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File #: 148677

July 25, 2012

BY HAND

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

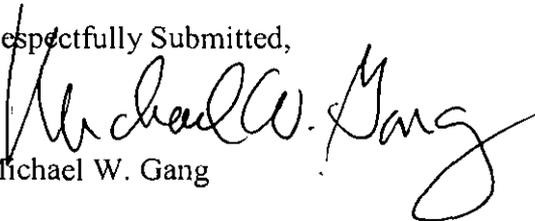
**RE: Pennsylvania Public Utility Commission v. Peoples Natural Gas Company LLC**  
**Docket No. R-2012-2285985 et al.**

Dear Secretary Chiavetta:

Enclosed, for filing, are the original and three (3) copies of the Joint Stipulation for Admission of Evidence in the above-referenced proceeding.

Copies have been provided to the persons in the manner indicated on the certificate of service.

Respectfully Submitted,

  
Michael W. Gang

MWG/jl

Enclosures

cc: Honorable Mary D. Long  
Certificate of Service

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SECRETARY'S BUREAU

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	Docket Nos. R-2012-2285985
Office of Small Business Advocate,	:	C-2012-2295218
Office of Consumer Advocate,	:	C-2012-2292047
Pennsylvania State University,	:	C-2012-2298317
Snyder Brothers, Inc. <i>et al.</i> ,	:	C-2012-2302859
D. Killmeyer,	:	C-2012-2295700
Raymond Anderson,	:	C-2012-2298575
Steven J. Swencki,	:	C-2012-2299156
James Weber, and	:	C-2012-2300419
Severo Miglioretti,	:	C-2012-2302827

Complainants :

v. :

Peoples Natural Gas Company LLC, :

Respondent :

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**JOINT STIPULATION FOR ADMISSION OF EVIDENCE**

**TO ADMINISTRATIVE LAW JUDGE MARY D. LONG:**

**I. INTRODUCTION**

Peoples Natural Gas Company LLC (“Peoples” or the “Company”), the Bureau of Investigation & Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”), the Office of Consumer Advocate (“OCA”), the Office of Small Business Advocate (“OSBA”), Dominion Retail, Inc. and Interstate Gas Supply, Inc. (“Dominion/IGS”), EQT Energy, LLC d/b/a Equitable Energy (“EQT”), Pennsylvania Independent Oil and Gas Association (“PIOGA”), Retail Energy Supply Association (“RESA”), Community Action Association of Pennsylvania (“CAAP”), Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”), Snyder Brothers, Inc., Buffalo Valley Ltd., Snyder Armclar Gas Company LP and S & D Energy (collectively, “Snyder Brothers”) and The Pennsylvania State University (“Penn State”), all parties to the above-captioned proceeding

(hereinafter, collectively “Joint Petitioners”), hereby join in this “Joint Stipulation for Admission of Evidence” (“Stipulating Parties”).<sup>1</sup> In support of the Stipulation, the Stipulating Parties represent as follows:

## **II. BACKGROUND**

### **A. The Base Rate Case**

1. On February 28, 2012, Peoples filed Retail Tariff Gas – PA PUC No. 45 and Supplement No. 6 to Supplier Tariff Gas – PA PUC No. S-2 (collectively “Tariffs”) with the Commission. Peoples proposed changes in base rates and rules to become effective on April 28, 2012. In the 2012 base rate filing, Peoples proposed rates designed to produce an overall revenue increase of approximately \$28.4 million annually, based upon the pro forma future test year ending October 31, 2012. The filing was made in compliance with the Commission’s regulations and contains all supporting data and testimony required to be submitted in conjunction with a tariff change seeking a general rate increase.

2. By Order entered April 26, 2012, the Commission initiated an investigation of Peoples’ proposed general rate increase. Retail Tariff No. 45 and Supplier Tariff No. S-2 were suspended by operation of law pursuant to Section 1308(d) of the Public Utility Code, 66 Pa.C.S. § 1308(d), for up to seven months or until November 28, 2012, unless permitted by Commission Order to become effective at an earlier date.

3. By Supplement No. 1 to Retail Tariff Gas – PA PUC No. 45 and Supplement No. 7 to Supplier Tariff Gas – PA PUC No. S-2, both effective April 28, 2012, Peoples suspended the effective date of the Tariffs until November 28, 2012 as required by the Commission’s Order entered April 26, 2012.

