



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge  
P.O. Box 3265, Harrisburg, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

March 5, 2002

In Re: R-00017034F0002

(See attached list)

Pennsylvania Public Utility Commission  
v.  
Philadelphia Gas Works

Petition for extraordinary rate relief pursuant to Sections 1308(E) and 2212<sup>o</sup> of the Public Utility Code. Through this petition PGW seeks \$44,000,000 in extraordinary rate relief in order to avoid an immediate downgrade of its Bond Rating from Investment Grade to Junk Bond Status.

N O T I C E

This is to inform you that a prehearing conference on the above-captioned case will be held as follows:

Type: Initial Prehearing Conference

Date: Thursday, March 7, 2002

Time: 10:00 a.m.

Location: in an available hearing room  
Philadelphia State Office Building  
Broad and Spring Garden Streets  
Philadelphia, Pennsylvania

Harrisburg parties may participate by telephone in  
Conference Room A, Commonwealth Keystone Building,  
2<sup>nd</sup> floor West, 400 North Street, Harrisburg, PA

DOCKETED

MAR 5 2002

DOCUMENT  
FOLDER

Presiding:           **Administrative Law Judge Cynthia W. Fordham**  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone: (215) 560-2105  
Fax: (215) 560-3133

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission:

- Scheduling Office: (717) 787-1399.
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.

pc: Judge Fordham  
June Perry - LA, Keystone 3NW  
Eric Levis - BPL, Keystone 3NE  
Office of Trial Staff (2)  
Consumer Advocate  
Small Business Advocate  
Bill Barrett - FUS  
Judy Weaver, Scheduling Officer  
Beth Plantz  
Docket Section  
Calendar File

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

MARK S STEWART ESQUIRE  
WOLF BLOCK SCHORR AND SOLIS-  
COHEN  
212 LOCUST STREET SUITE 300  
HARRISBURG PA 17101

JOHNNIE E SIMMS ESQUIRE  
PA PUBLIC UTILITY COMMISSION  
OFFICE OF TRIAL STAFF  
COMMONWEALTH KEYSTONE BUILDING  
FLOOR 2  
PO BOX 3265  
HARRISBURG PA 17105-3265

STEVEN C GRAY ESQUIRE  
OFFICE OF SMALL BUSINESS ADVOCATE  
SUITE 1102 COMMERCE BUILDING  
300 NORTH SECOND STREET  
HARRISBURG PA 17101

STEPHEN J KEENE ESQUIRE  
TANYA MCCLOSKEY ESQUIRE  
OFFICE OF CONSUMER ADVOCATE  
5TH FLOOR FORUM PLACE  
555 WALNUT STREET  
HARRISBURG PA 17101-1923

CHARIS BURAK ESQUIRE  
MCNEES WALLACE & NURICK LLC  
100 PINE STREET  
PO BOX 1166  
HARRISBURG PA 17108-1166

GREG STUNDER ESQUIRE  
PHILADELPHIA GAS WORKS  
800 WEST MONTGOMERY AVENUE  
PHILADELPHIA PA 19122

PHILIP A BERTOCCI ESQUIRE  
COMMUNITY LEGAL SERVICES INC  
1424 CHESTNUT STREET 4TH FLOOR  
PHILADELPHIA PA 19102

Exelon Business Services Company  
Legal Department  
2301 Market Street/23-1  
P.O.Box 8699  
Philadelphia, PA 19101-8699

Telephone 215 841-5544  
Fax 215 568-3389  
www.exeloncorp.com

March 5, 2002

James McNulty, Secretary  
PA Public Utility Commission  
400 North St.  
P. O. Box 3265  
Harrisburg, PA 17105-3265

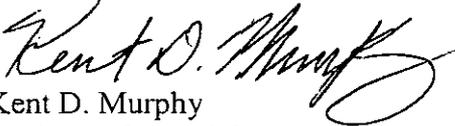
RE: Philadelphia Gas Works' Base Rate Filing  
Docket No. R-00017034  
Docket No. R-00017034-0002

F-

Dear Secretary McNulty:

Enclosed for filing on behalf of PECO Energy Company is an original and eight (8) copies of the Petition to Intervene 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

Exelon Business Services Company  
2301 Market Street, S23-1  
Philadelphia, PA 19103  
(215) 841-4941  
(215) 568-3389 (FAX)  
kent.murphy@exeloncorp.com

KDM

Enc.

cc: Certificate of Service

P189650

RECEIVED

MAR 05 2002

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

DOCUMENT  
FOLDER

**ORIGINAL**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PENNSYLVANIA PUBLIC UTILITY  
COMMISSION

v.

Docket No. R-00017034  
Docket No. R-00017034-0002

PHILADELPHIA GAS WORKS

**PECO ENERGY COMPANY'S  
PETITION TO INTERVENE**

**DOCKETED**  
MAR 11 2002

Pursuant to 52 Pa. Code § 5.71 et seq., PECO Energy Company ("PECO Energy") hereby files this Petition to Intervene in the above-captioned proceeding and in support thereof states the following:

**BACKGROUND**

1. PECO Energy will be represented in this proceeding by the following counsel, who should be placed on the Commission's service list and receive copies of all correspondence and other documents:

Kent D. Murphy, Esquire  
Assistant General Counsel  
Exelon Business Services Company  
2301 Market Street, S23-1  
Philadelphia, PA 19103  
(215) 841-4941  
fax (215) 568-3389

**RECEIVED**

MAR 05 2002

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

2. Philadelphia Gas Works ("PGW") is a group of real and personal assets owned by the City of Philadelphia and used for the acquisition, storage, processing and distribution of natural gas within the City.

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FOLDER**

**DOCKETED**  
MAR 11 2002

3. PGW is a “city natural gas distribution operation” as defined in Section 102 of the Public Utility Code.

4. On or about February 25, 2002, PGW filed a Petition for Extraordinary Rate Relief pursuant to Sections 1308(e) and 2212(c) of the Public Utility Code (“Petition”). Therein, PGW requests extraordinary rate relief in the amount of \$44 million dollars. PGW asserts that such relief is necessary to avoid an immediate downgrade of its bond rating from investment grade to junk bond status and to meet Standard & Poor’s (S&P) immediate requirements, as reflected in the application of S&P’s calculation of the level of fixed obligation coverage necessary to maintain an investment grade rating. PGW also states that the resulting “financial instability will threaten PGW’s ability to provide continuous and adequate service to its customers and seriously compromise the safety of PGW’s gas distribution system by undermining the Company’s maintenance and programs.” Petition at 1. PGW requests that the rate relief be granted no later than April 11, 2002.

