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MARK S. STEWART
DIRECT DIAL: (717) 237-7191
E-MAIL: MSTEWART@WOLFBLOCK.COM

February 19, 2001

VIA HAND DELIVERY

James J. McNulty, Secretary
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street; 2nd Floor
Harrisburg, PA 17120

DOCUMENT
FOLDER

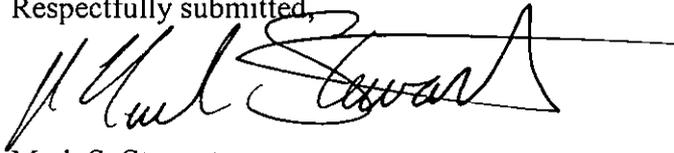
RE: Philadelphia Gas Works' Permanent Base Rate Filing,
Docket No. R-00006042

Dear Mr. McNulty:

On behalf of Philadelphia Gas Works, enclosed for filing please find an original and three copies of its Objections to the Office of Consumer Advocate's Set III Interrogatories, Nos. 15, 23-26, 28-32, 34-37, 39-41, 45-46 and 51, with regard to the above-referenced matter. As indicated by the attached certificate of service, all parties of record have been served with a copy of this filing.

Please contact me if you have any questions with respect to the enclosed.

Respectfully submitted,



Mark S. Stewart

For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

cc: Parties of record (w/encl.)

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DSH:26152.1

CERTIFICATE OF SERVICE

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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 FIRST CLASS MAIL and/or E-MAIL

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Larry Speilvogel
203 Hughes Road
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Dated: February 19, 2001



Mark S. Stewart, Esquire

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

In Re: Petition of Philadelphia Gas Works for :
Waiver of Certain Notification and Filing :
Requirements and Establishment of : Docket No. R-00006042
Expedited Hearing Schedule for Base :
Rate Proceeding :

OBJECTIONS OF PHILADELPHIA GAS WORKS
TO OFFICE OF CONSUMER ADVOCATE
INTERROGATORIES, SET III

Philadelphia Gas Works ("PGW"), pursuant to 52 Pa. Code §§ 5.342 and 5.349, objects to Office of Consumer Advocate ("OCA") Interrogatories, Set III, Nos. 15, 23-26, 28-32, 34-37, 39-41, 45-46 and 51, as follows:

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- 15) Please provide a detailed schedule showing actual legal fees rendered for FY1998, FY1999 and FY2000 and as budgeted for FY2001. (PA-51)

OBJECTION:

PGW objects to this question because it seeks legally irrelevant information and cannot lead to the production of admissible information. This Interrogatory is, at least in part, directed at the appropriateness of expenditures provided for PGW's operating budget. According to 66 Pa. C.S. § 2212(s), the Commission shall not abrogate or limit the City of Philadelphia's ability to determine PGW's budgets. The Philadelphia Gas Commission ("PGC"), a department of the City, retains the authority to approve PGW's annual operating budget. While OCA's Interrogatory may be relevant and appropriate in the budget proceedings before the PGC, it is beyond the scope of this proceeding.

Additionally, the Commission must, according to Section 2212(e) of the Public Utility Code, apply the same ratemaking methodology and requirements as were applicable to PGW prior to its assumption of jurisdiction and set rates so as to allow PGW to satisfy its bond covenants. Under that methodology and those requirements, once the PGC set PGW's budget, the Management Agreement Ordinance and the bond covenants required that rates be set so as to fund the operating budget. Thus, as the PGC continues to set PGW's budget, this proceeding is not to question the wisdom of PGW's allocations and expenditures on legal services. Instead, this proceeding is to ensure that the identified expense has traditionally been included in PGW's operating budget and to set rates so as to cover the operating budget as approved.

