



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

IN REPLY PLEASE
REFER TO OUR FILE

April 18, 2014

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

Re: Pennsylvania Public Utility Commission, Bureau of Investigation and
Enforcement v. Snyder Brothers, Inc.; Docket No. C-2014-2402746

Dear Secretary Chiavetta:

Enclosed please find The Bureau of Investigation and Enforcement's Prehearing Conference Memorandum in the above referenced matter. Copies have been served on the parties as indicated in the attached certificate of service.

Sincerely,

Heidi L. Wushinske, Prosecutor
Bureau of Investigation and Enforcement

Enclosures

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility	:	
Commission, Bureau of	:	C-2014-2402746
Investigation and Enforcement	:	
	:	
v.	:	
	:	
Snyder Brothers, Inc.	:	
	:	

**PREHEARING CONFERENCE MEMORANDUM OF THE BUREAU OF
INVESTIGATION AND ENFORCEMENT**

Pursuant to the Prehearing Conference Order issued by the Honorable David

A. Salapa on November 21, 2012, the Bureau of Investigation and Enforcement (I&E) of the Pennsylvania Public Utility Commission (Commission) files this initial prehearing conference memorandum.

A. Service List

The following is the Commission's entry on the service list in this matter:

Heidi L. Wushinske
Prosecutor
Bureau of Investigation and Enforcement
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
Phone: (717) 214-9594
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hwushinske@pa.gov

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Ms. Hess will testify about the calculation of the Impact Fees and Administrative Charges due under Act 13, Snyder Brothers' Annual Reports and other filings, her calculations of the amounts due for 2011 and 2012, the amounts Snyder Brothers paid for 2011 and 2012, the determination of what wells qualify as "stripper wells" under Act 13, and the determination and calculation of interest and penalties under Act 13.

I&E would like to reserve the right to call additional witnesses, should new information come to light in this matter.

4. A list of the issues and sub-issues of this proceeding which the party intends to address and a statement of the party's position on each of the issues and sub-issues listed

The issues in this case are as follows:

- a. Whether the wells identified by I&E in its Complaint at numbers 16 and 23 qualify as "stripper wells" Act 13. I&E's position is that none of the wells identified at numbers 16 and 23 of its Complaint qualify as "stripper wells" under Act 13; and
 - b. The amount of civil penalty appropriate for Snyder Brothers' failure to timely pay the full amount of the Impact Fees and Administrative Charges imposed under Act 13. I&E asserts that a civil penalty of \$50,000 is appropriate in this case.
5. Statement describing the evidence the party proposes to present at hearing, relating the evidence to each of the issues and sub-issues the party intends to address

At this time, I&E intends to offer the following evidence:

Relating to issue a. above, I&E intends to offer:

- the testimony of Yvonne Hess;
- Notice of Amount Due sent to Snyder Brothers;
- Complaint at Docket No. C-2014-2402746 with attachments;
- Respondent's Annual Reports for 2011 and 2012, including Exhibits;
- Money transfer reports showing the amounts that Respondent paid for 2011 and 2012;
- *Clarification Order Regarding Chapter 23*, M-2012-2288561, Order Adopted December 20, 2012;
- *Implementation Order Regarding Chapter 23*, M-2012-2288561, Order Adopted May 10, 2012; and

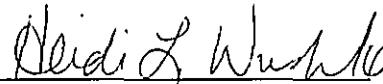
- any additional relevant documents received in the course of discovery.

Relating to issue b. above, I&E intends to offer:

- *Implementation Order Regarding Chapter 23*, M-2012-2288561, Order Adopted May 10, 2012;
- correspondence showing that Snyder Brothers was aware of this Order;
- Snyder Brothers' compliance history;
- the testimony of Yvonne Hess;
- the annual revenues of Snyder Brothers.

I&E would like to reserve the right to present additional evidence, should new information come to light in this matter.

Respectfully submitted,



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DATED: April 18, 2014

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CERTIFICATE OF SERVICE

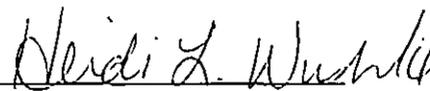
I hereby certify that I am this day serving the foregoing Prehearing Conference Memorandum in accordance with the requirements of 52 Pa. Code § 1.54 *et seq.* (relating to service by a participant).

Notification by first class mail addressed as follows:

Thomas C. Reed, Esquire
Dinsmore & Shohl, LLP
301 Grant Street, Suite 2800
Pittsburgh, PA 15219

The Honorable David A. Salapa
Administrative Law Judge
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Kevin J. Moody, Esquire
General Counsel
Pennsylvania Independent Oil & Gas Association
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Heidi L. Wushinske
Prosecutor
Attorney ID #93972
(Counsel for Pennsylvania Public Utility
Commission)

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Dated: April 18, 2014

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