5. In the same filing materials, PGW also filed materials in support of a general rate increase pursuant to Section 1308(d) of the Public Utility Code. Therein, PGW requests the Commission to approve rates that would provide PGW with an additional \$60 million of annual test year operating revenues. PGW asserts that recovery of these additional revenues is necessary for PGW to operate its gas distribution system as well as to attract necessary capital investment.

6. PECO is a public utility engaged in, among other things, furnishing electric service in the city of Philadelphia and the surrounding counties of Bucks, Montgomery, Delaware and Chester. PECO also provides natural gas distribution service in Delaware, Chester, Montgomery and Bucks Counties and portions of Lancaster County, Pennsylvania.

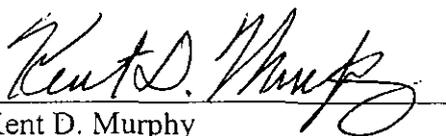
7. PECO Energy Company is a PGW natural gas customer at various locations throughout the City of Philadelphia.

8. As a customer of PGW, PECO will be affected by the outcome of this proceeding, including the potential safety and service-related problems described in PGW’s filing materials.

9. No other party to this proceeding can adequately represent PECO's interests. PECO Energy is an interested party and its intervention and participation in this proceeding are in the public interest.

**WHEREFORE**, PECO Energy Company respectfully requests this Honorable Commission to enter an Order that grants PECO Energy Company full status as an intervenor in this proceeding.

Respectfully submitted,



Kent D. Murphy  
Assistant General Counsel

Exelon Business Services Company  
2301 Market Street, S23-1  
Philadelphia, PA 19103  
(215) 841-4941  
(215) 568-3389 (FAX)  
kent.murphy@exeloncorp.com

Counsel for PECO Energy Company

Dated: March 5, 2002

## 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).

Johnnie Simms, Esquire  
Office of Trial Staff  
PA Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Stanley E. Brown, Esquire  
Pa. Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Stephen Gray, Esquire  
Office of Small Business Advocate  
Commerce Building, Suite 1102  
300 North 2<sup>nd</sup> Street  
Harrisburg, PA 17101

Larry Speilvogel  
203 Hughes Road  
King of Prussia, PA 19406

Tanya McCloskey, Esquire  
James Mullins, Esquire  
Steve Kenne, Esquire  
Office of Consumer Advocate  
5<sup>th</sup> Floor, Forum Place Building  
555 Walnut Street  
Harrisburg, PA 17101-1921

Richard Lelash  
Financial and Regulatory Consultant  
18 Seventy Acre Road  
Redding, CT 06896

Philip Bertocci, Esquire  
Edward A. McCool, Esquire  
Community Legal Services  
1424 Chestnut Street  
Philadelphia, PA 19102

Brian Kalcic  
Excel Consulting  
Suite 720-T  
225 S. Meramee Avenue  
St. Louis, MO 63105

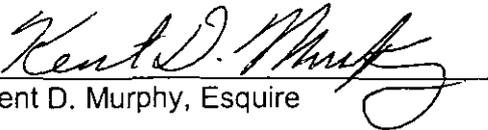
Robert D. Knecht  
Industrial Economics Incorporated  
2067 Massachusetts Avenue  
Cambridge, MA 02140

Richard A. Baudino  
J. Kennedy and Associated  
570 Colonial Park Drive  
Suite 305  
Roswell, GA 30075

Charis M. Burak, Esquire  
McNees, Wallace, Nurick  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166

Lance Haver  
6048 Ogontz Avenue  
Philadelphia, PA 19141

Dated: March 5, 2002

  
Kent D. Murphy, Esquire

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF SMALL BUSINESS ADVOCATE  
Suite 1102, Commerce Building  
300 North Second Street  
Harrisburg, Pennsylvania 17101

XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX

(717) 783-2525  
(717) 783-2831 (FAX)

Carol F. Pennington  
Acting Small Business Advocate

March 6, 2002

Fax and First Class Mail

Hon. Cynthia W. Fordham  
Administrative Law Judge  
Pa. Public Utility Commission  
1302 Philadelphia State Office Bldg  
Broad and Spring Garden Streets  
Philadelphia, PA 19130

DOCUMENT  
FOLDER

SECRETARY'S BUREAU

2002 MAR -7 AM 11:21

RECEIVED

Re: Philadelphia Gas Works  
Petition for Extraordinary Rate Relief  
Docket No. R-00017034F0002

Dear Judge Fordham:

In anticipation of the Prehearing Conference scheduled for Thursday, March 7, 2002, I am enclosing a copy of the Prehearing Memorandum on behalf of the Office of Small Business Advocate.

As evidenced by the enclosed certificate of service, all parties have been served as indicated.

Sincerely,

Steven C. Gray  
Assistant Small Business Advocate

Enclosures

cc: James J. McNulty, Secretary  
(W/enclosures)  
Parties of Record

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY :  
COMMISSION :  
v. : DOCKET NO. R-00017034F0002  
PHILADELPHIA GAS WORKS :

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OFFICE OF SMALL BUSINESS ADVOCATE  
PREHEARING MEMORANDUM

---

I. INTRODUCTION

The Office of Small Business Advocate (OSBA) is authorized to represent the interests of small business consumers of utility services before the Pennsylvania Public Utility Commission pursuant to the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§399.41 - 399.50 ("the Act"). In order to discharge this statutory duty, the Small Business Advocate deems it necessary to participate as a party to this proceeding. Representing the OSBA in this matter is Assistant Small Business Advocate Steven C. Gray. Please address all correspondence as follows:

Steven C. Gray, Esquire  
Office of Small Business Advocate  
Suite 1102, Commerce Building  
300 North Second Street  
Harrisburg, Pennsylvania 17101  
(717) 783-2525  
(717) 783-2831 (fax)

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II. FILING BACKGROUND

On February 25, 2002, Philadelphia Gas Works ("PGW") filed a Petition for Extraordinary Rate Relief (the "Petition") pursuant to Sections 1308(e) and 2212(c) of the Public Utility Code. PGW is seeking \$44 million in extraordinary rate relief. The Office of Small Business Advocate filed an Answer in Opposition to the Petition on March 6, 2002.