- 23) Please provide a schedule for fiscal years 1999, 2000 and 2001 detailing Advertising expense by type (not department). (PA62)

OBJECTION:

PGW objects to this question because it seeks legally irrelevant information and cannot lead to the production of admissible information. This Interrogatory is, at least in part, directed at the appropriateness of expenditures provided for PGW's operating budget. According to 66 Pa. C.S. § 2212(s), the Commission shall not abrogate or limit the City of Philadelphia's ability to determine PGW's budgets. The Philadelphia Gas Commission ("PGC"), a department of the City, retains the authority to approve PGW's annual operating budget. While OCA's Interrogatory may be relevant and appropriate in the budget proceedings before the PGC, it is beyond the scope of this proceeding.

Additionally, the Commission must, according to Section 2212(e) of the Public Utility Code, apply the same ratemaking methodology and requirements as were applicable to PGW prior to its assumption of jurisdiction and set rates so as to allow PGW to satisfy its bond covenants. Under that methodology and those requirements, once the PGC set PGW's budget, the Management Agreement Ordinance and the bond covenants required that rates be set so as to fund the operating budget. Thus, as the PGC continues to set PGW's budget, this proceeding is not to question the wisdom of PGW's allocations and expenditures for advertising. Instead, this proceeding is to ensure that the identified expense has traditionally been included in PGW's operating budget and to set rates so as to cover the operating budget as approved.

- 24) Please provide a breakdown by position of the \$1,757,000 for Officers' Salaries for Budget 2000-01 as shown on Volume II, Revised SD-3. (PA-64) Identify those positions which are currently vacant and the estimated date those positions are to be filled.

OBJECTION:

PGW objects to this question because it seeks legally irrelevant information and cannot lead to the production of admissible information. This Interrogatory is, at least in part, directed at the appropriateness of expenditures provided for PGW's operating budget. According to 66 Pa. C.S. § 2212(s), the Commission shall not abrogate or limit the City of Philadelphia's ability to determine PGW's budgets. The Philadelphia Gas Commission ("PGC"), a department of the City, retains the authority to approve PGW's annual operating budget. While OCA's Interrogatory may be relevant and appropriate in the budget proceedings before the PGC, it is beyond the scope of this proceeding.

Additionally, the Commission must, according to Section 2212(e) of the Public Utility Code, apply the same ratemaking methodology and requirements as were applicable to PGW prior to its assumption of jurisdiction and set rates so as to allow PGW to satisfy its bond covenants. Under that methodology and those requirements, once the PGC set PGW's budget, the Management Agreement Ordinance and the bond covenants required that rates be set so as to fund the operating budget. Thus, as the PGC continues to set PGW's budget, this proceeding is not to question the wisdom of PGW's allocations and expenditures for management compensation. Instead, this proceeding is to ensure that the identified expense has traditionally been included in PGW's operating budget and to set rates so as to cover the operating budget as approved.

- 25) a) Please provide the gross amount expended by PGW for holiday pay to members of the GWEU bargaining unit for Flag Day, 2000 and budgeted for Flag Day, 2001. (PA123a)
- b) Please quantify the cost to PGW of providing holiday pay for Flag Day, 2000 and 2001 for non-union employees. Explain how these figures were computed. (PA-123b)

OBJECTION:

PGW objects to this question because it seeks legally irrelevant information and cannot lead to the production of admissible information. This Interrogatory is clearly directed at the appropriateness of expenditures provided for PGW's operating budget. According to 66 Pa. C.S. § 2212(s), the Commission shall not abrogate or limit the City of Philadelphia's ability to determine PGW's budgets. The Philadelphia Gas Commission ("PGC"), a department of the City, retains the authority to approve PGW's annual operating budget. While OCA's Interrogatory may be relevant and appropriate in the budget proceedings before the PGC, it is beyond the scope of this proceeding.

Additionally, the Commission must, according to Section 2212(e) of the Public Utility Code, apply the same ratemaking methodology and requirements as were applicable to PGW prior to its assumption of jurisdiction and set rates so as to allow PGW to satisfy its bond covenants. Under that methodology and those requirements, once the PGC set PGW's budget, the Management Agreement Ordinance and the bond covenants required that rates be set so as to fund the operating budget. Thus, as the PGC continues to set PGW's budget, this proceeding is not to question the wisdom of PGW's allocations and expenditures for Flag Day. Instead, this proceeding is to ensure that the identified expense has traditionally been included in PGW's operating budget and to set rates so as to cover the operating budget as approved.

