

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

555 Walnut Street, 5th Floor, Forum Place
Harrisburg, Pennsylvania 17101-1923
(717) 783-5048
800-684-6560 (in PA only)

FAX (717) 783-7152
consumer@paoca.org

IRWINA. POPOWSKY
Consumer Advocate

November 10, 2009

James J. McNulty
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

RE: Petition of Philadelphia Gas Works for a
Statement of Policy on the Application of
Philadelphia Gas Works' Cash Flow
Ratemaking Method
Docket No. P-2009-2136508

Dear Secretary McNulty:

Enclosed for filing is the Notice of Intervention and Public Statement of the Office of Consumer Advocate, in the above-referenced proceeding.

Copies have been served as indicated on the enclosed Certificate of Service.

Respectfully Submitted,

A handwritten signature in black ink that reads "Kennedy S. Johnson".

Kennedy S. Johnson
Assistant Consumer Advocate
PA Attorney I.D. # 203098

Enclosures

cc: Office of Administrative Law Judge
Office of Special Assistants

00118966.docx

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of Philadelphia Gas Works for a :
Statement of Policy on the Application of : Docket No. P-2009-2136508
Philadelphia Gas Works' Cash Flow :
Ratemaking Method :

NOTICE OF INTERVENTION

Pursuant to 52 Pa. Code Sections 5.71-74, the Office of Consumer Advocate hereby gives Notice of Intervention in the above-captioned proceeding. A copy of all correspondence and notices, documents, orders or other communications with respect to the above-captioned proceeding should be addressed to the following:

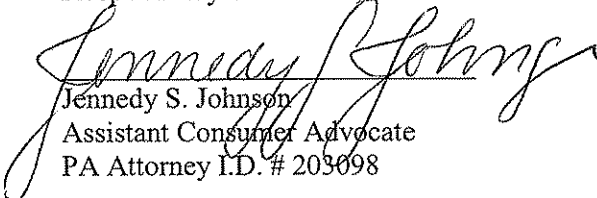
Tanya J. McCloskey
Senior Assistant Consumer Advocate
PA Attorney I.D. # 50044
E-Mail: TMcCloskey@paoca.org

Darryl Lawrence
Assistant Consumer Advocate
PA Attorney I.D. # 93682
E-Mail: DLawrence@paoca.org

Jennedy S. Johnson
Assistant Consumer Advocate
PA Attorney I.D. # 203098
E-Mail: jjohnson@paoca.org

Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
Phone: (717) 783-5048
Fax: (717) 783-7152

Respectfully submitted,


Jennedy S. Johnson
Assistant Consumer Advocate
PA Attorney I.D. # 203098

DATED: November 10, 2009
119002

PUBLIC STATEMENT OF THE
OFFICE OF CONSUMER ADVOCATE
PURSUANT TO 71 P.S. SECTION 309-4(e)

Act 161 of the Pennsylvania General Assembly, 71 P.S. Section 309-2, as enacted July 9, 1976, authorizes the Consumer Advocate to represent the interests of consumers before the Pennsylvania Public Utility Commission (Commission). In accordance with Act 161, and for the following reasons, the Consumer Advocate determined to intervene and participate in proceedings before the Commission involving the Philadelphia Gas Works (PGW or Company).

On October 16, 2009, the Company filed a Petition seeking a Statement of Policy on the Application of Philadelphia Gas Works' Cash Flow Ratemaking Method (Petition). The Commission has ordered PGW to file its next general base rate case prior to December 31, 2009. PGW alleges in its Petition that it is seeking guidance from the Commission, prior to filing its next base rate case, as to how the Commission intends to apply the Cash Flow Method of ratemaking in the upcoming rate case.

In its last base rate case, PGW was authorized by the Commission to increase its base rates by \$60 million. In PGW's upcoming base rate case, the Commission will determine what level of base rates are appropriate and reasonable for PGW at this time. Accordingly, the Consumer Advocate determined to intervene in this proceeding to protect the interests of PGW's customers.

CERTIFICATE OF SERVICE

Petition of Philadelphia Gas Works for a :
Statement of Policy on the Application of : Docket No. P-2009-2316508
Philadelphia Gas Works' Cash Flow :
Ratemaking Method :

I hereby certify that I have this day served a true copy of the foregoing document, Answer of the Office of Consumer Advocate, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 10th day of November 2009.

SERVICE BY E-MAIL and INTEROFFICE MAIL

Richard Kanaskie, Esquire
Adeolu Bakare, Esquire
Office of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

SERVICE BY E-MAIL and FIRST CLASS MAIL

Daniel Clearfield, Esquire
Carl R. Shultz, Esquire
Eckert Seamans Cherin & Mellott, LLC
Eighth Floor
213 Mark Street
Harrisburg, PA 17101
Counsel for: *Philadelphia Gas Works*

Abby Pozefsky, General Counsel
Gregory Stunder, Assistant General Counsel
Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122
Counsel for: Philadelphia Gas Works

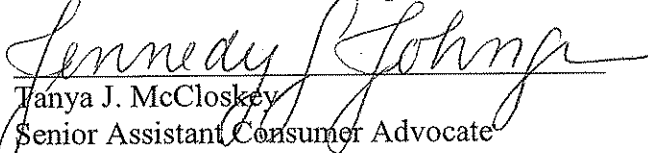
Sharon E. Webb
Assistant Small Business Advocate
Office of Small Business Advocate
Commerce Building, Suite 1102
300 North Second Street
Harrisburg, PA 17101
Counsel for: *Office of Small Business Advocate*

Philip L. Hinerman, Esquire
Jill Guldin, Esquire
Robert A. Clothier, Esquire
Fox Rothschild LP
2000 Market St., 10th Pl.
Philadelphia, PA 19103-3291
Counsel for: *Philadelphia Housing Authority*

Philip Bertocci, Esquire
Thu Tran, Esquire
Community Legal Services
1424 Chestnut Street
Philadelphia, PA 19102
Counsel for : *TURN, et al*

Todd S. Stewart, Esquire
Hawke, McKeon, Sniscak & Kennard LLP
100 North Tenth Street
P.O. Box 1778
Harrisburg, PA 17101
Counsel For: *Interstate Gas Supply, Inc.*

Barry Naum, Esquire
Charis Mincavage, Esquire
McNees Wallace Nurick
100 Pine Street
PO Box 1166
Harrisburg, PA 17108-1166
Counsel for: *Philadelphia Industrial and
Commercial Gas Users Group*


Tanya J. McCloskey
Senior Assistant Consumer Advocate
PA Attorney I.D. # 50044
E-Mail: TMcCloskey@paoca.org
Darryl Lawrence
PA Attorney I.D. # 93682
E-Mail: DLawrence@paoca.org
Jennedy S. Johnson
PA Attorney I.D. # 203098
E-Mail: jjohnson@paoca.org
Assistant Consumer Advocates

Counsel for
Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923
Phone: (717) 783-5048
Fax: (717) 783-7152

00118967.docx