III. IDENTIFICATION OF WITNESSES AND TENTATIVE ISSUES

Assisting in the development and presentation of the OSBA's case in this proceeding will be:

Mr. Robert D. Knecht  
Industrial Economics Incorporated  
2067 Massachusetts Avenue  
Cambridge, MA 02140  
(617) 354-0074  
(617) 354-0463 - Fax  
E-mail: [rdk@indecon.com](mailto:rdk@indecon.com)

Mr. Brian Kalcic  
Excel Consulting  
Suite 720-T, 225 S. Meramec Avenue  
St. Louis, MO 63105  
(314) 725-2511  
(314) 725-2022 - Fax  
E-mail: [bkalcic@mindspring.com](mailto:bkalcic@mindspring.com)

The OSBA intends to focus on the following issues:

- Will S&P downgrade its rating of PGW securities in the absence of an emergency rate increase?
  - What is S&P's basis for making such a determination?
  - Does S&P rely strictly on the fixed charge coverage ratio?
  - Could PGW placate S&P by improving some other financial indicator instead of - or combination with - improving its fixed charge coverage ratio?
  - Has PGW accurately reflected S&P's calculation of that ratio?
  - Has PGW adequately represented ratepayer interests in its communications with S&P, particularly with respect to the relevance of the fixed charge coverage criterion?
  - Why has S&P threatened to downgrade PGW securities and the other credit rating agencies have not?
  - If S&P were to downgrade PGW securities, would the other rating agencies automatically follow suit?
  - What is the minimum amount of emergency rate relief, if any, needed to satisfy S&P's cash flow / coverage requirements for PGW's bonds to retain an investment grade rating?

- What are the specific implications for PGW in the event that S&P does downgrade the ratings for PGW's security?
  - What are the specific implications for PGW's ability to use commercial paper for financing?
  - What are the implications for PGW's capital programs?
  - What are the implications for public safety?
- Does PGW's cash flow analysis in its petition represent a reasonable forecast of PGW's operations-related cash flows?
  - Are revenues based on reasonable forecasts of sales volume?
  - Do cost projections represent reasonable efforts by PGW to prudently manage costs, particularly its bad debt expense?
  - Could the purported requirements of S&P for longer-term improvements in cash flow be met by cost reductions rather than rate increases?
- Does PGW's cash flow analysis accurately reflect financing-related cash flows?
- Should PGW's rates be based on the "cash flow method of ratemaking" or an alternative method?
- What obligations does the City of Philadelphia, as owner of all PGW equity, have for providing financing and buffering swings in revenues associated with weather-related effects?
  - Are PGW's ratepayers required to provide an annual \$18 million dividend payment to the PGW shareholder?
  - Should the "no interest" \$45 million loan from the City to PGW be treated as a loan or as an equity infusion, with respect to PGW's cash flow requirements?
  - Should emergency rate relief be conditional upon the City waiving repayment of its \$45 million loan to PGW?
- What are the financial capabilities of the City of Philadelphia with respect to meeting the near-term financial needs of PGW?
- How does Philadelphia compare to other large cities in the Mid-Atlantic and New England?
- How critical is the annual \$18 million dividend to the financing of City functions?
- Does the City have any pressing near-term financial needs (which would preclude assisting PGW)?
- Should PGW consider innovative alternatives to either the emergency rate increase or the base rate increase, such as:
  - Treating rate increases designed to shore up PGW's balance sheet as loans rather than permanent revenue increases.
  - Selling part or all of PGW to an entity that is able to prudently finance and manage the company.
- How should any emergency rate relief be recovered from PGW's rate classes?

The OSBA will participate in the case to assure that the interests of small business customers of PGW are adequately represented and protected. As appropriate and necessary, the OSBA will investigate and analyze the claims and

proposals of the Company and other parties through the cross-examination of witnesses appearing for those parties and through briefing.

The OSBA will particularly focus on any issue where the impact on the interests of PGW's small business consumers would be unjustifiably different than or disproportionate to the impact on another class of customers, or otherwise lacking in reasonableness or basic fairness. The OSBA reserves the right to pursue additional issues as they arise throughout the proceeding.

V. HEARING AND BRIEFING SCHEDULE

The OSBA will cooperate with the other parties to develop a procedural schedule.

Respectfully submitted,

  
\_\_\_\_\_  
Steven C. Gray  
Assistant Small Business Advocate

Office of Small Business Advocate  
Suite 1102, Commerce Building  
300 North Second Street  
Harrisburg, PA 17101  
(717) 783-2525

Dated: March 6, 2002

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY  
COMMISSION

v.

PHILADELPHIA GAS WORKS

DOCKET NO. R-00017034F0002

CERTIFICATE OF SERVICE

I certify that I am serving the Prehearing Memorandum on behalf of the Office of Small Business Advocate by FAX and first class mail upon the persons addressed below:

Hon. Cynthia W. Fordham  
Administrative Law Judge  
Pa. Public Utility Commission  
1302 Philadelphia State Office Bldg.  
Broad and Spring Garden Streets  
Philadelphia, PA 19130  
(215) 560-2105  
(215) 560-3133 - Fax

Daniel Clearfield, Esquire  
Kevin J. Moody, Esquire  
Wolf, Block, Schorr & Solis-Cohen  
Locust Court Building, Suite 300  
212 Locust Street  
Harrisburg, PA 17101  
(717) 237-7160  
(717) 237-7161 (fax)

Greg Stunder, Esquire  
Philadelphia Gas Works  
800 West Montgomery Avenue  
Philadelphia, PA 19122

Philip A. Bertocci, Esquire  
Community Legal Services, Inc.  
1424 Chestnut Street  
Philadelphia, PA 19102-2505  
(215) 981-3700  
(215) 981-0434 (fax)

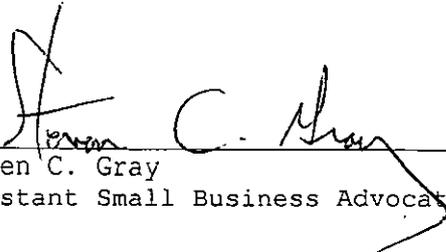
Lance Haver  
6048 Ogontz Avenue  
Philadelphia, PA 19141