- 26) With regard to Article IX, Section 13 of the Collective Bargaining Agreement, provide a comprehensive list of employee "benefits and privileges" which are not specifically referred to in the Agreement. (PA-128)

OBJECTION:

PGW objects to this question because it seeks legally irrelevant information and cannot lead to the production of admissible information. This Interrogatory is clearly directed at the appropriateness of expenditures provided for PGW's operating budget. According to 66 Pa. C.S. § 2212(s), the Commission shall not abrogate or limit the City of Philadelphia's ability to determine PGW's budgets. The Philadelphia Gas Commission ("PGC"), a department of the City, retains the authority to approve PGW's annual operating budget. While OCA's Interrogatory may be relevant and appropriate in the budget proceedings before the PGC, it is beyond the scope of this proceeding.

Additionally, the Commission must, according to Section 2212(e) of the Public Utility Code, apply the same ratemaking methodology and requirements as were applicable to PGW prior to its assumption of jurisdiction and set rates so as to allow PGW to satisfy its bond covenants. Under that methodology and those requirements, once the PGC set PGW's budget, the Management Agreement Ordinance and the bond covenants required that rates be set so as to fund the operating budget. Thus, as the PGC continues to set PGW's budget, this proceeding is not to question the wisdom of PGW's allocations and expenditures on employee costs for collective bargaining unit employees. Instead, this proceeding is to ensure that the identified expense has traditionally been included in PGW's operating budget and to set rates so as to cover the operating budget as approved.

- 28) Provide a copy of PGW's Travel & Entertainment Expense Policy effective August, 1999. Is this policy still currently in effect? If the policy has been amended since August, 1999, please provide the amendments. (PA-135)

OBJECTION:

PGW objects to this question because it seeks legally irrelevant information and cannot lead to the production of admissible information. This Interrogatory is clearly directed at the appropriateness of expenditures provided for PGW's operating budget. According to 66 Pa. C.S. § 2212(s), the Commission shall not abrogate or limit the City of Philadelphia's ability to determine PGW's budgets. The Philadelphia Gas Commission ("PGC"), a department of the City, retains the authority to approve PGW's annual operating budget. While OCA's Interrogatory may be relevant and appropriate in the budget proceedings before the PGC, it is beyond the scope of this proceeding.

Additionally, the Commission must, according to Section 2212(e) of the Public Utility Code, apply the same ratemaking methodology and requirements as were applicable to PGW prior to its assumption of jurisdiction and set rates so as to allow PGW to satisfy its bond covenants. Under that methodology and those requirements, once the PGC set PGW's budget, the Management Agreement Ordinance and the bond covenants required that rates be set so as to fund the operating budget. Thus, as the PGC continues to set PGW's budget, this proceeding is not to question the wisdom of PGW's allocations and expenditures for travel and expenditures. Instead, this proceeding is to ensure that the identified expense has traditionally been included in PGW's operating budget and to set rates so as to cover the operating budget as approved.

- 29) What is the current PGW policy regarding company payment for employee parties and celebrations? If PGW has a written policy concerning this subject, provide a copy of the policy. Provide a detailed breakdown of the amount spent in FY2000 on such parties and the amount budgeted for FY2001. (PA-136)

OBJECTION:

PGW objects to this question because it seeks legally irrelevant information and cannot lead to the production of admissible information. This Interrogatory is clearly directed at the appropriateness of expenditures provided for PGW's operating budget. According to 66 Pa. C.S. § 2212(s), the Commission shall not abrogate or limit the City of Philadelphia's ability to determine PGW's budgets. The Philadelphia Gas Commission ("PGC"), a department of the City, retains the authority to approve PGW's annual operating budget. While OCA's Interrogatory may be relevant and appropriate in the budget proceedings before the PGC, it is beyond the scope of this proceeding.

