

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission  
et al.

733362

v.

Philadelphia Gas Works

:  
: Docket No. R-00005654  
:  
: R-00005654C0001-C0004  
:

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POSTHEARING ORDER #1

DOCKETED  
OCT 26 2000

By Motion to Consolidate the Record (Motion) dated October 13, 2000, Philadelphia Gas Works (PGW) requested that the record of the above proceeding be consolidated with that adduced at Docket No. R-00005654 for ease of reference. As noted by PGW, while each proceeding addresses a different component of PGW's rates,<sup>1</sup> there is some degree of overlap.

PGW stated in its Motion that no active party opposes this request, and further noted that each record was developed by the same group of active parties.

Reluctantly, I will grant the Motion, for the sole reason that it may assist the Commission in its resolution of these two proceedings. As each party had the opportunity to challenge each portion of the record, there clearly are no due process problems.

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<sup>1</sup> The proceeding at Docket No. R-00005619 is addressed to the company's Gas Cost Rate; the subject of the proceeding at Docket No. R-00005654 is the company's request to increase its base rates.

The better way to address the situation would have been by application of the process contemplated in 52 Pa. Code §5.407, in which specifically identified portions of the record in other proceedings may be incorporated into the record. However, it appears that it really is too late (given that Main Briefs were due to be filed on October 13, 2000 and Reply Briefs on October 20, 2000) for the parties to do this.

The parties should be aware, however, that there is a substantial degree of overlap in terms of how exhibits and statements were identified for the record in each proceeding. For example, each case contains an OCA St. 1. Therefore, the parties should be careful to specifically identify the statements and exhibits they cite.

Finally, this consolidation is for purposes of record citation only. It is for the Commission to determine whether it wishes the two proceedings consolidated for decisional purposes. The parties should continue to file documents separately at each docket number.

THEREFORE,

IT IS ORDERED:

1. That the Motion to Consolidate the Record filed by Philadelphia Gas Works is granted.

Date: October 13, 2000

  
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MARLANE R. CHESTNUT  
Administrative Law Judge

SERVICE LIST

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