Tanya McCloskey, Esquire  
Stephen Keene, Esquire  
Office of Consumer Advocate  
555 Walnut Street 5th FL Forum Place  
Harrisburg, PA 17101-1923  
(717) 783-5048  
(717) 783-7152 (fax)

Johnnie E. Simms, Esquire  
Office of Trial Staff  
Pa. Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105  
(717) 787-1976  
(717) 772-2677 (fax)

Charis M. Burak, Esquire  
McNees, Wallace & Nurick  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
(717) 232-8000  
(717) 236-2665 (fax)

Larry Speilvogel  
203 Hughes Road  
King of Prussia, PA 19406

  
Steven C. Gray  
Assistant Small Business Advocate

Date: March 6, 2002



OFFICE OF CONSUMER ADVOCATE

555 Walnut Street 5th Floor, Forum Place  
Harrisburg, Pennsylvania 17101-1923  
(717) 783-5048

IRWIN A. POPOWSKY  
Consumer Advocate

FAX (717) 783-7152  
E-Mail: paoca@ptd.net

March 6, 2002

Hon. Cynthia Fordham  
Administrative Law Judge  
1302 State Office Bldg.  
Broad & Spring Garden Streets  
Philadelphia, PA 19130

**Via E-mail and Federal Express**

**DOCUMENT  
FOLDER**

Re: Pennsylvania Public Utility Commission  
v.  
Philadelphia Gas Works  
Docket No. R-00017034F0002

Dear Judge Fordham:

Enclosed please find the Office of Consumer Advocate's Prehearing Memorandum in the above-captioned proceeding.

Copies of this document has been served upon all parties of record this date as evidenced by the attached Certificate of Service.

Very truly yours,

A handwritten signature in cursive script that reads "Tanya J. McCloskey".

Tanya J. McCloskey  
Senior Assistant Consumer Advocate

Enclosure

cc: All parties of record  
68058.wpd

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY  
COMMISSION

v.

PHILADELPHIA GAS WORKS

Docket No. R-00017034F0002

DOCUMENT  
FOLDER

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PREHEARING MEMORANDUM  
OF THE  
OFFICE OF CONSUMER ADVOCATE

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DOCKETED

MAR 12 2002

Pursuant to 66 Pa.C.S. §333 and 52 Pa.Code §5.224, the Office of Consumer Advocate provides the following information:

I. BACKGROUND

On February 25, 2002, Philadelphia Gas Works (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, pursuant to Sections 1308(e) and 2212 of the Public Utility Code. 66 Pa.C.S. §§1308(e) and 2212. In its Petition for Extraordinary Rate Relief, PGW requested that the Commission award it \$44 million of its \$60 million request on an immediate and permanent basis by April 12, 2002. PGW's request follows its 2001 base rate case in which the Commission awarded PGW base rate relief of \$33.6 million.

In its Petition for Extraordinary Rate Relief, PGW avers that it requires \$44 million of immediate, permanent relief to avoid a downgrade of its bond rating by Standard & Poor's (S&P). PGW avers that absent relief, PGW expects that S&P will downgrade its bonds from investment grade to junk bond status. If downgraded, PGW avers that its ability to provide safe and adequate service will be compromised.

## II. ISSUES

The Office of Consumer Advocate has initiated discovery in this matter, having served two sets of interrogatories on February 28 and March 1, respectively. The OCA is aware that interrogatories have also been propounded on the Company by the Office of Trial Staff, the Office of Small Business Advocate, and CEPA, *et al.* Pending receipt and review of the interrogatory responses, the OCA has identified the following issues and sub-issues:

1. Has the Company met the requirements of Section 1308(e) for the grant of extraordinary rate relief?
2. If the Company has met the requirements of Section 1308(e), what level of rate relief should be granted, consistent with Section 1308(e) on an emergency basis?
3. If the Company has met the requirements of Section 1308(e) and a level of extraordinary relief is awarded, are other conditions necessary to adequately protect ratepayers.

The OCA reserves the right to pursue additional issues that may arise as the responses to discovery are received and reviewed, and to address issues raised by other parties.

III. DISCOVERY SCHEDULE

As noted, the OCA, OTS, OSBA and CEPA, *et. al.* have initiated discovery. Following discussions with the Company, it is the OCA's understanding that the Company will endeavor to answer the discovery within seven (7) days of service. Additionally, the parties have arranged for an informal discovery conference on March 13 and 14. At this time, the OCA believes that these arrangements will facilitate the necessary flow of information for consideration of the extraordinary rate relief request.

IV. WITNESSES

The OCA will present the testimony and exhibits of the following witness on the issues presented by the petition for extraordinary rate relief:

Richard LeLash  
Financial and Regulatory Consultant  
18 Seventy Acre Road  
Redding, CT 06896

Phone: 203-438-4659  
Fax: 203-431-9625  
E-mail: lelash@sprintmail.com

The OCA reserves the right to present direct, rebuttal or surrebuttal testimony of additional witnesses if additional issues are identified in discovery or raised by other parties.

V. SERVICE ON THE OCA

The OCA will be represented in the petition for emergency rate relief by Tanya J. McCloskey and Stephen J. Keene, Senior Assistant Consumer Advocates and Christy M. Appleby, Assistant Consumer Advocate. Service may be made on the OCA as follows:

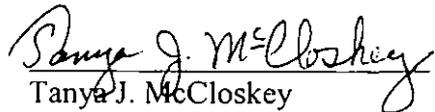
Tanya J. McCloskey  
Senior Assistant Consumer Advocate  
Office of Consumer Advocate  
555 Walnut Street, 5th Floor, Forum Place  
Harrisburg, PA 17101-1923

Phone: 717-783-5048  
Fax: 717-783-7152  
E-mail: [tmccloskey@paoca.org](mailto:tmccloskey@paoca.org)

VI. SCHEDULE

The OCA, OTS, OSBA and CEPA, *et al.* have discussed a schedule for the conduct of the hearings on the extraordinary rate relief petition. It is the OCA's understanding that the parties have agreed to the a schedule which will be presented by PGW for consideration by the Administrative Law Judge.