Additionally, the Commission must, according to Section 2212(e) of the Public Utility Code, apply the same ratemaking methodology and requirements as were applicable to PGW prior to its assumption of jurisdiction and set rates so as to allow PGW to satisfy its bond covenants. Under that methodology and those requirements, once the PGC set PGW's budget, the Management Agreement Ordinance and the bond covenants required that rates be set so as to fund the operating budget. Thus, as the PGC continues to set PGW's budget, this proceeding is not to question the wisdom of PGW's allocations and expenditures for employee functions or celebrations. Instead, this proceeding is to ensure that the identified expense has traditionally been included in PGW's operating budget and to set rates so as to cover the operating budget as approved.

- 30) Does PGW have a written policy governing the assignment of personal company cars to PGW management employees? If the answer is affirmative, please provide a copy of the policy. (PA-147)

OBJECTION:

PGW objects to this question because it seeks legally irrelevant information and cannot lead to the production of admissible information. This Interrogatory is clearly directed at the appropriateness of expenditures provided for PGW's operating budget. According to 66 Pa. C.S. § 2212(s), the Commission shall not abrogate or limit the City of Philadelphia's ability to determine PGW's budgets. The Philadelphia Gas Commission ("PGC"), a department of the City, retains the authority to approve PGW's annual operating budget. While OCA's Interrogatory may be relevant and appropriate in the budget proceedings before the PGC, it is beyond the scope of this proceeding.

Additionally, the Commission must, according to Section 2212(e) of the Public Utility Code, apply the same ratemaking methodology and requirements as were applicable to PGW prior to its assumption of jurisdiction and set rates so as to allow PGW to satisfy its bond covenants. Under that methodology and those requirements, *once the PGC set PGW's budget, the Management Agreement Ordinance and the bond covenants required that rates be set so as to fund the operating budget.* Thus, as the PGC continues to set PGW's budget, this proceeding is not to question the wisdom of PGW's allocations and expenditures company cars provided to employees. Instead, this proceeding is to ensure that the identified expense has traditionally been included in PGW's operating budget and to set rates so as to cover the operating budget as approved.

- 31) Provide a schedule showing on an annual basis how many PGW employees had personal company cars in FY1996 through FY2000 (PA-150) and the number budgeted for FY2001.

OBJECTION:

PGW objects to this question because it seeks legally irrelevant information and cannot lead to the production of admissible information. This Interrogatory is, at least in part, directed at the appropriateness of expenditures provided for PGW's operating budget. According to 66 Pa. C.S. § 2212(s), the Commission shall not abrogate or limit the City of Philadelphia's ability to determine PGW's budgets. The Philadelphia Gas Commission ("PGC"), a department of the City, retains the authority to approve PGW's annual operating budget. While OCA's Interrogatory may be relevant and appropriate in the budget proceedings before the PGC, it is beyond the scope of this proceeding.

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- 32) a) Provide a copy of the current relocation and moving expense policy. (PA-152)
- b) Provide a detailed breakdown by employee of the amounts spent in FY2000 for such expenses and the amount budgeted for FY2001. (PA-152)

OBJECTION:

PGW objects to this question because it seeks legally irrelevant information and cannot lead to the production of admissible information. This Interrogatory is, at least in part, directed at the appropriateness of expenditures provided for PGW's operating budget. According to 66 Pa. C.S. § 2212(s), the Commission shall not abrogate or limit the City of Philadelphia's ability to determine PGW's budgets. The Philadelphia Gas Commission ("PGC"), a department of the City, retains the authority to approve PGW's annual operating budget. While OCA's Interrogatory may be relevant and appropriate in the budget proceedings before the PGC, it is beyond the scope of this proceeding.

Additionally, the Commission must, according to Section 2212(e) of the Public Utility Code, apply the same ratemaking methodology and requirements as were applicable to PGW prior to its assumption of jurisdiction and set rates so as to allow PGW to satisfy its bond covenants. Under that methodology and those requirements, once the PGC set PGW's budget, the Management Agreement Ordinance and the bond covenants required that rates be set so as to fund the operating budget. Thus, as the PGC continues to set PGW's budget, this proceeding is not to question the wisdom of PGW's allocations and expenditures for relocation and moving expense. Instead, this proceeding is to ensure that the identified expense has traditionally been included in PGW's operating budget and to set rates so as to cover the operating budget as approved.

