



PHILADELPHIA GAS WORKS

800 West Montgomery Avenue • Philadelphia, PA 19122

GREGORY J. STUNDER
SENIOR ATTORNEY
(215) 684-6878
GREG.STUNDER@PGWORKS.COM

March 15, 2013

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
2nd Floor, 1 North
400 North Street
Harrisburg, PA 17120

RE: **PaPUC v. Philadelphia Gas Works - Docket No. R-2013-2346376**

Dear Secretary Chiavetta,

On behalf of Philadelphia Gas Works, enclosed for filing is an original and three copies of its Prehearing Memorandum with regard to the above referenced matter. A copy has been served on the parties listed on the attached Certificate of Service.

Please contact me if you have any questions regarding this filing.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Gregory J. Stunder', is written over a printed name. The signature is stylized and cursive.

Gregory J. Stunder

Enclosure

cc: All Parties of Record
Hon. Christopher Pell

RECEIVED

MAR 19 2013

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,

v.

Philadelphia Gas Works

:
:
:
:
:

Docket No. R-2013-2346376

RECEIVED

MAR 19 2013

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**PHILADELPHIA GAS WORK'S
PREHEARING MEMORANDUM**

I. INTRODUCTION

Philadelphia Gas Works ("PGW") submits this Prehearing Memorandum in anticipation of the Prehearing Conference scheduled before Administrative Law Judge Christopher Pell on March 19, 2013. This Prehearing Conference will address PGW's 2013-14 Gas Cost Rate ("GCR") proceeding, which includes the establishment of its 2013-14 proposed Universal Service Surcharge, for which PGW submitted its prefiling information on February 1, 2013 and its annual filing on March 1, 2013. Additionally, PGW submitted a Petition requesting waiver of certain Commission regulations pertaining to its supporting data and customer notice for the GCR.

II. DISCOVERY

The following rules are consistent with PGW's prior GCR proceedings and are acceptable to PGW:

1. Answers to written interrogatories shall be served in-hand within ten (10) calendar days of service of the interrogatories, except that service of interrogatories on a Friday shall be deemed service on the following Monday.
2. Objections to interrogatories shall be communicated orally within three (3) days of service; unresolved objections shall be served to the ALJ in writing within five (5) days of service of the interrogatories.

3. Motions to dismiss objections and/or direct the answering of interrogatories shall be filed within three (3) business days of service of written objections.
4. Answers to motions to dismiss objections and/or direct the answering of interrogatories shall be filed within three (3) days of service of such motions and shall have attached a copy of the interrogatory or interrogatories and any responses.
5. Responses to requests for document production, entry for inspection, or other purposes must be served in-hand within ten (10) calendar days.
6. Requests for admission shall be deemed admitted unless answered within ten (10) days or objected to within five (5) days of service.
7. Answers to on-the-record data requests shall be served in-hand within seven (7) calendar days of the requests.

III. FACTUAL AND LEGAL ISSUES

The following is a summary of the factual and legal issues that PGW anticipates will be raised in this case:

1. Whether PGW proposed 2013-14 projected natural gas expense and total applicable GCR Expense are just, reasonable and consistent with the least cost fuel procurement and other standards set forth in 66 Pa.C.S. §§ 1307(f), 1317 and 1318?
2. Whether PGW's claimed realized 2012-13 natural gas expense, GCR Expense and prior years' over/undercollection is just, reasonable and consistent with the least cost procurement and other standards set forth in 66 Pa. C.S. §§ 1307(f), 1317 and 1318?
3. Are the revisions to PGW's authorized Universal Service Charge (USC) designed to recover PGW's realized and projected costs and discounts associated with its CRP, CAP, Conservation Works Program (CWP), Enhanced Low Income Usage Reduction Program (ELIRP) and Senior Citizen Discount (SCD) programs just, reasonable and in accordance with applicable PUC orders and the Public Utility Code?

4. Whether PGW's proposed Supplement No. 59 to PGW's Pa PUC Tariff No. 2 setting forth the revisions in rates required by the changes in the GCR, Restructuring, Efficiency Cost Recovery, OPEB and USC surcharges are just, reasonable and otherwise consistent with law?

IV. SERVICE OF DOCUMENTS

Service of documents in this matter should be on the following counsel of record:

Gregory J. Stunder, Esq.
Philadelphia Gas Works
800 West Montgomery Ave.
Philadelphia, PA 19122
(215) 684-6878 (phone)
(215) 684-6798 (fax)
greg.stunder@pgworks.com

V. SCHEDULE

PGW has communicated with the other parties in order to develop a proposed schedule for discovery, testimony, evidentiary hearings and submission of briefs and all parties have agreed to the following (via email by 4:00 P.M. unless otherwise noted):

Non-company parties – direct testimony	Friday, Apr 19, 2013
All parties - rebuttal testimony	Thursday, May 2, 2013
Surrebuttal	Thursday, May 9, 2013
Written rejoinder	Monday, May 13, 2013 (Noon – via email)
Hearings	Tuesday/Wednesday, May 14/15, 2013
Close of record	Thursday, May 16, 2013
Main briefs	Wednesday, May 29, 2013

VI. WITNESSES

PGW expects to submit the testimony of the following witnesses:

A. Raymond Snyder (same business address as the undersigned). The issues Mr. Snyder will address are outlined in the prepared direct testimony submitted on March 1, 2013.

