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September 7, 2012

Via Electronic Filing

Rosemary Chiavetta, Secretary
PA Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

Re: Pennsylvania Public Utility Commission, Bureau of Investigation
and Enforcement v. Philadelphia Gas Works;
Docket No. C-2011-2278312

Dear Secretary Chiavetta:

On behalf of Philadelphia Gas Works ("PGW") attached for electronic filing please find its Unopposed Motion for Further Continuance of Prehearing Conference with regard to the above-referenced matter. Copies to be served in accordance with the attached Certificate of Service.

Very truly yours,

A handwritten signature in cursive script that reads "Dan Clearfield".

Daniel Clearfield

DC/lww
Enclosure

cc: Hon. Angela Jones w/enc. (via email and first class mail)
Cert. of Service w/enc.


CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of PGW's Unopposed Motion for Further Continuance of Prehearing Conference upon the participant listed below in accordance with the requirements of § 1.54 (relating to service by a participant).

VIA EMAIL AND HAND DELIVERY

Michael L. Swindler
Carrie Wright
Prosecutors
Bureau of Investigation & Enforcement
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120
mwindler@pa.gov
carwright@pa.gov

Date: September 7, 2012


Daniel Clearfield, Esquire

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	Docket No. C-2011-2278312
<i>Complainant,</i>	:	
	:	
v.	:	
	:	
Philadelphia Gas Works,	:	
<i>Respondent</i>	:	

**UNOPPOSED MOTION OF
PHILADELPHIA GAS WORKS
FOR FURTHER CONTINUANCE OF PREHEARING
CONFERENCE**

Pursuant to Section 5.103 of the Pennsylvania Public Utility Commission's ("Commission" or "PUC") regulations,¹ Philadelphia Gas Works ("PGW") respectfully requests that the Initial Prehearing Conference rescheduled for Thursday, September 13, 2012 before Administrative Law Judge ("ALJ") Angela T. Jones be further continued for a period of at least forty-five (45) days because a settlement in principle has been reached to resolve the outstanding issues in this proceeding,² and the parties need additional time to finalize the settlement documents. Counsel for PGW is authorized to represent that the Commission's Bureau of Investigation and Enforcement ("I&E") joins in this request. In support thereof, PGW avers as follows:

1. The underlying incident is the gas leak and explosion in the Tacony section of Philadelphia on January 18, 2011.

¹ 52 Pa. Code § 5.103.

² The Initial Prehearing Conference originally scheduled for June 6, 2012, was continued by Prehearing Order of ALJ Jones dated June 5, 2012.

2. On December 16, 2011, I&E filed the subject Formal Complaint against PGW. The Formal Complaint contains 334 counts, and has both a public version and a proprietary version. PGW filed a timely Answer and New Matter, which has both a public version and proprietary version. I&E filed a timely Reply to PGW's New Matter.

3. PGW and I&E have, since the close of the formal pleadings cycle, engaged in serious settlement negotiations – consistent with the Commission's policy to encourage settlements.³

4. At this point, PGW and I&E have reached a settlement in principle that resolves the outstanding issues in this proceeding. PGW and I&E are in the process of finalizing a Joint Petition for Settlement with the necessary supporting documentation, accompanied by the parties' individual Statements in Support of the settlement. Because this filing is likely to be extensive, PGW requests at least a forty-five (45)-day further continuance of the Initial Prehearing Conference to enable the parties the time needed to formally complete their settlement agreement and prepare the necessary supporting documentation. PGW and I&E believe that they will be able to finalize all the documents needed to formally submit the settlement in the next few weeks, but have requested a 45 day continuance in an abundance of caution.

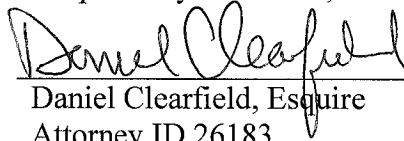
5. PGW avers that this request for further continuance, as set forth above, adequately satisfies the standard for granting a continuance as stated in: (a) Your Honor's Prehearing Orders of June 5, 2012 and July 2, 2012; and (b) 52 Pa. Code § 1.15(b).

³ 52 Pa. Code § 69.1201. Settlements lessen the time and expense the parties must expend litigating a case and at the same time conserve administrative hearing resources. The Commission has indicated that settlement results are often preferable to those achieved at the conclusion of a fully litigated proceeding.

6. As stated above, counsel for PGW is authorized to represent that I&E joins in this request.

WHEREFORE, for all the foregoing reasons, PGW respectfully requests that Your Honor issue an Order granting this Motion and further continuing the Initial Prehearing Conference for a period of not less than forty-five (45) days from the date of the Order.

Respectfully submitted,



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Carl R. Shultz, Esquire
Attorney ID 70328

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Date: September 7, 2012

Attorneys for Philadelphia Gas Works