Respectfully submitted,

  
Tanya J. McCloskey  
Senior Assistant Consumer Advocate

Counsel for:  
Irwin A. Popowsky  
Consumer Advocate

Office of Consumer Advocate  
555 Walnut Street 5th Floor, Forum Place  
Harrisburg, PA 17101-1923  
(717) 783-5048

Dated: March 6, 2002

CERTIFICATE OF SERVICE

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

I hereby certify that I have this day served a true copy of the foregoing documents, Office of Consumer Advocate's Prehearing Memorandum, 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 7<sup>th</sup> day of March, 2002.

SERVICE BY HAND DELIVERY, MARCH 6, 2002

Johnnie E. Simms, Esq.  
Office of Trial Staff, 2<sup>nd</sup> F. West  
PA Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Robert J. Bennett  
Fixed Utility Services, 3<sup>rd</sup> Floor, West  
PA Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Stanley E. Brown, Esq.  
Law Bureau, 3<sup>rd</sup> Floor, West  
PA Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

SERVICE BY E-MAIL OR FACSIMILE and HAND DELIVERY on March 7, 2002

Daniel Clearfield, Esq  
Wolf, Block, Schrorr and Solis-Cohen LLP  
212 Locust Street, Suite 300  
Harrisburg, PA 17101

Craig E. White  
Acting Chief Operating Officer  
Greg Stunder  
Philadelphia Gas Works  
800 West Montgomery Avenue  
Philadelphia, PA 19122

SERVICE BY E-MAIL OR FACSIMILE and HAND DELIVERY on March 7, 2002

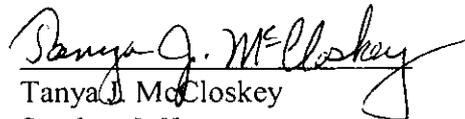
Steven Gray, Esq.  
Office of Small Business Advocate  
Commerce Building, Suite 1102  
300 North 2<sup>nd</sup> Street  
Harrisburg, PA 17101

Larry Speilvogel  
203 Hughes Road  
King of Prussia, PA 19406

Charis M. Burak, Esq.  
McNees, Wallace & Nurick  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166

Lance Haver  
6048 Ogontz Avenue  
Philadelphia, PA 19141

Philip A. Bertocci, Esq.  
Community Legal Services, Inc.  
1424 Chestnut Street  
Philadelphia, PA 19102-2505

  
Tanya J. McCloskey  
Stephen J. Keene  
Senior Assistant Consumer Advocates  
Christy M. Appleby  
Assistant Consumer Advocate

Counsel for  
Office of Consumer Advocate  
555 Walnut Street 5th Floor, Forum Place  
Harrisburg, PA 17101-1923  
(717) 783-5048

67965.wpd



McNees Wallace & Nurick LLC  
attorneys at law

ORIGINAL

CHARIS M. BURAK  
DIRECT DIAL: (717) 237-5437  
E-MAIL ADDRESS: CBURAK@MWN.COM

March 6, 2002

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
The Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

VIA HAND DELIVERY

**Re: Pennsylvania Public Utility Commission v. Philadelphia Gas Works;  
Docket No. R-00017034F0002**

Dear Secretary McNulty:

Please find enclosed the original and three (3) copies of the Petition to Intervene of the Philadelphia Industrial and Commercial Gas Users Group ("PICGUG") in the above-referenced proceeding.

As evidenced by the attached Certificate of Service, all parties to the proceeding are being served with a copy of this document. Please date stamp the extra copy of this transmittal letter and kindly return it to our messenger for our filing purposes. Thank you.

Very truly yours,

MCNEES WALLACE & NURICK LLC

By   
Charis M. Burak

Counsel to the Philadelphia Industrial and  
Commercial Gas Users Group

RECEIVED  
02 MAR -6 PM 3:58  
PICGUG  
SECRETARY'S BUREAU

Enclosures

CMB/lhe

c: Administrative Law Judge Cynthia W. Fordham (via facsimile and first class mail)  
Certificate of Service

DOCUMENT  
FOLDER

107

CERTIFICATE OF SERVICE

ORIGINAL

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

VIA FACSIMILE AND FIRST CLASS MAIL

Johnnie Simms, Esq.  
Office of Trial Staff  
Pennsylvania Public Utility Commission  
The Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

Tanya McCloskey, Esq.  
Stephen Keene, Esq.  
Office of Consumer Advocate  
555 Walnut Street, Forum Place - 5<sup>th</sup> Fl.  
Harrisburg, PA 17120

Philip A. Bertocci, Esq.  
Community Legal Services, Inc.  
1424 Chestnut Street, 3<sup>rd</sup> Floor  
Philadelphia, PA 19102

Steven C. Gray, Esq.  
Office of Small Business Advocate  
Suite 1102, Commerce Building  
300 North Second Street  
Harrisburg, PA 17101

Daniel Clearfield, Esq.  
Mark S. Stewart, Esq.  
Wolf, Block, Schorr and Solis-Cohen LLP  
212 Locust Street  
Suite 300  
Harrisburg, PA 17101

Greg Stunder, Esq.  
Philadelphia Gas Works  
800 W. Montgomery Avenue.  
Philadelphia, PA 19122

  
Charis M. Burak

Dated this 6<sup>th</sup> day of March, 2002, in Harrisburg, Pennsylvania.

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02 MAR - 6 PM 3:58  
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SECRETARY'S BUREAU

ORIGINAL

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY  
COMMISSION :

v. :

DOCKET NO. R-00017034F0002

PHILADELPHIA GAS WORKS :

PETITION TO INTERVENE

TO THE HONORABLE, THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to the provisions of 52 Pa. Code §§ 5.71-5.74, the Philadelphia Industrial and Commercial Gas Users Group ("PICGUG") hereby files this Petition to Intervene in the above-captioned proceeding. In support thereof, PICGUG states as follows.

1. Petitioner is the Philadelphia Industrial and Commercial Gas Users Group ("PICGUG"), which for purposes of this proceeding include:

- The Budd Company
- The Building Owners' and Managers' Association of Philadelphia
- Smurfit Stone Container Corporation
- Temple University
- Thomas Jefferson University/Jefferson Health System

The composition of PICGUG is also attached hereto as Appendix A. PICGUG reserves the right to modify Appendix A throughout the course of this proceeding, as necessary.