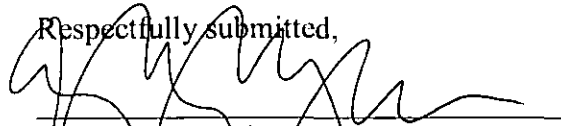
B. Kenneth Dybalski (same business address as the undersigned). The issues Mr. Dybalski will address are outlined in the prepared direct testimony submitted on March 1, 2013.

PGW reserves its right to modify this witness list prior to the submission of testimony.

VII. SETTLEMENT

PGW is willing to discuss settlement of its claims and will be initiating such discussions as soon as the parties indicate they have had sufficient time to review PGW's direct case on the GCR.

Respectfully submitted,



Gregory J. Stunder, Esq
Senior Attorney
Philadelphia Gas Works
800 West Montgomery Ave.
Philadelphia, PA 19122
(215) 684-6878

Dated: March 15, 2013

RECEIVED

MAR 19 2013

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants listed below in accordance with the requirements of §1.54 (relating to service by a participant).

VIA EMAIL and FIRST CLASS MAIL

Aron Beatty, Esq.
Brandon Pierce, Esq.
Office of Consumer Advocate
5th Floor, Forum Place Bldg.
555 Walnut Street
Harrisburg, PA 17101-1921
abeatty@paoca.org
bpierce@paoca.org

Adeolu Bakare, Esquire
McNEES, WALLACE, NURICK
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
abakare@mwn.com

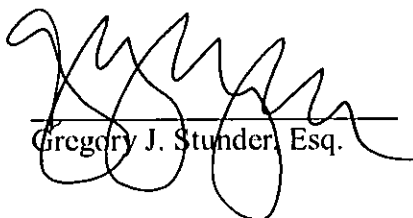
Sharon Webb, Esq.
Office of Small Business Advocate
Commerce Building, Suite 1102
300 North 2nd Street
Harrisburg, PA 17101
swebb@state.pa.us

Regina Matz, Esq.
Office of Investigation & Enforcement
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120
rmatz@pa.gov

RECEIVED

MAR 19 2013

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**



Gregory J. Stunder, Esq.

Date: March 15, 2013

FedEx Package Express **US Airbill**

FedEx Tracking Number

8026 9840 4280

Form ID No.

0215

Recipient's Copy

1 From [REDACTED]
Date 3-19-13

Sender's Name *Greg Stunder, Esq.* Phone 215 684-6870

Company PHILADELPHIA GAS WORKS

Address 800 W MONTGOMERY AVE

City PHILADELPHIA State PA ZIP 19122-2898

2 Your Internal Billing Reference

3 To Recipient's Name *Sec. Rosemary Chiavetta* Phone

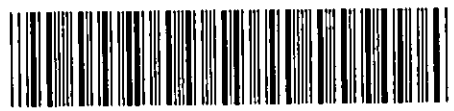
Company *PA PUC*

Address *4180 North St. 2nd Fl. 1. Nov 12*
We cannot deliver to P.O. boxes or P.O. ZIP codes. HOLD Weekday
FedEx location address REQUIRED. NOT available for FedEx First Overnight. Dept./Floor/Suite/Room

Address *Commonwealth Keystone Bldg.* HOLD Saturday
FedEx location address REQUIRED. Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations.

City *Harrisburg* State PA ZIP 17120

0104714559



8026 9840 4280

4 Express Package Service * To most locations.
NOTE: Service order has changed. Please select carefully. Packages up to 150 lbs.
For packages over 150 lbs., use the FedEx Express Freight US Airbill.

Next Business Day
 FedEx First Overnight
Earliest next business morning delivery to select locations. Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
 FedEx Priority Overnight
Next business morning.* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
 FedEx Standard Overnight
Next business afternoon.* Saturday Delivery NOT available.

2 or 3 Business Days
 FedEx 2Day A.M.
Second business morning.* Saturday Delivery NOT available.
 FedEx 2Day
Second business afternoon.* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.
 FedEx Express Saver
Third business day.* Saturday Delivery NOT available.

5 Packaging * Declared value limit \$500.
 FedEx Envelope* FedEx Pak* FedEx Box FedEx Tube Other

6 Special Handling and Delivery Signature Options
 SATURDAY Delivery
NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.
 No Signature Required
Package may be left without obtaining a signature for delivery.
 Direct Signature
Someone at recipient's address may sign for delivery. Fee applies.
 Indirect Signature
If no one is available at recipient's address, someone at a neighboring address may sign for delivery for residential deliveries only. Fee applies.

Does this shipment contain dangerous goods?
One box must be checked.
 No Yes As per attached Shipper's Declaration. Yes Shipper's Declaration not required. Dry Ice Dry Ice, 9, UN 1845 to Cargo Aircraft Only
Dangerous goods (including dry ice) cannot be shipped in FedEx packaging or placed in a FedEx Express Drop Box.

7 Payment Bill to:
Enter FedEx Acct. No. or Credit Card No. below. Obtain recip. Acct. No.
 Sender Acct. No. in Section 1 will be billed. Recipient Third Party Credit Card Cash/Check

Total Packages Total Weight [REDACTED] Credit Card Acct. No. [REDACTED]

Your liability is limited to US\$100 unless you declare a higher value. See the current FedEx Service Guide for details.



fedex.com 1800.GoFedEx 1800.463.3339

fedex.com 1800.GoFedEx 1800.463.3339