- 34) Describe the current system utilized by the General Counsel's office to review outside counsels' bills. Provide copies of any protocols which govern how such review will be conducted. (PA-163)

OBJECTION:

PGW objects to this question because it seeks legally irrelevant information and cannot lead to the production of admissible information. This Interrogatory is, at least in part, directed at the appropriateness of expenditures provided for PGW's operating budget. According to 66 Pa. C.S. § 2212(s), the Commission shall not abrogate or limit the City of Philadelphia's ability to determine PGW's budgets. The Philadelphia Gas Commission ("PGC"), a department of the City, retains the authority to approve PGW's annual operating budget. While OCA's Interrogatory may be relevant and appropriate in the budget proceedings before the PGC, it is beyond the scope of this proceeding.

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- 35) a) Explain the current PGW policy regarding payment for employee professional membership dues. If there is a written policy, provide a copy of the policy. (PA-166)
- b) Provide a detailed breakdown of the amount spent in FY2000 on such professional dues and the amount budgeted for FY2001. (PA-166)
- c) Is there an annual limit for individual employees on the number of professional associations for which PGW will pay a membership fee? (PA-166)

OBJECTION:

PGW objects to this question because it seeks legally irrelevant information and cannot lead to the production of admissible information. This Interrogatory is, at least in part, directed at the appropriateness of expenditures provided for PGW's operating budget. According to 66 Pa. C.S. § 2212(s), the Commission shall not abrogate or limit the City of Philadelphia's ability to determine PGW's budgets. The Philadelphia Gas Commission ("PGC"), a department of the City, retains the authority to approve PGW's annual operating budget. While OCA's Interrogatory may be relevant and appropriate in the budget proceedings before the PGC, it is beyond the scope of this proceeding.

Additionally, the Commission must, according to Section 2212(e) of the Public Utility Code, apply the same ratemaking methodology and requirements as were applicable to PGW prior to its assumption of jurisdiction and set rates so as to allow PGW to satisfy its bond covenants. Under that methodology and those requirements, once the PGC set PGW's budget, the Management Agreement Ordinance and the bond covenants required that rates be set so as to fund the operating budget. Thus, as the PGC continues to set PGW's budget, this proceeding is not to question the wisdom of PGW's allocations and expenditures for membership dues in professional organizations. Instead, this proceeding is to ensure that the identified expense has traditionally been included in PGW's operating budget and to set rates so as to cover the operating budget as approved.

- 36) a) Provide a copy of all current contracts between PGW and Aramark concerning the PGW cafeteria and/or provision of food services to the company. (PA-168)
- b) If PGW subsidizes the cost of employee meals, state the amount of the subsidy in FY2000 and the amount budgeted for FY2001 and explain how the subsidy was calculated. (PA-168 &169)

OBJECTION:

PGW objects to this question because it seeks legally irrelevant information and cannot lead to the production of admissible information. This Interrogatory is, at least in part, directed at the appropriateness of expenditures provided for PGW's operating budget. According to 66 Pa. C.S. § 2212(s), the Commission shall not abrogate or limit the City of Philadelphia's ability to determine PGW's budgets. The Philadelphia Gas Commission ("PGC"), a department of the City, retains the authority to approve PGW's annual operating budget. While OCA's Interrogatory may be relevant and appropriate in the budget proceedings before the PGC, it is beyond the scope of this proceeding.

Additionally, the Commission must, according to Section 2212(e) of the Public Utility Code, apply the same ratemaking methodology and requirements as were applicable to PGW prior to its assumption of jurisdiction and set rates so as to allow PGW to satisfy its bond covenants. Under that methodology and those requirements, once the PGC set PGW's budget, the Management Agreement Ordinance and the bond covenants required that rates be set so as to fund the operating budget. Thus, as the PGC continues to set PGW's budget, this proceeding is not to question the wisdom of PGW's allocations and expenditures for food services and employee subsidies. Instead, this proceeding is to ensure that the identified expense has traditionally been included in PGW's operating budget and to set rates so as to cover the operating budget as approved.

