

On March 18, 2024, the Commission served a prehearing conference notice establishing an initial call-in prehearing conference for this matter for March 29, 2024 at 1:30 p.m. and assigning me as the presiding officer. A prehearing conference order was also issued on March 18, 2024, setting forth the rules and expectations for the conference.

On March 22, 2024, Attorney Young filed a Notice of Appearance on behalf of Kaib and Kaib.

Also on March 22, 2024, a Certificate of Satisfaction was filed regarding Mr. Emery's formal complaint docketed at C-2024-3046876. No objection to the Certificate of Satisfaction was filed within the 10-day objection period.

Also on March 22, 2024, consumer Richard Stewart, a customer of Kaib and Kaib, emailed this ALJ to advise that he filed a formal complaint against the base rate filing in January. The complaint was not in the Commission's docketing system.

On March 26, 2024, the Commission served a cancellation notice for the March 29, 2024 prehearing conference.

Also on March 26, 2024, Mr. Stewart's complaint was located and placed into the Commission's docketing system by the Commission's Secretary's Bureau. The complaint was docketed at C-2024-3047836.

On April 10, 2024, Mr. Young emailed this ALJ to request mediation on behalf of Kaib and Kaib and Mr. Stewart. Mediation was therefore scheduled for April 23, 2024 at 1:00 p.m. Mr. Stewart's complaint resolved at mediation.

On April 23, 2024, a Certificate of Satisfaction was filed regarding Mr. Stewart's formal complaint docketed at C-2024-3047836. No objection to the Certificate of Satisfaction was filed within the 10-day objection period.

As Kaib and Kaib's base rate filing is now unopposed, there is no need for a formal hearing, and the base rate filing will be referred to the Commission's Bureau of Technical Utility Services for review and investigation consistent with the Commission's March 14, 2024 Order.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Pennsylvania Public Utility Commission's Secretary's Bureau reassign the base rate filing, Docket No. R-2023-3043594, from the Pennsylvania Public Utility Commission's Office of Administrative Law Judge to the Pennsylvania Public Utility Commission's Bureau of Technical Utility Services for review and investigation consistent with the Commission's March 14, 2024 Order.

2. That a hearing is not necessary in this matter.

3. That the Complaint of the David Ellis Emery at Docket No. C-2024-3046876 be deemed satisfied and marked closed.

4. That the Complaint of the Richard Stewart at Docket No. C-2024-3047836 be deemed satisfied and marked closed.

Date: May 7, 2024

_____/s/
Charece Z. Collins
Administrative Law Judge

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