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<sup>1</sup> All Stipulating Parties are signatory parties to a “Joint Petition for Approval of Settlement,” that will be filed with the Commission on or before August 10, 2012 in the above-captioned proceeding.

4. A prehearing conference was scheduled for May 8, 2012 before the ALJ. Joint Petitioners who participated in the prehearing filed prehearing memoranda identifying potential issues and witnesses.

5. At the prehearing conference, ALJ Long established a litigation schedule.

6. Pursuant to the procedural schedule adopted by the ALJ, I&E, OCA, OSBA, Dominion/IGS, CAUSE-PA, CAAP, PIOGA, and Snyder Brothers served direct testimony and accompanying exhibits on May 30, 2012. On June 25, rebuttal testimony and accompanying exhibits were served by Peoples, I&E, OSBA, OCA, Penn State, and Snyder Brothers. On July 13, 2012, surrebuttal testimony and accompanying exhibits were served by Peoples, I&E, OCA, OSBA, Dominion/IGS, and Penn State.

**B. The Settlement**

7. The Joint Petitioners held multiple settlement conferences over the course of the proceeding. As a result of those conferences and the efforts of the Joint Petitioners to examine the issues, the Joint Petitioners achieved a settlement in principle of all issues (the "Settlement") in the proceeding prior to the dates scheduled for hearings. The Settlement will be embodied in the Joint Petition for Settlement that will be filed with the Commission on or before August 10, 2012.

**C. Evidence Stipulation**

8. The Parties hereby jointly stipulate to the authenticity and admission of the following filings, statements, and exhibits into the evidentiary record in this matter:<sup>2</sup>

Direct and Supplemental Direct Testimony

Peoples Statement No. 1

Direct Testimony of Morgan K. O'Brien,

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<sup>2</sup> Certain filings, statements, and exhibits contain "Proprietary" or "Highly Confidential" information. The copies being filed with the Secretary's Bureau of the Commission are so marked. Such materials are subject to the Protective Order issued by the Presiding Officer in this proceeding and, as such, should be placed in non-public folders by the Secretary's Bureau.

	together with Appendix A
Peoples Statement No. 2	Direct Testimony of Kenneth M. Johnston
Peoples Statement No. 3	Direct Testimony of Gregory A. Sciuлло, together with Appendix A
Peoples Statement No. 4	Direct Testimony of Jon H. Skoog, together with Appendix A
Peoples Statement No. 5	Direct Testimony of Sadie John Kroeck, together with Exhibits SJK-1 – SJK-6
Peoples Statement No. 6	Direct Testimony of John J. Spanos, together with Exhibits JJS-1 and JJS-2
Peoples Statement No. 7	Direct Testimony of Anthony Caldoro, together with Exhibits AC-1 and AC-2
Peoples Statement No. 8	Direct Testimony of Travis L. Ommert, together with Exhibit TLO-1
Peoples Statement No. 9	Direct Testimony of Paul R. Moul, together with Exhibit PRM-1
Peoples Statement No. 10	Direct Testimony of Rita F. Urbaniak, together with Exhibits RFU-1 – RFU-12
Peoples Statement No. 11	Direct Testimony of Lynda W. Petrichevich, together with Exhibits LWP-1 and LWP-2
Peoples Statement No. 11-Supp	Supplemental Direct Testimony of Lynda W. Petrichevich, together with Appendix A and Exhibits LWP-1-Rev and LWP-2-Rev
Peoples Statement No. 12	Direct Testimony of James I. Warren
Peoples Statement No. 13	Direct Testimony of Russell A. Feingold, together with Exhibits RAF-1 and RAF-2
Peoples Statement No. 14	Direct Testimony of Joseph A. Gregorini, together with Exhibits JAG-1 – JAG-11

Peoples Statement No. 14-Supp

Direct Testimony of Joseph A. Gregorini,  
together with Exhibits JAG-5-Rev, JAG-7-  
Rev and JAG-11-Rev

Direct Case Exhibits

Volume I	53.52 and 53.53 I.A.1 through 53.53 I.C.2
Volume II	53.53 II.A.1 through 53.53 II.C.1
Volume III A	53.53 III.A.1 through 53.53 III.A.45
Volume III B	53.53 III.A.46 through 53.53 III.E.39
Volume IV	53.53 IV.B.1 through 53.53 IV.B.5 and 53.53 IV.B.7 through 53.53 IV.B.14
Volume V	53.53 IV.B.6 (Present and Proposed Tariffs)
Volume VI	RR.1 to RR.23
Volume VII	RR.24 to RR.55
Volume VIII	COS.1 to COS.21
Volume IX	ROR.1 to ROR.23
Volume X	Pertinent Schedules (Summary)
Volume XI	Testimony/Exhibits Part 1
Volume XII	Testimony/Exhibits Part 2
<b>Volume XIII</b>	<b>Confidential Documents</b>