- 37) Please identify by name, former title at PGW, last annual salary at PGW and current annualized compensation of all former PGW employees who provided services to PGW during FY 2000 as an independent contractor or consultant. Indicate whether they are projected to continue providing services in FY2001, and, if so, provide the amount included in the FY2001 budget for such services. (HE-4)

OBJECTION:

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- 39) Please provide a schedule itemizing each of PGW's (i) actual, (ii) committed expenditures (monetary and in-kind) for community support and/or sponsorships and/or charitable contributions or similar purposes for FY2000 and budgeted for FY2001. (HE-10c)

OBJECTION:

PGW objects to this question because it seeks legally irrelevant information and cannot lead to the production of admissible information. This Interrogatory is, at least in part, directed at the appropriateness of expenditures provided for PGW's operating budget. According to 66 Pa. C.S. § 2212(s), the Commission shall not abrogate or limit the City of Philadelphia's ability to determine PGW's budgets. The Philadelphia Gas Commission ("PGC"), a department of the City, retains the authority to approve PGW's annual operating budget. While OCA's Interrogatory may be relevant and appropriate in the budget proceedings before the PGC, it is beyond the scope of this proceeding.

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40) Please explain the following variances in Purchased Services expense from FY2000 to FY2001 as shown on Volume II, Revised Exhibit C-4:

- a) Collection & Revenue Recovery: \$644,000
- b) Marketing: \$746,000
- c) VP Public Policy: \$581,000
- d) Environmental: \$250,000
- e) VP Customer Affairs: \$1,994,000
- f) Security: \$146,000
- g) PUC: \$548,000
- h) Administrative Consultants: \$(1,672,000)
- i) Special Legal: \$679,000
- j) Emergency Operations: \$150,000
- k) IT: \$196,000

OBJECTION:

PGW objects to this question because it seeks legally irrelevant information and cannot lead to the production of admissible information. This Interrogatory is, at least in part, directed at the appropriateness of expenditures provided for PGW's operating budget. According to 66 Pa. C.S. § 2212(s), the Commission shall not abrogate or limit the City of Philadelphia's ability to determine PGW's budgets. The Philadelphia Gas Commission ("PGC"), a department of the City, retains the authority to approve PGW's annual operating budget. While OCA's Interrogatory may be relevant and appropriate in the budget proceedings before the PGC, it is beyond the scope of this proceeding.

- 41) Regarding the response to PA-61 in the PGC budget proceeding, what does the \$300,000 item for "emergency operations" represent? (HE-25)

OBJECTION:

PGW objects to this question because it seeks legally irrelevant information and cannot lead to the production of admissible information. This Interrogatory is, at least in part, directed at the appropriateness of expenditures provided for PGW's operating budget. According to 66 Pa. C.S. § 2212(s), the Commission shall not abrogate or limit the City of Philadelphia's ability to determine PGW's budgets. The Philadelphia Gas Commission ("PGC"), a department of the City, retains the authority to approve PGW's annual operating budget. While OCA's Interrogatory may be relevant and appropriate in the budget proceedings before the PGC, it is beyond the scope of this proceeding.

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- 45) Please update the reply to HE-42 in the PGC budget proceeding regarding PUC transition costs.

OBJECTION:

PGW objects to this question because it seeks legally irrelevant information and cannot lead to the production of admissible information. This Interrogatory is, at least in part, directed at the appropriateness of expenditures provided for PGW's operating budget. According to 66 Pa. C.S. § 2212(s), the Commission shall not abrogate or limit the City of Philadelphia's ability to determine PGW's budgets. The Philadelphia Gas Commission ("PGC"), a department of the City, retains the authority to approve PGW's annual operating budget. While OCA's Interrogatory may be relevant and appropriate in the budget proceedings before the PGC, it is beyond the scope of this proceeding.

