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March 12, 2002

## VIA HAND DELIVERY

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PA PUC  
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Re: Philadelphia Gas Works' Extraordinary Base Rate Filing;  
Docket No. R-00017034F002

Dear Mr. Gray:

Enclosed please find PGW's responses to the following OSBA interrogatories:

- **Set II - 1, 8-28; and 30-36.**

PGW intends to respond to Set II - 2-7 and 29 by Thursday, March 14, 2002. In addition, please note that because of the voluminous nature of the attachments to responses to Set II numbers 7 and 8, said attachments are being provided to OSBA only. These documents are also available for viewing at the offices of Public Financial Management, Inc. in Philadelphia.

Thank you for your attention to this matter.

Sincerely,



Daniel Clearfield

For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

/smw  
Enclosures

cc: Parties of record (w/encl.)  
Secretary McNulty (Certificate of Service only)

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).

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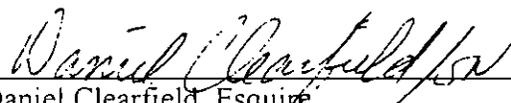
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Dated: March 12, 2002

  
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March 12, 2002

VIA HAND DELIVERY

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SECRETARY'S BUREAU

Re: Pennsylvania Public Utility Commission v. Philadelphia  
Gas Works; Docket No. R-0001734F0002

R-0001734F0002

Dear Secretary McNulty

Enclosed for filing please find the original and eight (8) copies of Craig White's testimony filed on behalf of the Philadelphia Gas Works, in the above-referenced matter. As evidenced by the attached Certificate of Service, all parties of record have been served in the manner indicated.

If you have any questions, please contact me at your convenience.

Sincerely,



Mark S. Stewart

For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

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MSS/jlg  
Enclosures

cc: Certificate of Service

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## 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).

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Date: March 12, 2002



Mark S. Stewart, Esquire

**ORIGINAL**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**TESTIMONY OF**

**DOCUMENT  
FOLDER**

**CRAIG WHITE**

**ON BEHALF OF**

**PHILADELPHIA GAS WORKS**

**DOCKETED**

MAR 15 2002

**PHILADELPHIA GAS WORKS  
EXTRAORDINARY RATE PETITION**

**R-0001734F0002**

**MARCH 2002**

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**Q. PLEASE STATE YOUR NAME AND POSITION WITH THE COMPANY.**

A. My name is Craig White. My position is Acting Chief Operating Officer.

**Q. HAVE YOU SUBMITTED TESTIMONY IN CONJUNCTION WITH THE BASE RATE CASE?**

A. Yes.

**Q. DID YOU DISCUSS YOUR JOB RESPONSIBILITIES, WORK EXPERIENCE, AND EDUCATIONAL BACKGROUND IN THAT TESTIMONY?**

A. Yes.

**Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN SUPPORT OF PGW'S REQUEST FOR EXTRAORDINARY RATE RELIEF?**

A. The purpose of my testimony is to discuss how PGW proposes to allocate the \$44 million of extraordinary rate relief that it has requested.

**Q. HOW DOES PGW PROPOSE TO ALLOCATE THE EXTRAORDINARY RATE RELIEF IT HAS REQUESTED?**

A. The Company proposes to allocate the \$44 million in extraordinary rates, or any lesser amount that the Commission might award, in the same manner as it has proposed to allocate the overall requested base rate increase of \$60 million. I discussed that allocation proposal in my base rate testimony at PGW BRP St. 2.

The proposed allocation for the extraordinary increase (shown on Attachment 1) is generally consistent with the approach PGW supported in its 2001 base rate case. In that case, PGW proposed to increase the charge for residential customers by slightly more than the overall average percentage increase. The Company's proposal was in recognition of the results of our Cost of Service analysis which showed that, at present rates, residential customer total revenues were not covering their allocated costs.