2. The names and address of Petitioners' attorneys are:

David M. Kleppinger  
 Charis M. Burak  
 McNEES WALLACE & NURICK LLC  
 100 Pine Street  
 P.O. Box 1166  
 Harrisburg, PA 17108-1166  
 Phone: (717) 232-8000  
 Fax: (717) 237-5300

DOCUMENT  
FOLDER

DOCKETED  
MAR 13 2002

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3. On February 25, 2002, the Philadelphia Gas Works ("PGW" or "Company") filed with the Pennsylvania Public Utility Commission ("PUC" or "Commission") a Petition for Extraordinary Rate Relief ("Petition"), pursuant to Sections 1308(e) and 2212(c) of the Public Utility Code. PGW's filing requests \$44 million in extraordinary rate relief in order to avoid an immediate downgrade of its bond rating from investment grade to junk bond status. Simultaneously, PGW filed for a general base rate increase, seeking rate relief of \$16 million. Cumulatively, PGW's requested rate increases total \$60 million.

4. PICGUG is an ad hoc group of large volume customers receiving service from PGW under various rate schedules. PICGUG members use substantial volumes of natural gas in their businesses, and natural gas cost comprises a significant element of their respective cost of operation. PGW's requested rate increase would impact several of the Company's rate schedules, including schedules under which PICGUG members receive service. As a result, PICGUG member interests may be impacted by any PUC determination regarding PGW's Petition. Accordingly, PICGUG has a significant interest in this proceeding that is not represented by any other party of record. See 52 Pa. Code § 5.72.

WHEREFORE, the Philadelphia Industrial and Commercial Gas Users Group respectfully requests that the Commission grant this Petition to Intervene and provide PICGUG with full party status.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By Charis M. Burak

David M. Kleppinger  
Charis M. Burak  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
Phone: (717)232-8000  
Fax: (717)237-5300

Counsel to the Philadelphia Industrial and  
Commercial Gas Users Group

Dated: March 6, 2002

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02 MAR -6 PM 3:58  
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**APPENDIX "A"**

**MEMBERS OF THE PHILADELPHIA  
INDUSTRIAL AND COMMERCIAL  
GAS USERS GROUP  
("PICGUG")**

The Budd Company

Building Owners' and Managers'  
Association of Philadelphia

Smurfit Stone Corporation

Temple University

Thomas Jefferson University/Jefferson Health System

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02 MAR - 6 PM 3:58  
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ORIGINAL



OFFICE OF SMALL BUSINESS ADVOCATE  
Suite 1102, Commerce Building  
300 North Second Street  
Harrisburg, Pennsylvania 17101

XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX

(717) 783-2525  
(717) 783-2831 (FAX)

Carol F. Pennington  
Acting Small Business Advocate

March 6, 2002

HAND DELIVERED

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Re: Philadelphia Gas Works  
Petition for Extraordinary Rate Relief  
Docket No. R-00017034F0002

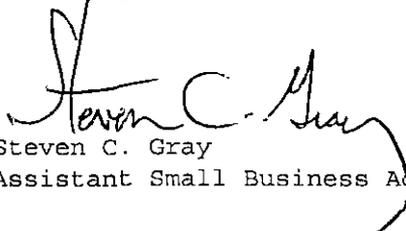
RECEIVED  
02 MAR -6 PM 3:54  
P.A.P.U.C.  
SECRETARY'S BUREAU

Dear Secretary McNulty:

I am delivering for filing today the original plus three copies of the Answer on behalf of the Office of Small Business Advocate in the above captioned matter.

A copy of the Answer has been served today on all known parties in this proceeding. A Certificate of Service to that effect is enclosed.

Sincerely,

  
Steven C. Gray  
Assistant Small Business Advocate

Enclosures

cc: Hon. Cynthia W. Fordham  
Administrative Law Judge

Parties of Record

DOCUMENT  
FOLDER

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY  
COMMISSION

v.

PHILADELPHIA GAS WORKS

:  
:  
:  
:  
:  
:

DOCKET NO. R-00017034F00

OFFICE OF SMALL BUSINESS ADVOCATE ANSWER  
TO THE PETITION OF PHILADELPHIA GAS WORKS  
FOR EXTRAORDINARY RATE RELIEF

RECEIVED  
02 MAR -6 PM 3:54  
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The Office of Small Business Advocate ("OSBA") files the following Answer in opposition to the Petition for Extraordinary Rate Relief filed by Philadelphia Gas Works (PGW) on February 25, 2002.

1. On February 25, 2002, PGW filed a Petition for Extraordinary Rate Relief (the "Petition") pursuant to Sections 1308(e) and 2212(c) of the Public Utility Code. PGW is seeking \$44 million in extraordinary rate relief in order to avoid an immediate downgrade of its bond rating from investment grade to junk bond status.

2. In conjunction with the Petition, PGW also filed a general base rate increase filing seeking rate relief in the amount of \$60 million.

3. The OSBA strongly opposes the Petition on its face and requests that the Public Utility Commission (PUC or Commission) conduct a thorough investigation into this matter (which could be conducted in conjunction with the base rate case).

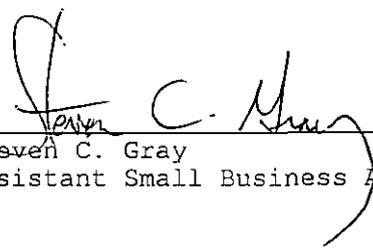
4. The OSBA believes the Petition should be denied and that a formal investigation of the matter of extraordinary rate relief be instituted to give all parties an opportunity to conduct discovery and hearings into this matter.

**DOCKETED**  
MAR 13 2002

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FOLDED

WHEREFORE, the OSBA opposes the Petition of Philadelphia Gas Works for Extraordinary Rate Relief and urges the Commission to deny the Petition and institute an investigation in the reasonableness of such extraordinary rate relief.