Rebuttal Testimony

Peoples Statement No. 1-R	Rebuttal Testimony of Morgan K. O'Brien
Peoples Statement No. 2-R	Rebuttal Testimony of Kenneth M. Johnston
Peoples Statement No. 4-R	Rebuttal Testimony of Jon H. Skoog

Peoples Statement No. 5-R	Rebuttal Testimony of Sadie John Kroeck, together with Exhibits SJK-7 – SJK-10
Peoples Statement No. 7-R	Rebuttal Testimony of Anthony Caldro, together with Exhibits AC-3 and AC-5
Peoples Statement No. 8-R	Rebuttal Testimony of Travis L. Ommert, together with Exhibits TLO-2 – TLO-4
Peoples Statement No. 9-R	Rebuttal Testimony of Paul R. Moul, together with Exhibits PRM-2 and PRM-3
Peoples Statement No. 10-R	Rebuttal Testimony of Rita F. Urbaniak, together with Exhibits RFU-13 – RFU-17
Peoples Statement No. 11-R	Rebuttal Testimony of Lynda W. Petrichevich, together with Exhibits LWP-3 and LWP-6
Peoples Statement No. 13-R	Rebuttal Testimony of Russell A. Feingold, together with Exhibits RAF-3 and RAF-9
Peoples Statement No. 14-R	Rebuttal Testimony of Joseph A. Gregorini, together with Exhibits JAG-12 – JAG-14

Surrebuttal

Peoples Statement No. 5-SR	Surrebuttal Testimony of Sadie John Kroeck
----------------------------	--

**1. I&E Statements and Exhibits**

Direct Testimony

I&E Statement No. 1	Direct Testimony of Emily Sears, together with Appendix A and I&E Exhibit No.1
I&E Statement No. 2	Direct Testimony of Christine Wilson, together with Appendix A and I&E Exhibit No. 2
I&E Statement No. 3	Direct Testimony of Joseph Kubas, together with Appendix A and Proprietary and Non-Proprietary I&E Exhibit No. 3

I&E Statement No. 4                      Direct Testimony of Ethan H. Klein, together with Appendix A and I&E Exhibit No.4

I&E Statement No. 5                      Direct Testimony of Amanda Gordon, together with Appendix A and I&E Exhibit No.5

Rebuttal Testimony

I&E Statement No. R-5                      Rebuttal Testimony of Amanda Gordon

Surrebuttal Testimony

I&E Statement No. 1-SR                      Surrebuttal Testimony of Emily Sears, together with I&E Exhibit No.1-SR

I&E Statement No. 2-SR                      Surrebuttal Testimony of Christine Wilson

I&E Statement No. 3-SR                      Surrebuttal Testimony of Joseph Kubas, together Proprietary and Non-Proprietary I&E Exhibit No. 3-SR

I&E Statement No. 4-SR                      Surrebuttal Testimony of Ethan H. Klein

I&E Statement No. 5-SR                      Surrebuttal Testimony of Amanda Gordon

**2.      OCA Statements and Exhibits**

Direct Testimony

OCA Statement No. 1                      Direct Testimony of Thomas S. Catlin, together with Appendix A and Schedules TSC-1 through TSC-19

OCA Statement No. 2                      Direct Testimony of Matthew I. Kahal, together with Appendix A and Schedules MIK-1 through MIK-5

OCA Statement No. 3                      Direct Testimony of Jerome D. Mierzwa, together with Appendix A and Schedules JDM-1 through JDM-5

OCA Statement No. 4

*Direct Testimony of Roger D. Colton,  
together with Appendix A and Schedules  
RDC-1 through RDC-4*

Rebuttal Testimony

OCA Statement No. 3-R

Rebuttal Testimony of Jerome D. Mierzwa

OCA Statement No. 4-R

Rebuttal Testimony of Roger D. Colton,  
together with Schedule RDC-R1

Surrebuttal Testimony

OCA Statement No. 1-S

Surrebuttal Testimony of Thomas S. Catlin,  
together with updated Schedules TSC-1  
through TSC-19

