



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

---

Andrew S. Tubbs

atubbs@postschell.com  
717-612-6057 Direct  
717-731-1985 Fax  
File #: 2274/150589

February 9, 2012

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: Pennsylvania Public Utility Commission v. Peoples TWP LLC**  
**Docket Nos. R-2011-2273539, C-2012-2285171 & C-2012-2287034**

Dear Secretary Chiavetta:

Enclosed please find the Prehearing Conference Memorandum of Peoples TWP LLC for the above-referenced proceeding. Copies will be provided as indicated on the certificate of service.

Respectfully Submitted,

Andrew S. Tubbs

AST/jl

Enclosures

cc: Honorable Conrad A. Johnson  
Certificate of Service

## CERTIFICATE OF SERVICE

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

### VIA E-MAIL AND FIRST CLASS MAIL

Allison Kaster  
Bureau of Investigation & Enforcement  
400 North Street, 2<sup>nd</sup> Floor West  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Sharon E. Webb  
Office of Small Business Advocate  
300 North Second Street, Suite 1102  
Harrisburg, PA 17101

David T. Evrard  
Office of Consumer Advocate  
555 Walnut Street, 5<sup>th</sup> Floor  
Harrisburg, PA 17101-1923

Date: February 9, 2012



Andrew S. Tubbs

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	Docket Nos.	R-2011-2273539
Office of Consumer Advocate	:		C-2012-2285171
Office of Small Business Advocate	:		C-2012-2287034
	:		
v.	:		
	:		
Peoples TWP LLC	:		

**PREHEARING CONFERENCE MEMORANDUM  
OF PEOPLES TWP LLC**

TO ADMINISTRATIVE LAW JUDGE CONRAD A. JOHNSON:

Peoples TWP LLC (“Peoples TWP”) hereby submits this Prehearing Conference Memorandum in the above-captioned matter, and states as follows:

**I. PROCEDURAL HISTORY**

On November 15, 2011, Peoples TWP filed a letter with the Pennsylvania Public Utility Commission (“Commission”) requesting an extension for the filing of Peoples TWP’s initial filing in support of its 2012 Section 1307(f) filing for recovery of purchased gas costs. By Secretarial Letter dated, December 5, 2011, the Commission granted Peoples TWP’s request for an extension until January 13, 2012.

On January 13, 2012, Peoples TWP made its filing in compliance with Section 1307(f) of the Public Utility Code (Act 74 of 1984) with the Commission. On January 31, 2012, Peoples TWP filed its unnumbered and undated Supplement to Tariff Gas – PA PUC No. 7 as required by Section 1307(f) of the Public Utility Code to provide for projected changes in tariff rates resulting from changes in purchased gas costs. In the supplement, Peoples TWP proposes a decrease in its rates for recovery of purchased gas costs applicable to residential sales service

customers of \$0.6785/Mcf, from the purchased gas cost rates in effect as of November 1, 2011. Rate changes related to recovery of purchased gas costs were proposed for other customer classes.

On January 25, 2012, the Office of Consumer Advocate filed a Formal Complaint at Docket No. C-2012-2285171.

On February 1, 2012, the Commission's Bureau of Investigation and Enforcement filed a Notice of Appearance. Also, on February 2, 2012, the Office of Small Business Advocate filed a Notice of Appearance and a Formal Complaint at Docket No. C-2012-2287034.

On February 6, 2012, a Notice was issued scheduling a Prehearing Conference before the Honorable Conrad A. Johnson ("ALJ") at 1:00 p.m. on Friday, February 10, 2012, in the 2nd Floor Hearing Room, Piatt Place, Pittsburgh, PA and in Hearing Room 2 in the Commonwealth Keystone Building, Harrisburg, Pennsylvania. Further, on February 6, 2012, the ALJ issued a Prehearing Conference Order, directing the parties to file Prehearing Memoranda on or before February 9, 2012.

Peoples TWP herein files this Prehearing Memorandum pursuant to the February 6, 2012 Prehearing Conference Order.