Respectfully submitted,

  
\_\_\_\_\_  
Steven C. Gray  
Assistant Small Business Advocate

Office of Small Business Advocate  
300 North Second Street  
Suite 1102 Commerce Building  
Harrisburg, PA 17101

Dated: March 6, 2002

RECEIVED  
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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY :  
COMMISSION :  
v. : DOCKET NO. R-00017034F0002  
PHILADELPHIA GAS WORKS :

CERTIFICATE OF SERVICE

I certify that I am serving the Answer on behalf of the Office of Small Business Advocate by FAX and first class mail upon the persons addressed below:

Hon. Cynthia W. Fordham  
Administrative Law Judge  
Pa. Public Utility Commission  
1302 Philadelphia State Office Bldg.  
Broad and Spring Garden Streets  
Philadelphia, PA 19130  
(215) 560-2105  
(215) 560-3133 - Fax

Daniel Clearfield, Esquire  
Kevin J. Moody, Esquire  
Wolf, Block, Schorr & Solis-Cohen  
Locust Court Building, Suite 300  
212 Locust Street  
Harrisburg, PA 17101  
(717) 237-7160  
(717) 237-7161 (fax)

Greg Stunder, Esquire  
Philadelphia Gas Works  
800 West Montgomery Avenue  
Philadelphia, PA 19122

Philip A. Bertocci, Esquire  
Community Legal Services, Inc.  
1424 Chestnut Street  
Philadelphia, PA 19102-2505  
(215) 981-3700  
(215) 981-0434 (fax)

Lance Haver  
6048 Ogontz Avenue  
Philadelphia, PA 19141

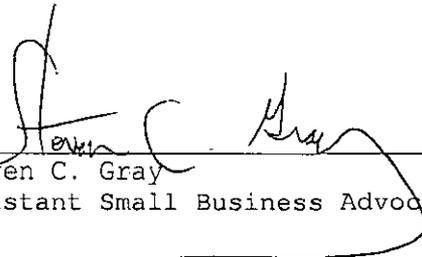
Tanya McCloskey, Esquire  
Stephen Keene, Esquire  
Office of Consumer Advocate  
555 Walnut Street 5th FL Forum Place  
Harrisburg, PA 17101-1923  
(717) 783-5048  
(717) 783-7152 (fax)

Johnnie E. Simms, Esquire  
Office of Trial Staff  
Pa. Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105  
(717) 787-1976  
(717) 772-2677 (fax)

Charis M. Burak, Esquire  
McNees, Wallace & Nurick  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
(717) 232-8000  
(717) 236-2665 (fax)

Larry Speilvogel  
203 Hughes Road  
King of Prussia, PA 19406

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SECRETARY'S BUREAU

  
\_\_\_\_\_  
Steven C. Gray  
Assistant Small Business Advocate

Date: March 6, 2002

**ORIGINAL**

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission :  
v. : Docket No. R-00017034F0002  
Philadelphia Gas Works :

NOTICE OF APPEARANCE

**DOCKETED**  
APR 08 2002

TO THE SECRETARY:

Please enter the appearance of the Office of Trial Staff of the  
Pennsylvania Public Utility Commission in the above-captioned proceeding.

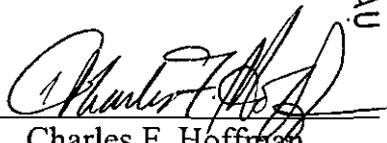
Prosecutor(s) for the Office of Trial Staff, in addition to the undersigned  
will be:

**JOHNNIE E. SIMMS**

All service on and communications to the Office of Trial Staff in this  
proceeding should be addressed:

**Johnnie E. Simms, Esquire  
Pa. Public Utility Commission  
Office of Trial Staff  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
(717) 787-1976**

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Charles F. Hoffman  
Chief Prosecutor

Dated: March 7, 2002

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission :  
 :  
 v. : Docket No. R-00017034F0002  
 :  
 Philadelphia Gas Works :

**CERTIFICATE OF SERVICE**

I hereby certify that I am serving the foregoing **Notice of Appearance** of the Office of Trial Staff, dated March 7, 2002 either personally, by first class mail, electronic mail, or by fax upon the persons listed below:

Daniel Clearfield, Esquire  
Wolf, Block, Schorr and Solis-Cohen, LLP  
212 Locust Street, Suite 300  
Harrisburg, PA 17101

Greg Stunder, Esquire  
Philadelphia Gas Works  
800 West Montgomery Avenue  
Philadelphia, PA 19122

Steven J. Keene, Esquire  
Christy M. Appleby, Esquire  
Office of Consumer Advocate  
5<sup>th</sup> Floor, Forum Place  
555 Walnut Street  
Harrisburg, PA 17101-1923

Steven C. Gray, Esquire  
Office of Small Business Advocate  
Commerce Building, Suite 1102  
300 North Second Street  
Harrisburg, PA 17101

Phillip a. Bertocci, Esquire  
Edward A. McCool, Esquire  
1424 Chestnut Street 4<sup>th</sup> Floor  
Philadelphia, PA 19102-2505

Charis M. Burak, Esquire  
McNees, Wallace & Nurick, LLC  
P. O. Box 1166  
100 Pine Street  
Harrisburg, PA 17108-1166

Mr. Lance Haver  
6048 Ogontz Avenue  
Philadelphia, PA 19141

Mr. Larry Speilvogel  
203 Hughes Road  
King of Prussia, PA 19406

Mr. Michael A. Bleiweis  
243 Banks Road  
Easton, CT 06612-1627

Mr. Richard Lelash  
Financial & Regulatory Consultant  
18 Seventy Acre Road  
Redding, CT 06896

Robert A. Christianson, Chief  
Administrative Law Judge  
Pa. Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Hon. Cynthia W. Fordham  
Administrative Law Judge  
PA Public Utility Commission  
1302 Philadelphia State Office Bldg.  
Broad & Spring Garden Streets  
Philadelphia, PA 19130

  
Charles F. Hoffman  
Chief Prosecutor  
Office of Trial Staff

Dated: March 7, 2002  
Docket No. R-00017034F0002

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**OALJ Hearing Report**

Please Check Those Blocks Which Apply

Docket No.:	R-00017034F0002		YES	NO
Case Name:	Pennsylvania Public Utility Commission v. Philadelphia Gas Works	Prehearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location:	Harrisburg, Pennsylvania	Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date:	Thursday, March 7, 2002	Testimony Taken:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ALJ:	Cynthia W. Fordham	Transcript Due:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Commonwealth Reporting	Hearing Concluded:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Further Hearing Needed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Estimated Add'l Days:	2	
		RECORD CLOSED:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:	Hearings to be held March 26, 27	

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02 MAR 28 PM 12:07  
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FOLDER

PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?
Tanya J. McCloskey Stephen J. Keene Telephone: 717-783-5048	555 Walnut St. 5th Floor, Forum Place City: Harrisburg State: PA Zip: 17101-1923	Office of Consumer Advocate
Steven C. Gray Telephone: (717) 783-2525	Suite 1102 Commerce Bldg 300 N. Second St. City: HB6 State: PA Zip: 1761	Office of Small Business Advocate
Johannie Simms Telephone: (717) 772-1976	P.O. Box 3265 City: Harrisburg State: PA Zip: 17120	Office of TRIAL STAFF
	E-mail Address: simmsj@puc.state.pa.us	Fax Number: (717) 772-2677

Check this box if additional parties or attendees appear on back of form.