OCA Statement No. 2-S

Surrebuttal Testimony of Matthew I. Kahal

OCA Statement No. 3-S

Surrebuttal Testimony of Jerome D. Mierzwa,  
together with updated Schedule JDM-1S

OCA Statement No. 4-S

Surrebuttal Testimony of Roger D. Colton

**D. OSBA Statements and Exhibits.**

Direct Testimony

OSBA Statement No. 1

Direct Testimony of Brian Kalcic, together  
with an Appendix, Schedules BK-1 through  
BK-5 and Referenced Interrogatory  
Responses

Rebuttal Testimony

OSBA Statement No. 2

Rebuttal Testimony of Brian Kalcic

Surrebuttal Testimony

OSBA Statement No. 3

Surrebuttal Testimony of Brian Kalcic,  
together with Schedules BK-1S through BK-  
3s

**E. Dominion and IGS Statements and Exhibits.**

Direct Testimony

Dominion Retail Statement No. 1      Direct Testimony of Thomas J. Butler

Surrebuttal Testimony

Dominion Retail Statement No. 1-SR      Surrebuttal Testimony of Thomas J. Butler

**F. PIOGA Statements and Exhibits.**

Direct Testimony

PIOGA Statement No. 1      Direct Testimony of Matthew E. Vavro,  
together with Exhibits MV-1 and MV-2

PIOGA Statement No. 2      Direct Testimony of Louis D. D'Amico

**G. CAAP Statements and Exhibits.**

Direct Testimony

CAAP Statement No. 1      Direct Testimony of Susan Moore

**H. Snyder Brothers Statements and Exhibits.**

Rebuttal Testimony<sup>3</sup>

Snyder Brothers Statement No. 2-R      Rebuttal Testimony of Benjamin T. Snyder

**I. Penn State Statements and Exhibits.**

Rebuttal Testimony

JC Statement No. 1-R      Rebuttal Testimony of James L. Crist

Surrebuttal Testimony

JC Statement No. 1-S      Surrebuttal Testimony of James L. Crist

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<sup>3</sup> Snyder Brothers is not submitting its previously served direct testimony or exhibits into the evidentiary record.

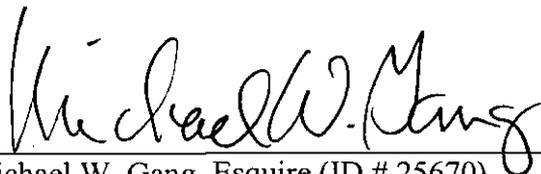
9. This Stipulation is presented by the Stipulating Parties in conjunction with the Settlement, which is intended to settle all issues in the above-captioned proceeding. If the Commission rejects or otherwise modifies the Settlement, the Stipulating Parties reserve their respective procedural rights to object to the admission of the above-referenced statements and exhibits, submit additional testimony and exhibits, and cross-examine witnesses at on-the-record evidentiary hearings.

10. This Stipulation is being presented, in conjunction with the Settlement, only to resolve issues in above-captioned proceeding. Regardless of whether this Stipulation is approved or not, no adverse inference shall be drawn, nor shall prejudice result to any Signatory Party, in this or any future proceeding as a consequence of this Stipulation or any of its terms or conditions.

11. Upon approval of this Stipulation, two copies of the foregoing filings, statements, exhibits and witness verifications will be are being filed with the Commission's Secretary for inclusion in the official case record. "Proprietary" and "Highly Confidential" materials have been so marked.

12. Attached hereto as **Appendix A** is a proposed "Order Granting Joint Stipulation for Admission of Evidence" for consideration by the Presiding Officer.

WHEREFORE, the Stipulating Parties, by their respective counsel, respectfully request that the Honorable Administrative Law Judge Mary D. Long admit the foregoing filings, statements, and exhibits into the record in this proceeding on the terms and conditions set forth in the Stipulation.