For this increase, in regard to both the extraordinary and base rate increase, we propose to follow the same general methodology for determining the volumetric increase

for each class. As to the extraordinary rate request, we would increase the residential volumetric charge by 11.96% over the total average volumetric increase of 11.46% for an overall extraordinary rate related increase to residential customers of \$34.8 million, or 79% of the requested increase. The difference between \$44 million and the amount recovered from residential customers increase would be spread across the remaining classes on a pro rata basis. This amounts to a 9.91% increase to the remaining firm classes.

**Q. HOW DOES THAT PROPOSED ALLOCATION COMPARE TO THE MANNER APPROVED BY THE COMMISSION IN THE COMPANY'S LAST BASE RATE CASE?**

A. Under the allocation proposed by PGW, the residential class (Res GS and PHA GS) would receive less of the increase than it otherwise would under the allocation approved by the Commission in PGW's last base rate case. Pursuant to the Commission's December 6, 2001 Order in PGW's last base rate case, the residential class was assigned 91% of the approved \$33.558 million increase between the customer charge and volumetric rate increases (as shown on Attachment 2).

If the extraordinary rate increase was allocated consistent with the Commission-approved method, then the volumetric rates for the residential class would increase by 13.7% and the rate increases for the remaining firm classes would fall within a range of 2.58% to 5.30% (as shown on Attachment 3). The extraordinary rate related increase for the residential class would be \$39.9 million, or 91% of the total amount requested.

**Q. DOES PGW SEE ANY FLEXIBILITY ON THE ALLOCATION OF THE EXTRAORDINARY RATE INCREASE?**

A. Yes. Obviously, PGW's main concern is for the Commission to grant the needed \$44 million in extraordinary rates. PGW would be willing to revisit and adjust the allocation

of the extraordinary rate relief – on a going forward basis – as part of the final resolution of the base rate case.

**Q. DOES THIS COMPLETE YOUR TESTIMONY IN THE EXTRAORDINARY RATE PROCEEDING?**

A. Yes.

VOLUMETRIC RATE INCREASE

<u>Rate</u>	<u>Forecasted Applicable Sales</u> 9/1/01 thru 8/31/02 (mcf)	<u>Current Volumetric Charge</u>	<u>Proposed Volumetric Charge</u>	<u>Current Volumetric Revenue</u>	<u>Proposed Volumetric Revenue</u>	<u>Volumetric Revenue Increase</u>	<u>Percentage Increase</u>
ResGS/PHAGS	42,984,183	\$ 6.7770	\$ 7.5875	\$ 291,303,805	\$ 326,142,485	\$ 34,838,680	11.96%
CommercialGS	10,785,098	\$ 7.1200	\$ 7.8256	\$ 76,789,898	\$ 84,399,863	\$ 7,609,965	9.91%
Industrial/GS	1,468,077	\$ 7.1200	\$ 7.8256	\$ 10,452,708	\$ 11,488,583	\$ 1,035,875	9.91%
PHA/PHA	735,256	\$ 7.1260	\$ 7.8322	\$ 5,239,434	\$ 5,758,672	\$ 519,238	9.91%
MUN/MS	1,294,519	\$ 6.4130	\$ 6.4130	\$ 8,301,750	\$ 8,301,750	\$ -	
<b>Total Applicable Sales</b>	<b>57,267,133</b>			<b>\$ 392,087,596</b>	<b>\$ 436,091,354</b>	<b>\$ 44,003,758</b>	
<b>Applicable to Rate Increase (Res/Com/Ind/PHA)</b>	<b>55,972,614</b>			<b>\$ 383,785,846</b>	<b>\$ 427,789,604</b>		
<b>Rate Increase</b>	<b>\$ 44,000,000</b>						
<b>Overall % Increase</b>	<b>0.1146</b>						
	<b>0.005</b>						
<b>Residential % Increase</b>	<b>0.1196</b>						
<b>Ind, Com &amp; PHA Increase</b>	<b>\$ 9,161,320</b>						
<b>Current Revenue</b>	<b>\$ 92,482,040</b>						
<b>% Increase</b>	<b>0.0991</b>						

