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November 20, 2012

Via Fed Ex Overnight (Priority)

Pennsylvania Public Utility Commission
ATTN: Secretary, Rosemary Chiavetta
Commonwealth Keystone Building
400 North Street 2nd Floor
Harrisburg, Pennsylvania 17105

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Re: EXCEPTIONS OF MANUEL CRUZ, INTERVENOR
PA PUC v. UGI Utilities, Inc.
C-2012-2308997
Allentown Gas Explosion (02/09/11)

Dear Ms. Chiavetta:

Enclosed please find Intervenor, Manuel Cruz's "exceptions" to the Honorable David A. Salapa's Initial Decision Approving the Joint Settlement Petition in the above matter.

On the night of February 9, 2011, Mr. Cruz's sixteen (16) year old daughter, Katherine Cruz, his four (4) month old grandson, Matthew E. Vega, and mother, Ofelia A. Ben, were killed as a result of a natural gas explosion. Also killed in that explosion were his two (2) next-door neighbors, William and Beatrice Hall. Mr. Cruz's family was his life and there is not a single day that his heart does not ache for their loss.

The PUC has concluded their investigation of the explosion that killed Mr. Cruz's family and filed an administrative action against UGI Utilities (hereinafter "UGI"). Mr. Cruz has learned that the PUC and UGI have reached a proposed settlement, which includes, among other things, a \$386,000.00 fine and an agreement to reduce from twenty (20) to fourteen (14) years the time for UGI to replace their cast iron pipelines. The proposed settlement is presumably a result of negotiations with UGI - a process by which Mr. Cruz was not involved in any manner nor consulted in connection therewith.

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Although Mr. Cruz is pleased to learn that UGI has agreed to accelerate their twenty (20) year cast iron replacement plan to fourteen (14) years, he feels that given the danger that cast iron pipelines represents to the safety and welfare of citizens of Allentown, he feels a more appropriate replacement period should be ten (10) years. Mr. Cruz takes this position for the sole purpose of ensuring that no other family endures the same tragedy he has suffered.

Mr. Cruz feels there exists significant miles of corroded cast iron pipelines within the city of Allentown. These old, corroded pipelines represent “ticking time bombs” that are immediate threats to the safety of the people of Allentown.

Based on the above, Mr. Cruz takes “exception” to the Honorable Salapa’s finding in the Initial Decision Approving Joint Settlement Petition that the Joint Settlement Petition is unopposed by any party.

Further, Mr. Cruz takes exception to Terms of Settlement, Part “A” on page 16. As indicated above, Mr. Cruz would respectfully request a ten (10) year, as opposed to (14) year cast-iron replacement program. Mr. Cruz is particularly concerned with the safety of cast-iron pipelines within the city of Allentown. The prior August 29, 1990 deadly gas explosion that occurred on North Fifth Street also involved a cast-iron main pipeline and was located approximately one mile away from the deadly explosion subject to this matter.

Third, Mr. Cruz takes exception to the following portion of Judge Salapa’s decision on page 10, Paragraph 4, “However, it will be difficult for Cruz to argue in his civil action UGI in the Court of Common Pleas of Northampton County that UGI violated its duty of care by violating the Public Utility Code, Commission regulations and federal regulations if the Commission has concluded otherwise. I conclude that Cruz may be bound the Commission’s determinations regarding UGI’s violation of the Public Utility Code, Commission regulations and federal regulations.”

Mr. Cruz respectfully rejects that his case in Northampton County should be bound by any findings of the PUC and/or the negotiated terms of the Joint Settlement Petition and asserts that he should be given the right to present his own case as to whether UGI violated the Public Utility Code, Commission regulations, federal regulations and/or any other principle of law. Further, the foregoing language of the Initial Decision Approving Joint Settlement Petition is in direct conflict with the plain language of Paragraph 42 of the Joint Settlement Petition which clearly states: “It is the intent of the parties that this Joint Settlement not be admitted into evidence in any potential civil proceeding.”

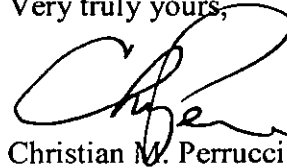
Additionally, Mr. Manuel Cruz respectfully requests the right to obtain discovery in this matter pursuant to the matter of in Re. United Telephone Co. of PA, 77 PA PUC 558 (1992), which indicates that any participant that applied for formal participant status has a right to engage in discovery in a proceeding. Please also see 52 Pa. Code 5.72, which deals with

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intervenors, as well as 52 Pa. Code 5.331, which indicates that participant may conduct discovery. As indicated above, Mr. Cruz has not been afforded the opportunity to engage in any meaningful discovery nor has he been given the opportunity to participate in any portion of the PUC's investigation. Mr. Cruz should be provided discovery from the PUC and be given the right to adequately address the issues in this matter.

Thank you for your immediate attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'C. Perrucci', is written over the typed name. The signature is fluid and cursive, with a large initial 'C' and a long, sweeping underline.

Christian M. Perrucci

CMP/kaf

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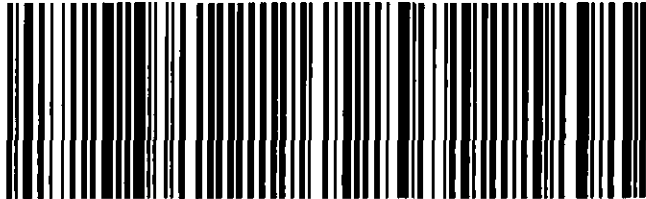
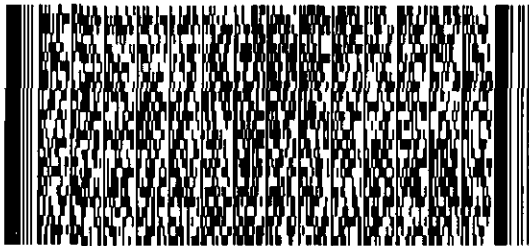
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