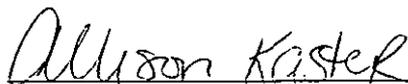


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*For Peoples Natural Gas Company LLC*

Respectfully submitted,

Date: 7/25/12

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Date: 7/25/2012

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*For Office of Consumer Advocate*

Date: July 25, 2012

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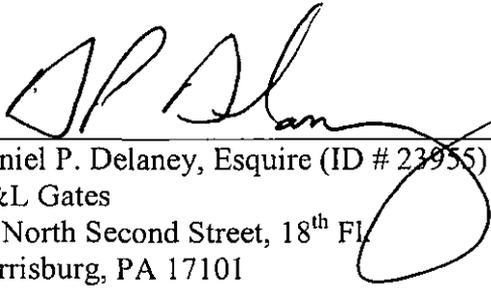
Date: July 25, 2012

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Interstate Gas Supply, Inc.*

Date: July 25, 2012

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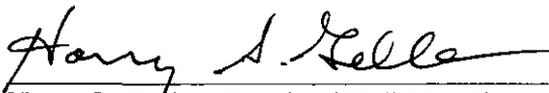
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Date: 7/25/12



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*For Pennsylvania Independent Oil and Gas Association*

Date: 7/25/12



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*For CAUSE-PA*

Date: 7/25/12

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*For Community Action Association of Pennsylvania*

Date: \_\_\_\_\_



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*For The Pennsylvania State University*

Date: 7/25/12



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*For Snyder Brothers, Inc., Buffalo Valley Ltd.,  
Snyder Armclar Gas Company LP and S&D Energy*

Date: 7/25/12

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*J. V. M.*

Date: 7/24/12

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*For Snyder Brothers, Inc., Buffalo Valley Ltd.,  
Snyder Armclar Gas Company LP and S&D Energy*

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SECRETARY'S BUREAU

Craig R. Burgraff / alw

Date: 7-25-12

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*For Retail Energy Supply Association*

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# APPENDIX A

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FAI'S  
SECRETARY'S BUREAU

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, <i>et al.</i>	:	
	:	
v.	:	Docket No. R-2012-2285985, <i>et al</i>
	:	
Peoples Natural Gas Company LLC	:	

**ORDER GRANTING JOINT STIPULATION  
FOR ADMISSION OF EVIDENCE**

On July 25, 2012, Peoples Natural Gas Company LLC (“Peoples” or the “Company”), the Bureau of Investigation & Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”), the Office of Consumer Advocate (“OCA”), the Office of Small Business Advocate (“OSBA”), Dominion Retail, Inc. and Interstate Gas Supply, Inc. (“Dominion/IGS”), EQT Energy, LLC d/b/a Equitable Energy (“EQT”), Pennsylvania Independent Oil and Gas Association (“PIOGA”), Retail Energy Supply Association (“RESA”), Community Action Association of Pennsylvania (“CAAP”), Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-PA”), Snyder Brothers, Inc., Buffalo Valley Ltd., Snyder Armclar Gas Company LP and S & D Energy (collectively, “Snyder Brothers”) and The Pennsylvania State University (“Penn State”), all parties to the above-captioned proceeding (“Stipulating Parties”), filed a “Joint Stipulation for Admission of Evidence” (“Stipulation”) in the above-captioned proceeding. Each of the Stipulating Parties stipulated to the authenticity of the filings, statements, and exhibits listed in the Stipulation and requested that they be admitted into the record of this proceeding on the terms and conditions set forth in the Stipulation. The Stipulation is attached to this Order.

As this request is reasonable, it will be granted.

THEREFORE,

IT IS ORDERED:

1. That the Stipulation, filed on July 25, 2012, and the filings, statements, and exhibits listed therein are admitted into the record of this proceeding on the terms and conditions set forth in the Stipulation;
2. That two copies of each filing, statement, and exhibit listed in the Stipulation be filed with the Secretary's Bureau of the Commission, unless previously filed; and,
3. That, consistent with the Protective Order, dated \_\_\_\_\_, in this proceeding, all filings, statements, and exhibits designated as "Proprietary" or "Highly Confidential" be placed in non-public folders by the Secretary's Bureau of the Commission.

Date: \_\_\_\_\_

\_\_\_\_\_  
Mary D. Long  
Administrative Law Judge

**CERTIFICATE OF SERVICE**  
**Docket No. R-2012-2285985 et al.**

I hereby certify that I have this day served true copies of the **Joint Stipulation for Admission of Evidence** upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

**VIA E-MAIL & FIRST CLASS MAIL**

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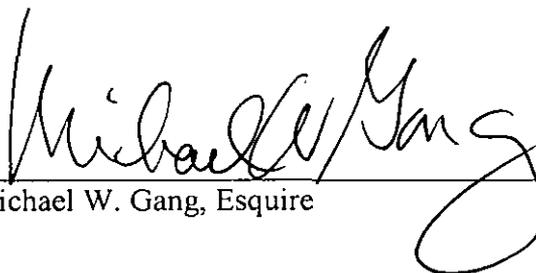
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