- 46) Regarding the article entitled "PGW OK'd Raises" in the January 26, 2001 edition of the Philadelphia Daily News:
- a) Provide the source document for the data utilized in the article
 - b) If not answered in a), provide a schedule detailing the "50 top executives who earn \$75,000 or more"
 - c) If not answered in a), provide a schedule detailing the "19 managers or 38 percent [who] were given substantial raises last year"
 - d) If not answered in a), provide a schedule detailing the "small boosts to 46 midlevel supervisors" which "total about \$250,000"
 - e) If not answered in a), provide a schedule detailing the "five other PGW officials" who earn less than \$125,000
 - f) Provide a schedule detailing the \$4 million decrease achieved so far this year in labor and discretionary spending
 - g) Provide a schedule detailing the cafeteria subsidy that "was recently lowered"

OBJECTION:

PGW objects to this question because it seeks legally irrelevant information and cannot lead to the production of admissible information. This Interrogatory is, at least in part, directed at the appropriateness of expenditures provided for PGW's operating budget. According to 66 Pa. C.S. § 2212(s), the Commission shall not abrogate or limit the City of Philadelphia's ability to determine PGW's budgets. The Philadelphia Gas Commission ("PGC"), a department of the City, retains the authority to approve PGW's annual operating budget. While OCA's Interrogatory may be relevant and appropriate in the budget proceedings before the PGC, it is beyond the scope of this proceeding.

Additionally, the Commission must, according to Section 2212(e) of the Public Utility Code, apply the same ratemaking methodology and requirements as were applicable to PGW prior to its assumption of jurisdiction and set rates so as to allow PGW to satisfy its bond covenants. Under that methodology and those requirements, once the PGC set PGW's budget, the Management Agreement Ordinance and the bond covenants required that rates be set so as to fund the operating budget. Thus, as the PGC continues to set PGW's budget, this proceeding is not to question the wisdom of PGW's allocations and expenditures

for management salaries, cafeteria subsidies, or other areas. Instead, this proceeding is to ensure that the identified expense has traditionally been included in PGW's operating budget and to set rates so as to cover the operating budget as approved.

- 51) Please disclose legal expenses paid over the last five years to all law firms providing services to the company. (TR-24)

OBJECTION:

PGW objects to this question because it seeks legally irrelevant information and cannot lead to the production of admissible information. This Interrogatory is, at least in part, directed at the appropriateness of expenditures provided for PGW's operating budget. According to 66 Pa. C.S. § 2212(s), the Commission shall not *abrogate or limit the City of Philadelphia's ability to determine PGW's budgets.* The Philadelphia Gas Commission ("PGC"), a department of the City, retains the authority to approve PGW's annual operating budget. While OCA's Interrogatory may be relevant and appropriate in the budget proceedings before the PGC, it is beyond the scope of this proceeding.

Additionally, the Commission must, according to Section 2212(e) of the Public Utility Code, apply the same ratemaking methodology and requirements as were applicable to PGW prior to its assumption of jurisdiction and set rates so as to allow PGW to satisfy its bond covenants. Under that methodology and those requirements, once the PGC set PGW's budget, the Management Agreement Ordinance and the bond covenants required that rates be set so as to fund the operating budget. Thus, as the PGC continues to set PGW's budget, this proceeding is not to question the wisdom of PGW's allocations and expenditures for legal services. Instead, this proceeding is to ensure that the identified expense has traditionally been included in PGW's operating budget and to set rates so as to cover the operating budget as approved.

Finally, this Interrogatory is redundant and duplicative of Interrogatory No. 15.

Respectfully submitted,



Daniel Clearfield
Mark S. Stewart
Wolf, Block, Schorr and Solis-Cohen LLP
212 Locust Street, Suite 300
Harrisburg, PA 17101
(717) 237-7160

Dated: February 19, 2001

Wolf, Block, Schorr and Solis-Cohen LLP

212 Locust Street
Suite 300
Harrisburg, PA 17101

T 717 237 7160
F 717 237 7161
www.wolfblock.com

ORIGINAL

MARK S. STEWART
DIRECT DIAL: (717) 237-7191
E-MAIL: MSTEWART@WOLFBLOCK.COM

February 19, 2001

VIA HAND DELIVERY

James J. McNulty, Secretary
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street; 2nd Floor
Harrisburg, PA 17120