ATTACHMENT 1

**RATE INCREASE**  
\$33,558,000

CUSTOMER CHARGE

<u>Rate</u>	<u>Forecasted</u> <u>Applicable Sales</u> 9/1/00 thru 8/31/01 (mcf)	<u>Current</u> <u>Customer</u> <u>Charge</u>	<u>Proposed</u> <u>Customer</u> <u>Charge</u>	<u>Current</u> <u>Customer Charge</u> <u>Revenue</u>	<u>Proposed</u> <u>Customer Charge</u> <u>Revenue</u>	<u>Customer Charge</u> <u>Revenue</u> <u>Increase</u>
ResGS/PHAGS	45,770,982	\$ 8	\$ 12	\$ 45,881,722	\$ 68,822,582	\$ 22,940,860
ComGS/MUNGS	11,078,058	\$ 10	\$ 18	\$ 2,993,006	\$ 5,387,411	\$ 2,394,405
Industrial/GS	1,479,249	\$ 20	\$ 50	\$ 281,600	\$ 704,000	\$ 422,400
PHA/PHA	171,505	\$ -	\$ 18	\$ -	\$ 103,248	\$ 103,248
MUN/MS	1,285,030	\$ -	\$ 18	\$ -	\$ 192,672	\$ 192,672
<b>Total Applicable Sales</b>	<b>59,784,824</b>			<b>\$ 49,156,328</b>	<b>\$ 75,209,913</b>	<b>\$ 26,053,585</b>
<b>Increase in Customer Charge</b>		<b>\$ 26,053,585</b>				
<b>Increase in Rate</b>		<b>\$ 7,506,441</b>				
<b>Total Increase</b>		<b>\$ 33,560,026</b>				

VOLUMETRIC RATE INCREASE

<u>Rate</u>	<u>Forecasted</u> <u>Applicable Sales</u> 9/1/00 thru 8/31/01 (mcf)	<u>Current</u> <u>Volumetric</u> <u>Charge</u>	<u>Proposed</u> <u>Volumetric</u> <u>Charge</u>	<u>Current</u> <u>Volumetric</u> <u>Revenue</u>	<u>Proposed</u> <u>Volumetric</u> <u>Revenue</u>	<u>Volumetric</u> <u>Revenue</u> <u>Increase</u>	<u>Current</u> <u>Total</u> <u>Revenue</u>	<u>Proposed</u> <u>Total</u> <u>Revenue</u>	<u>Percentage</u> <u>Increase</u>	<u>%</u> <u>of Total</u> <u>Increase</u>
ResGS/PHAGS	45,770,982	\$ 6.6130	\$ 6.7770	\$ 302,683,504	\$ 310,189,945	\$ 7,506,441	\$ 348,565,226	\$ 379,012,527	8.74%	90.72%
ComGS/MUNGS	11,078,058	\$ 7.1200	\$ 7.1200	\$ 78,875,773	\$ 78,875,773	\$ -	\$ 81,868,779	\$ 84,263,184	2.92%	7.13%
Industrial/GS	1,479,249	\$ 7.1200	\$ 7.1200	\$ 10,532,253	\$ 10,532,253	\$ -	\$ 10,813,853	\$ 11,236,253	3.91%	1.26%
PHA/PHA	171,505	\$ 7.1260	\$ 7.1260	\$ 1,222,145	\$ 1,222,145	\$ -	\$ 1,222,145	\$ 1,325,393	8.45%	0.31%
MUN/MS	1,285,030	\$ 6.4130	\$ 6.4130	\$ 8,240,897	\$ 8,240,897	\$ -	\$ 8,240,897	\$ 8,433,569	2.34%	0.57%
<b>Total Applicable Sales</b>	<b>59,784,824</b>			<b>\$ 401,554,572</b>	<b>\$ 409,061,013</b>	<b>\$ 7,506,441</b>	<b>\$ 450,710,900</b>	<b>\$ 484,270,926</b>		<b>100.00%</b>

