

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

**DOCKETED**

MAY 04 2002

Pennsylvania Public Utility  
Commission

v.

Philadelphia Gas Works

**DOCUMENT  
FOLDER**

Docket Number

R-00017034F0002

**ORDER #3**

On February 25, 2002, Philadelphia Gas Works ("PGW" or "Respondent") filed Supplement No. 17 to Tariff Gas – Pa. P.U.C. No. 1 to become effective April 26, 2002. Concurrently,<sup>1</sup> PGW filed a Petition for Extraordinary Rate Relief, pursuant to Section 1308(e) and 2212 of the Public Utility Code, 66 Pa. C. S. §§1308(e) and 2212. In the Petition, PGW requested that \$44 million of its \$60 million base rate request be approved as extraordinary rate relief. PGW asked the Commission to address the Petition pursuant to a 45 day schedule instead of the 30 day schedule set forth in the statute and rule on the petition at the April 11, 2002 Commission meeting. The rate increase would be effective on April 12, 2002. Furthermore, PGW requested that the Petition be considered under a standard which comports with PGW status as a municipally owned and operated utility.

The matter was assigned to the Office of Administrative Law Judge for resolution by hearings. By Secretarial letter, dated March 4, 2002, the Commission directed the certification of the record without a decision by the Office of Administrative Law Judge, pursuant to section 335 of the Public Utility Code, 66 Pa. C. S. §335, and the

<sup>1</sup> PGW filed a corrected petition on February 27, 2002.

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Commission's regulations at 52 Pa. Code §5.531. Furthermore, the parties were directed to submit written memoranda to the Commission no later than noon on April 3, 2002.

On March 22, 2002, the Trigen-Philadelphia Energy Corporation and Grays Ferry Cogeneration Partnership, through their counsel, filed a Petition to Intervene.

A hearing was held in this matter on Tuesday, March 26, 2002 at 10:00 a.m. in the Philadelphia State Office Building.

During the hearing, Trigen-Philadelphia Energy Corporation and Grays Ferry Cogeneration Partnership's Petition to Intervene was granted (Tr. 37). Mr. Satinsky requested that his clients be granted inactive status in the proceeding docketed at R-00017034F0002 (Tr. 37).

The parties are reminded that the form of the memoranda shall comply with the Commission's regulation at 52 Pa. Code section 1.32. The memoranda shall also comply with 52 Pa. Code section 5.501 (a)-(d). The parties shall address each of the four prongs in section 1308(e), the legal standard for granting extraordinary rate relief, as a separate issue. The memoranda should be submitted to each Commissioner's office, the Office of Special Assistants and the Law Bureau electronically and in paper format. The Philadelphia Gas Works' memorandum shall not exceed seventy (70) pages and the memoranda of the other parties shall not exceed forty (40) pages. Please send the OSA documents to Kirk House, Esquire, and the Law Bureau documents to Karen Moury, Esquire. The addresses and e-mail addresses are on the service list.

**ORDER**

THEREFORE,  
IT IS ORDERED:

1. That the Petition to Intervene filed by the Trigen-Philadelphia Energy Corporation and Grays Ferry Cogeneration Partnership in the proceedings docketed at R-00017034 and R-00017034F0002 is granted.

2. That Trigen-Philadelphia Energy Corporation and Grays Ferry Cogeneration Partnership will be inactive parties in the proceeding docketed at R-00017034F0002.

3. That the parties shall comply with the procedural rules and regulations discussed herein.

Date: March 29, 2002

Cynthia Williams Fordham  
CYNTHIA WILLIAMS FORDHAM  
Administrative Law Judge

Service List

R-00017034F0002 Pennsylvania Public Utility Commission v.  
Philadelphia Gas Works

Chairman Glen R. Thomas  
PA Public Utility Commission  
Keystone Building 3N  
PO Box 3265  
Harrisburg, PA 17105-3265  
Thomas@puc.state.pa.us

Vice Chairman Robert K. Bloom  
PA Public Utility Commission  
Keystone Building 3N  
PO Box 3265  
Harrisburg, PA 17105-3265  
Bloom@puc.state.pa.us

Commissioner Kim Pizzingrilli  
PA Public Utility Commission  
Keystone Building 3N  
PO Box 3265  
Harrisburg, PA 17105-3265  
Pizzingrilli@puc.state.pa.us