## **II. SERVICE OF DOCUMENTS**

Peoples TWP requests that Michael W. Hassell and Andrew S. Tubbs be listed on the service list on behalf of Peoples TWP. Their contact information is provided below:

Michael W. Hassell, I.D. No. 34851  
 Andrew S. Tubbs, I.D. No. 80310  
 Post & Schell, PC  
 17 North Second Street  
 12th Floor  
 Harrisburg, Pennsylvania 17101-1601  
 Phone: (717) 612-6029  
 (717) 612-6057  
 Fax: (717) 731-1985  
 E-mail: mhassell@postschell.com  
 E-mail: atubbs@postschell.com

Peoples TWP also requests that Andrew P. Wachter be included on all electronic mail sent in this proceeding. Mr. Wachter's email address is [andrew.wachter@peopletwp.com](mailto:andrew.wachter@peopletwp.com).

**III. WITNESSES AND ISSUES**

Below is a list of the witnesses that Peoples TWP intends to call in this proceeding and the subject areas of their testimony. Further definition of the issues will be developed by the parties during the course of this proceeding. Peoples TWP reserves the right to call additional witnesses and/or present testimony on additional issues and subject matters that may arise during the course of this proceeding.

<u>Witness</u>	<u>Statement</u>	<u>General Subject Matter</u>
Andrew P. Wachter 205 North Main Street Butler, PA 16001	Peoples TWP St. No. 1	Overview, Filing Requirements and Rates
Robert M. Hovanec 205 North Main Street Butler, PA 16001	Peoples TWP St. No. 2	Gas Procurement Strategy
Paul W. Becker 205 North Main Street Butler, PA 16001	Peoples TWP St. No. 3	Gas Supply and Requirements

Mr. Wachter's direct testimony also identifies the sponsoring witnesses for Peoples TWP exhibits.

Peoples TWP may amend its pre-filed statements and exhibits, as appropriate, during the course of this proceeding, based upon more recent information, as such information becomes available. Such update(s) will reflect changes in information relevant to the determination of the proper level of purchased gas cost recovery rates to become effective August 1, 2012.

**IV. DISCOVERY**

Peoples TWP does not propose any special orders regarding discovery. Peoples TWP has received interrogatories from other parties, and has already begun to answer those questions. Peoples TWP is not aware of any outstanding discovery disputes. Peoples TWP is willing to work with the parties, through informal discovery, to expedite discovery.

**V. PROCEDURAL SCHEDULE**

Peoples TWP offers the following schedule, which has been accepted by all parties<sup>1</sup>:

Prehearing Conference	February 10, 2012
Other Parties' Direct Testimony	March 5, 2012*
Rebuttal Testimony	March 23, 2012 (Noon) *
Surrebuttal Testimony	March 30, 2012 (Noon) *
Hearings	April 5-6, 2012
Main Brief	April 23, 2012*
Reply Brief	May 4, 2014*

---

<sup>1</sup> Each date marked with a \* is a date on which documents are due. For parties accepting electronic service, the documents are to be served electronically on the date indicated, by 4:00 p.m. unless otherwise indicated. Hard copies will follow by first class mail or by express service. For parties not accepting electronic service and not located in Harrisburg, documents are due in hand on the following business day.

**VI. PUBLIC INPUT HEARINGS**

Peoples TWP is not aware of any substantial consumer interest with respect to the proposed rate change. Peoples TWP does not propose that any public input hearings be held absent substantial public interest in the filing.

**VII. PROTECTION OF CONFIDENTIAL INFORMATION**

If necessary and should the case proceed to hearing, Peoples TWP will timely submit an appropriate Motion for Protective Order.

**VIII. SETTLEMENT DISCUSSIONS**

To date, no settlement discussions have been held. However, Peoples TWP will be working with the parties in an effort to resolve these proceedings through settlement.

Respectfully submitted,



Michael W. Hassell (ID # 34851)

Andrew S. Tubbs (ID #80310)

Post & Schell, P.C.

17 North Second Street

12<sup>th</sup> Floor

Harrisburg, PA 17101-1601

Phone: 717-612-6029

717-612-6057

Fax: 717-731-1985

E-mail: [mhassell@postschell.com](mailto:mhassell@postschell.com)

E-mail: [atubbs@postschell.com](mailto:atubbs@postschell.com)

Of Counsel:

Post & Schell, P.C.

Date: February 9, 2012

Attorneys for Peoples TWP LLC