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VOLUMETRIC RATE INCREASE

\$44 Million Rate Increase Allocated by Percentage From 2001 Rate Increase

<u>Rate</u>	<u>Forecasted</u> <u>Applicable Sales</u> 9/1/01 thru 8/31/02 (mcf)	<u>Current</u> <u>Volumetric</u> <u>Charge</u>	<u>Proposed</u> <u>Volumetric</u> <u>Charge</u>	<u>Current</u> <u>Volumetric</u> <u>Revenue</u>	<u>Proposed</u> <u>Volumetric</u> <u>Revenue</u>	<u>Volumetric</u> <u>Revenue</u> <u>Increase</u>	<u>%</u> <u>Increase</u>	<u>%</u> <u>of Total</u> <u>Increase</u>
ResGS/PHAGS	42,984,183	\$ 6.7770	\$ 7.7057	\$ 291,303,805	\$ 331,223,216	\$ 39,919,410	13.70%	90.72%
CommercialGS	10,785,098	\$ 7.1200	\$ 7.4111	\$ 76,789,898	\$ 79,929,440	\$ 3,139,542	4.09%	7.14%
Industrial/GS	1,468,077	\$ 7.1200	\$ 7.4972	\$ 10,452,708	\$ 11,006,467	\$ 553,759	5.30%	1.26%
PHA/PHA	735,256	\$ 7.1260	\$ 7.3101	\$ 5,239,434	\$ 5,374,795	\$ 135,361	2.58%	0.31%
<b>SubTotal Applicable Sales</b>	<b>55,972,614</b>			<b>\$ 383,785,846</b>	<b>\$ 427,533,917</b>	<b>\$ 43,748,072</b>		
MUN/MS*	1,294,519	\$ 6.4130	\$ 6.6081	\$ 8,301,750	\$ 8,554,311	\$ 252,561	3.04%	0.57%
<b>Total Applicable Sales</b>	<b>57,267,133</b>			<b>\$ 392,087,596</b>	<b>\$ 436,088,228</b>	<b>\$ 44,000,632</b>		<b>100.00%</b>

\* Pending City Council approval

Rate Increase \$ 44,000,000

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March 13, 2002

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Re: Philadelphia Gas Works' Extraordinary Base Rate Filing;  
Docket No. R-00017034F002

Dear Mr. Gray:

Enclosed please find PGW's responses to the following OSBA interrogatories:

- Set I - 3
- Set II - 2-7 and 29.

Thank you for your attention to this matter.

Sincerely,



Daniel Clearfield

For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

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cc: Parties of record (w/encl.)  
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MAR 15 2002

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Dated: March 13, 2002

  
\_\_\_\_\_  
Daniel Clearfield, Esquire

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March 13, 2002

## VIA HAND DELIVERY

Johnnie Simms, Esquire  
PA Public Utility Commission  
Office of Trial Staff  
Commonwealth Keystone Building  
400 North Street; 2nd Floor  
Harrisburg, PA 17120

DOCUMENT  
FOLDER

Re: Philadelphia Gas Works' 2002 Extra Ordinary Rate Filing;  
Docket No. R-00017034F002

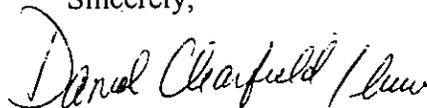
Dear Mr. Simms:

Enclosed please find the following PGW response to OTS Interrogatories:

- **RE - 13, 14, 15, 16 and 19.**

PGW intends to respond to RE-11, 12, 17, 18 and 20 as soon as possible. Thank you for your attention to this matter.

Sincerely,



Daniel Clearfield

For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

/smw

Enclosures

cc: Parties of record (w/encl.)  
Secretary McNulty (Certificate of Service only)

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**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 E-MAIL HAND DELIVERY AND FEDERAL EXPRESS**

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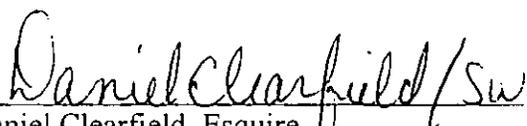
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Dated: March 13, 2002

  
Daniel Clearfield, Esquire



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March 13, 2002

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02 MAR 13 PM 4:02  
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SECRETARY'S BUREAU

Re: Pa. Public Utility Commission v.  
Philadelphia Gas Works  
Docket No. R-00017034F.0002

Dear Secretary McNulty:

Enclosed for filing please find an original and three copies of the Answer to Philadelphia Gas Works' Petition for Extraordinary Rate Relief, of the Office of Consumer Advocate in the above-referenced proceeding.