Commissioner Aaron Wilson, Jr.  
PA Public Utility Commission  
Keystone Building 3N  
PO Box 3265  
Harrisburg, PA 17105-3265  
Wilson@puc.state.pa.us

Commissioner Terrance J. Fitzpatrick  
PA Public Utility Commission  
Keystone Building 3N  
PO Box 3265  
Harrisburg, PA 17105-3265  
Fitzpatrick@puc.state.pa.us

Honorable Cynthia W. Fordham  
Office of Administrative Law Judge  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
(215) 560-2105  
Fax (215) 560-3133  
Fordham@puc.state.pa.us

Daniel Clearfield, Esquire  
Mark S. Stewart, Esquire  
Wolf, Block, Schorr and Solis-Cohen LLP  
212 Locust Street Suite 300  
Harrisburg, PA 17101  
(717) 237-7173  
Fax (717) 237-7161  
[dclearfield@wolfblock.com](mailto:dclearfield@wolfblock.com)  
[mstewart@wolfblock.com](mailto:mstewart@wolfblock.com)

Johnnie Simms, Esquire  
Office of Trial Staff  
PA Public Utility Commission  
PO Box 3265  
Harrisburg, PA 17105-3265  
(717) 783-6170  
Fax (717) 772-2677  
[simmsj@puc.state.pa.us](mailto:simmsj@puc.state.pa.us)

Tanya McCloskey, Esquire  
Stephen J. Keene, Esquire  
Christy M. Appleby, Esquire  
Office of Consumer Advocate  
5<sup>th</sup> Floor, Forum Place  
555 Walnut Street  
Harrisburg, PA 17101-1921  
(717) 783-5048  
Fax (717) 783-7152  
[tmcCloskey@paoca.org](mailto:tmcCloskey@paoca.org)  
[skeene@paoca.org](mailto:skeene@paoca.org)

Steven C. Gray, Esquire  
Office of Small Business Advocate  
Commerce Building, Suite 1102  
300 North Second Street  
Harrisburg, PA 17101  
(717) 783-2525  
Fax (717) 783-2831  
[sgray@state.pa.us](mailto:sgray@state.pa.us)

Philip A. Bertocci, Esquire  
Edward A. McCool, Esquire  
Community Legal Services  
1424 Chestnut Street, 4<sup>th</sup> Floor  
Philadelphia, PA 19102-2505  
(215) 981-3702  
Fax (215) 981-0435  
[pbertocci@clsphila.org](mailto:pbertocci@clsphila.org)

Consumers Education & Protective Association  
Association of Community Organizations for Reform Now  
Action Alliance of Senior Citizens  
Tenants' Action Group (TAG)

Greg Stunder, Esquire  
Philadelphia Gas Works  
800 West Montgomery Avenue  
Philadelphia, PA 19122  
(215) 684-6878  
Fax (215) 684-6798  
greg.stunder@pgworks.com

David M. Kleppinger, Esquire  
Charis M. Burak, Esquire  
McNees, Wallace, Nurick  
100 Pine Street  
PO Box 1166  
Harrisburg, PA 17108-1166  
(717) 237-5437  
Fax (717) 237-5300  
dkleppin@mwn.com  
cburak@mwn.com

Phila. Industrial Commercial Gas Users Group

Robert J. Bennett  
PA Public Utility Commission  
Fixed Utility Services  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
Fax (717) 772-2677  
bennett@puc.state.pa.us

Kirk House, Esquire  
Cheryl W. Davis, Director  
Office of Special Assistants  
PA Public Utility Commission  
Keystone Building 3E  
PO Box 3265  
Harrisburg, PA 17105-3265  
Davis@puc.state.pa.us

Karen Moury, Deputy Chief Counsel  
Law Bureau  
PA Public Utility Commission  
Keystone Building 3W  
PO Box 3265  
Harrisburg, PA 17105-3265  
Moury@puc.state.pa.us

Kent Murphy, Esquire  
PECO Energy Company  
2301 Market Street  
Philadelphia, PA 19103  
(215) 841-4941  
Fax (215) 568-3389  
kent.murphy@exeloncorp.com

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Barnett Satinsky, Esquire  
Fox, Rothschild, O'Brien & Frankel  
2000 Market Street, 10<sup>th</sup> floor  
Philadelphia, PA 19103-3291  
(215) 299-2088  
Fax (215) 299-2150  
[bsatinsky@frof.com](mailto:bsatinsky@frof.com)