*John A. Kelly, CRC, Inc.*  
Reporter's Signature

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.

Name and Telephone Number	Address			Who are you representing?
Charis M. Burak	100 Pine St.			Phila. Industrial + Commercial Gas Users Group
Telephone: 717-232-8000	City Hbg.	State PA	Zip 17108	
Dan Clearfield Mark S. Stewart Wolf Block	212 Locust Suite 300			PGW
Telephone: 717-237-7173	City Hbg.	State PA	Zip 17101	
Philip A. Bertocci Community Legal Services Inc	1424 Chestnut St			CEPA ct Ad.
Telephone:	City Philadelphia	State PA	Zip 19102-2505	
Gregory Stunder PGW	800 W. Montgomery Ave			PGW
Telephone:	City Philadelphia	State PA	Zip 19122	
Telephone:	E-mail Address:			Fax Number:
Telephone:	E-mail Address:			Fax Number:
Telephone:	E-mail Address:			Fax Number:
Telephone:	E-mail Address:			Fax Number:
Telephone:	E-mail Address:			Fax Number:

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge  
P.O. Box 3265, Harrisburg, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

March 7, 2002

In Re: R-00017034F0002

(See letter dated 03/05/02)

Pennsylvania Public Utility Commission  
v.  
Philadelphia Gas Works

Petition for extraordinary rate relief pursuant to Sections 1308(e) and 2212(c) of the Public Utility Code. Through this petition PGW seeks \$44,000,000 in extraordinary rate relief in order to avoid an immediate downgrade of its Bond Rating from Investment Grade to Junk Bond Status.

Hearing Notice

This is to inform you that a hearing on the above-captioned case will be held as follows:

Type: Initial and further hearings

Date: Tuesday, March 26, 2002 - Initial  
Wednesday, March 27, 2002 - Further

Time: 10:00 a.m. on Tuesday, March 26, 2002  
9:00 a.m. on Wednesday, March 27, 2002

Location: In an available hearing room  
Philadelphia State Office Building  
Broad and Spring Garden Streets  
Philadelphia, Pennsylvania

DOCUMENT  
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DOCKETED  
MAR 11 2002

Presiding: **Administrative Law Judge Cynthia W. Fordham**  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone: (215) 560-2105  
Fax: (215) 560-3133

Attention: *You may lose the case if you do not come to this hearing and present facts on the issues raised.*

If you intend to file exhibits, 2 copies of all hearing exhibits to be presented into evidence must be submitted to the reporter. An additional copy must be furnished to the Presiding Officer. A copy must also be provided to each party of record.

Except for those individuals representing themselves, the Commission's rules require that all parties have an attorney; therefore, you should have an attorney of your choice file an entry of appearance before the scheduled hearing.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission:

- Scheduling Office: (717) 787-1399.
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.

pc: **Chairman Thomas**  
**Vice Chairman Bloom**  
**Commissioner Pizzingrilli**  
**Commissioner Wilson**  
**Commissioner Fitzpatrick**  
Cheryl W. Davis, OSA, Keystone 3E  
Karen Moury, Law, Keystone 3W  
Judge Fordham  
June Perry - LA, Keystone 3NW  
Eric Levis - BPL, Keystone 3NE  
Verna Edmonds - BPL, Keystone 3NE  
Office of Trial Staff (2)  
Consumer Advocate  
Small Business Advocate  
Bill Barrett - FUS  
Judy Weaver, Scheduling Officer  
Beth Plantz  
Docket Section  
Calendar File

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  
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(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  
([Fordham@puc.state.pa.us](mailto:Fordham@puc.state.pa.us))

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](mailto:Davis@puc.state.pa.us))

Karen Moury, Deputy Chief Counsel  
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PA Public Utility Commission  
Keystone Building 3W  
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Harrisburg, PA 17105-3265  
([Moury@puc.state.pa.us](mailto:Moury@puc.state.pa.us))

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PO Box 3265  
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([Simmsj@puc.state.pa.us](mailto:Simmsj@puc.state.pa.us))

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Mark S. Stewart, Esquire  
Wolf, Block, Schorr and Solis-Cohen  
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Harrisburg, PA 17101  
([dclearfield@wolfblock.com](mailto:dclearfield@wolfblock.com))  
([mstewart@wolfblock.com](mailto:mstewart@wolfblock.com))

David M. Kleppinger, Esquire  
Charis M. Burak, Esquire  
McNees, Wallace, Nurick  
100 Pine Street  
PO Box 1166  
Harrisburg, PA 17108-1166  
([Cburak@mwn.com](mailto:Cburak@mwn.com))

Stephen Gray, Esquire  
Office of Small Business Advocate  
Commerce Building, Suite 1102  
300 North Second Street  
Harrisburg, PA 17101  
([sgray@state.pa.us](mailto:sgray@state.pa.us))

Tanya McCloskey, Esquire  
Steve Keene, Esquire  
Office of Consumer Advocate  
5<sup>th</sup> Floor, Forum Place  
555 Walnut Street  
Harrisburg, PA 17101-1921  
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DATE: March 8, 2002

SUBJECT: R-00017034;R-00017034F0002

TO: Bureau of Fixed Utility Services

FROM: James J. McNulty, Secretary *J.J.*

PHILADELPHIA GAS WORKS

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Attached is a copy of a Petition to Intervene filed by Peco Energy Company, in connection with the above docketed proceedings.

This matter is assigned to your Bureau for appropriate action.

Attachment

cc: ALJ  
OTS

was

**DOCKETED**  
MAR 11 2002

DOCUMENT  
FOLDER

**DOCKETED**  
MAR 11 2002