A copy of document has been served upon all parties of record as evidenced on the attached Certificate of Service.

Sincerely yours,

*Christy M. Appleby*

Christy M. Appleby  
Assistant Consumer Advocate

Enclosure  
cc: All parties of record  
68167.wpd

54

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

**ORIGINAL**  
SECRETARIES BUREAU  
02 MAR 14 1:02 PM '02

PENNSYLVANIA PUBLIC UTILITY  
COMMISSION

v.

Docket No. R-00017034F.0002

PHILADELPHIA GAS WORKS

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OFFICE OF CONSUMER ADVOCATE'S ANSWER TO  
PHILADELPHIA GAS WORKS' PETITION FOR  
EXTRAORDINARY RATE RELIEF

---

Pursuant to Section 5.61 of the Commission's Rules of Practice and Procedure, the Office of Consumer Advocate ("OCA") files the following Answer to Philadelphia Gas Works' ("PGW") Petition for Extraordinary Relief.

**DOCUMENT  
FOLDER**

**I. INTRODUCTION**

On February 25, 2002, PGW filed a general base rate case seeking to increase its base rates by \$60 million annually. Simultaneously, PGW filed a Petition for Extraordinary Rate Relief with the Commission pursuant to Sections 1308(e) and 2212 of the Public Utility Code. 66 Pa.C.S. §§1308(e) and 2212. In its Petition, PGW requests that the Commission: (1) modify the requirements of Section 1308(e) of the Public Utility Code to allow an extension of time to consider the request; (2) declare that the rate of return requirement which sets a limit on the amount of extraordinary rate relief is inapplicable; (3) establish a schedule that would result in a Commission

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decision no later than the Public Meeting of April 11, 2002; and (4) grant PGW's request for \$44 million of the requested \$60 million rate increase as extraordinary rate relief on one day's notice as permanent rate relief. PGW Petition at 13.

In its Petition, PGW avers that it requires \$44 million of immediate, permanent rate relief to avoid a downgrade of its bond rating by Standard and Poor's ("S&P"). PGW claims that absent such immediate rate relief, S&P will downgrade PGW's bonds from investment grade to junk bond status. PGW claims that if it is downgraded, its ability to provide safe and adequate service will be compromised. Petition at 8.

## **II. ANSWER**

Section 1308(e) of the Public Utility Code sets forth the standard for Extraordinary Rate Relief:

(e) Extraordinary Rate Relief. – Upon petition to the commission at the time of filing of a rate request or at any time during the pendency of proceedings on such rate request, any public utility may seek extraordinary rate relief of such portion of the total rate relief requested as can be shown to be immediately necessary for the maintenance of financial stability in order to enable the utility to continue providing normal services to its customers, avoid reductions in its normal maintenance programs, avoid substantially reducing its employment, and which will provide no more than the rate of return on the utility's common equity established by the commission in consideration of the utility's preceding rate filing, except that no utility shall file, either with a request for a general rate increase or at any time during the pendency of such a request, more than one petition under this subsection pertaining to rates for a particular type of service, nor any supplement or amendment thereto, except when permitted to do so by order of the commission. Any public utility requesting extraordinary rate relief shall file with the petition sufficient additional testimony and exhibits which will permit the commission to make appropriate findings on the petition. The public utility shall give notice of the petition in the same manner as its filing upon which this petition is based. The commission shall within 30

days from the date of the filing of a petition for extraordinary rate relief, and after hearing for the purpose of cross-examination of the testimony and exhibits of the public utility, and the presentation of such other evidentiary testimony as the commission may by rule prescribe, by order setting forth its reasons therefor, grant or deny, in whole or in part, the extraordinary relief requested. Absent such order, the petition shall be deemed to have been denied. Rates established pursuant to extraordinary rate relief shall not be deemed to be temporary rates within the meaning of that term as it is used in section 1310.

