



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

December 20, 2012

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

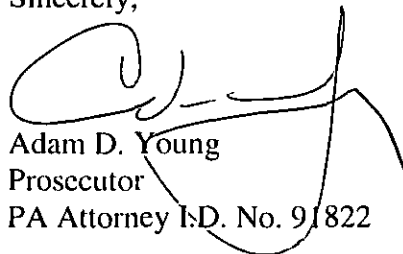
Re: Pennsylvania Public Utility Commission, Bureau of Investigation and
Enforcement v. UGI Utilities, Inc.
Docket No. C-2012-2308997

Dear Secretary Chiavetta:

Enclosed for filing is an original copy of the Answer of the Bureau of Investigation and Enforcement to the Request for Oral Argument of Manuel E. Cruz in the above-referenced proceeding.

Copies have been served on the parties of record in accordance with the Certificate of Service. If you have any questions, please contact me at (717) 772-8582.

Sincerely,



Adam D. Young
Prosecutor
PA Attorney I.D. No. 91822

Enclosure

cc: As per certificate of service

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement,
Complainant

v.

UGI Utilities, Inc.,
Respondent

Docket No. C-2012-2308997

ANSWER OF
THE BUREAU OF INVESTIGATION AND ENFORCEMENT
IN OPPOSITION TO THE REQUEST FOR ORAL ARGUMENT
OF MANUEL E. CRUZ

In accordance with the Pennsylvania Public Utility Commission's (Commission) regulations at 52 Pa. Code §5.61, the Bureau of Investigation and Enforcement (I&E) files the following Answer in Opposition to the Request for Oral Argument of Manuel E. Cruz (Intervenor) in the above-referenced proceeding. For the reasons discussed below, Intervenor's Request for Oral Argument should be denied.

1. Admitted.
2. Admitted. It is admitted that in his Exceptions, which were filed on November 20, 2012, Intervenor objected to the 14-year replacement period of cast iron main that was agreed to in the Settlement Petition in this matter. I&E filed a Reply to Intervenor's Exceptions on November 30, 2012.
3. Admitted in part and denied in part. It is admitted that Intervenor filed a Petition for Remand on December 7, 2012, in addition to the Exceptions that Intervenor filed on

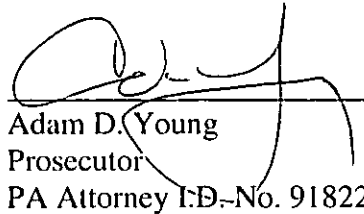
November 20, 2012. It is denied that Intervenor's Petition for Remand was filed prior to the approval of the Joint Settlement Petition. Administrative Law Judge (ALJ) David A. Salapa approved the Joint Settlement Petition in an Initial Decision that was issued on October 31, 2012, and Intervenor offered no newly discovered material facts to justify opening the record in his Petition.

4. Admitted.

5. Admitted in part and denied in part. It is admitted that Intervenor "seeks to be heard" with respect to the filing of his Exceptions, Petition for Remand and, most recently, Request for Oral Argument. It is denied that any of these filings should be granted. By way of further response, Intervenor was required to file his Request for Oral Argument with his Exceptions. Section 5.538(b) of the Commission's regulations states that, "In a case where exceptions are filed . . . a request for oral argument before the Commission **shall be filed in writing together with exceptions** to the tentative, recommended or initial decision." 52 Pa. Code §5.538(b)(emphasis added). Intervenor waived the opportunity to be granted an oral argument before the Commission due to his failure to make the request with his Exceptions.

WHEREFORE, the Bureau of Investigation and Enforcement respectfully requests that the Pennsylvania Public Utility Commission deny the Request for Oral Argument of Manuel E. Cruz, adopt the Initial Decision of Administrative Law Judge David A. Salapa and approve the terms of the Joint Settlement Petition without modification.

Respectfully submitted,


Adam D. Young
Prosecutor
PA Attorney I.D.-No. 91822

Stephanie M. Wimer
Prosecutor
PA Attorney I.D. No. 207522

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Dated: December 20, 2012

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Motion to Strike the Petition for Remand of Manuel E. Cruz, upon the persons listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party).


Notification by First Class Mail and Electronic Mail:

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