66 Pa.C.S. §1308(e).

The OCA submits that PGW's request for extraordinary rate relief may not meet the standards for extraordinary relief in Section 1308(e) or Commission Orders applying Section 1308(e). See, e.g. Pa. PUC v. Metropolitan Edison Co., Docket Nos. R-80051196 and P-80070235 (Order entered Aug. 28, 1980)(“Met-Ed”). As the Commission held in Met-Ed, the Company bears a heavy burden to show that relief is immediately necessary. Met-Ed at 6. The OCA submits that PGW should be required to meet this heavy burden of proof for each element of its claim for extraordinary rate relief at evidentiary hearings. The Commission must reject all, or any portion of, PGW's claim that has not met the standards of Section 1308(e) and is unjust and unreasonable.

A procedural schedule for this proceeding has already been adopted at a Prehearing Conference held March 7, 2002. That schedule calls for Intervenor parties' responsive testimony is due March 21, 2002 and Hearings will be held in Philadelphia on March 26 and 27. Prehearing Order dated March 8, 2002. A record will be developed in this proceeding that will allow the Commission to determine whether PGW qualifies for extraordinary rate relief under Section 1308(e) by April 11, 2002, as requested by PGW. At this time, the OCA does not object to PGW's request

to modify the requirements of Section 1308(e) to allow the Commission an extension of time to consider PGW's request.

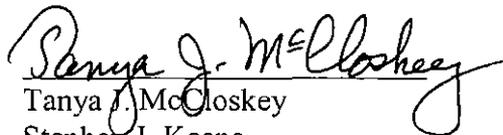
PGW has also requested a waiver of the requirement in Section 1308(e) that any extraordinary relief be "no more than the rate of return on the utility's common equity established by the commission in consideration of the utility's preceding rate filing." 66 Pa.C.S. §1308(e). As PGW acknowledges in its Petition, this criterion essentially acts as a cap on the amount of emergency rate relief that the Commission may authorize pursuant to the Section 1308(e) procedures. Petition at 11. The Company argues that since it is a municipally owned utility, and not subject to rate base/rate of return ratemaking, that the provision is inapplicable and should be waived. Id. The OCA submits that PGW's request for this waiver of the limitation on rate relief that may be awarded through Section 1308(e) should be denied.

Instead of simply waiving this provision of Section 1308(e), the OCA submits that the Commission must determine what the appropriate standard is for PGW given the ratemaking methodology specified in Section 2212(e). To do this, the Commission should reconcile the cap provision of Section 1308(e) with the rate-setting provisions of Section 2212(e). The OCA submits that to do this, the same requirement used to set rates in PGW's last base rate proceeding, *i.e.* the bond coverage test, should be applied to Section 1308(e) as the appropriate limitation on the amount of extraordinary rate relief that PGW can receive. In other words, the cap on the amount of rate relief that can be awarded to PGW through Section 1308(e) should be based on the PGW's minimum bond coverage requirements.

### III. CONCLUSION

For the reasons set forth above, the Office of Consumer Advocate respectfully requests that the full evidentiary hearings be conducted as scheduled, that the PUC reject any, or all, of PGW's request that does not meet the requirements of Section 1308(e), and reject PGW's request for a waiver of the limitation on the amount of rate relief that may be awarded under Section 1308(e).

Respectfully submitted,



Tanya J. McCloskey

Stephen J. Keene

Senior Assistant Consumer Advocates

Christy M. Appleby

Assistant Consumer Advocate

Counsel for:

Irwin A. Popowsky

Consumer Advocate

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Dated: March 13, 2002  
68157

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CERTIFICATE OF SERVICE

Re: Pennsylvania Public Utility Commission  
v.  
Philadelphia Gas Works  
Docket No. R-00017034F.0002

I hereby certify that I have this day served a true copy of the foregoing document, Office of Consumer Advocate's Answer, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 13<sup>th</sup> day of March, 2002.

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Business Services  
Company

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ORIGINAL

March 14, 2002

James McNulty, Secretary  
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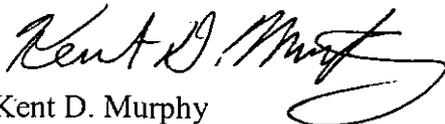
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RE: Philadelphia Gas Works' Base Rate Filing  
Docket No. R-00017034-~~6.0002~~  
Docket No. R-00017034-0002

Dear Secretary McNulty:

Enclosed for filing on behalf of PECO Energy Company is an original and three (3) copies of the Prehearing Memorandum in the above-referenced proceeding. Please time stamp and return the additional copy in the self-addressed stamped envelope provided as proof of filing. Thank you.

Sincerely,



Kent D. Murphy  
Assistant General Counsel

KDM/zr

Enc.

cc: Certificate of Service

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MAR 14 2002

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

96

ORIGINAL

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY  
COMMISSION

V.

PHILADELPHIA GAS WORKS

DOCKET Nos. R-00017034 and  
R-00017034F0002

PREHEARING MEMORANDUM

OF

PECO ENERGY COMPANY

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MAR 14 2002

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Presiding Administrative Law Judge Cynthia Williams Fordham:

Pursuant to Prehearing Order No. 2, issued March 12, 2002, PECO Energy Company ("PECO" or the "Company") hereby submits the following Prehearing Memorandum.

**I. INTRODUCTION**

On February 25, 2002, Philadelphia Gas Works ("PGW") filed Supplement No. 17 to Tariff Gas Pa. P.U.C. No. 1 to become effective April 26, 2002. In that filing, PGW, requested the authority to increase its rates to recover an addition 60 million

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dollars of addition operating revenues. Concurrently, PGW filed a Petition for Extraordinary Rate Relief of Philadelphia Gas Works, filed pursuant to Sections 1308(e) and 2212 of the Public Utility Code. In its Petition, PGW requested that the Commission authorize 44 million dollars of extraordinary rate relief, to be effective April 12, 2002.

On March 5, 2002, PECO Energy Company, through its counsel, filed a Petition to Intervene in the general base rate proceeding at Docket No. R-00017034 and in the extraordinary rate relief petition at Docket No. R-00017034F0002. In a letter dated March 12, 2002, PGW stated that it did not object to PECO's intervention in either proceeding.

On May 7, 2002, a prehearing conference was held in the extraordinary rate proceeding.

By order dated March 12, 2002, Presiding Administrative Law Judge Fordham issued Prehearing Order No. 2 in which she granted PECO Energy's Motion to intervene in both the general base rate and extraordinary rate relief proceedings. Therein, Judge Fordham directed PECO Energy to submit a prehearing memorandum by March 14, 2002 and to comply with the schedule established at the prehearing conference. Prehearing Order No. 2 at 3-4. Judge Fordham directed PECO Energy further to include in its prehearing memorandum "a list of its proposed witnesses and the issues." Prehearing Order No. 2 at p. 4.

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II. **STATEMENT OF ISSUES**

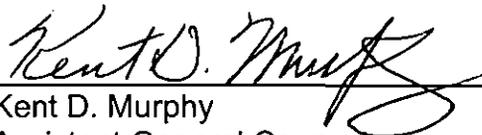
PECO Energy's primary purpose in this extraordinary rate proceeding is to participate in a rate proceeding that may result in an increase in its operating costs as well as the potential impact on the reliability of service provided by PGW to PECO Energy facilities located in the City of Philadelphia.

III. **WITNESSES**

PECO Energy does not intend to present the testimony of any witnesses at this time but reserves the right to do so in the event that discovery discloses issues of particular concern to PECO Energy Company.

Respectfully submitted,

PECO ENERGY COMPANY



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Dated: March 14, 2002

Counsel For PECO Energy Company

## Certificate of Service

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

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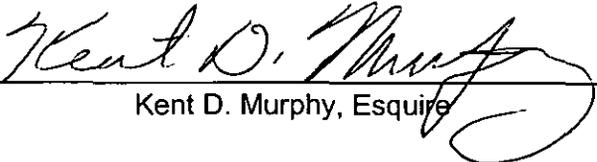
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Dated: March 14, 2002

  
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