DOCUMENT
FOLDER

RECEIVED
01 FEB 20 AM 11:36
PA P.U.C.
SECRETARY'S BUREAU

RE: Philadelphia Gas Works' Permanent Base Rate Filing,
Docket No. R-00006042

Dear Mr. McNulty:

On behalf of Philadelphia Gas Works, enclosed for filing please find an original and three copies of its Objections to Philadelphia Industrial and Commercial Gas Users Group Interrogatories, Set I, No. 7 with regard to the above-referenced matter. As indicated by the attached certificate of service, all parties of record have been served with a copy of this filing.

Please contact me if you have any questions with respect to the enclosed.

Respectfully submitted,



Mark S. Stewart

For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

cc: Parties of record (w/encl.)

67

DSH:26166.1

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

In Re: Petition of Philadelphia Gas Works for :
Waiver of Certain Notification and Filing :
Requirements and Establishment of : Docket No. R-00006042
Expedited Hearing Schedule for Base :
Rate Proceeding :

OBJECTIONS OF PHILADELPHIA GAS WORKS
TO PHILADELPHIA INDUSTRIAL AND COMMERCIAL GAS
USERS GROUP INTERROGATORIES, SET I

Philadelphia Gas Works ("PGW"), pursuant to 52 Pa. Code §§ 5.342 and 5.349, objects to Philadelphia Industrial and Commercial Gas Users Group ("PICGUG") Interrogatories, Set I, No. 7.

DOCUMENT
FOLDER

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FEB 22 2001

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01 FEB 20 AM 11:36
J.P.U.C.
SECRETARY'S BUREAU

Q. 7. Please provide the Company's legal expenses to date for proceedings before the Pennsylvania Public Utility Commission and the Commonwealth Court of Pennsylvania in 2000-2001.

OBJECTION:

PGW objects to this question because it seeks legally irrelevant information and cannot lead to the production of admissible information. This Interrogatory is clearly directed at the appropriateness of expenditures provided for PGW's operating budget. According to 66 Pa. C.S. § 2212(s), the Commission shall not abrogate or limit the City of Philadelphia's ability to determine PGW's budgets. The Philadelphia Gas Commission ("PGC"), a commission of the City, retains the authority to approve PGW's annual operating budget. While CEPA's Interrogatory may be relevant and appropriate in the budget proceedings before the PGC, it is beyond the scope of this proceeding.

Additionally, the Commission must, according to Section 2212(e) of the Public Utility Code, apply the same ratemaking methodology and requirements as were applicable to PGW prior to its assumption of jurisdiction and set rates so as to allow PGW to satisfy its bond covenants. Under that methodology and those requirements, once the PGC set PGW's budget, the Management Agreement Ordinance and the bond covenants required that rates be set so as to fund the operating budget. Thus, as the PGC continues to set PGW's budget, this proceeding is not to question the wisdom of PGW's allocations and expenditures on legal services. Instead, this proceeding is to ensure that the identified expense has traditionally been included in PGW's operating budget and to set rates so as to cover the operating budget as approved.

Respectfully submitted,



Daniel Clearfield
Mark S. Stewart
Wolf, Block, Schorr and Solis-Cohen LLP
212 Locust Street, Suite 300
Harrisburg, PA 17101
(717) 237-7160

Dated: February 19, 2001

CERTIFICATE OF SERVICE

ORIGINAL

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 FIRST CLASS MAIL and/or E-MAIL

Tanya McCloskey, Esq.
Steve Keene, Esq.
Office of Consumer Advocate
5th Floor, Forum Place Bldg.
555 Walnut Street
Harrisburg, PA 17101-1921

Angela Jones, Esq.
Office of Small Business Advocate
Commerce Building, Suite 1102
300 North 2nd Street
Harrisburg, PA 17101

Jackie Sparkman, Esquire
School District of Philadelphia
Office of General Counsel
2130 Arch Street, 5th Floor
Philadelphia, PA 19103

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

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
(CEPA)

Philip Bertocci, Esq.
Community Legal Services
1424 Chestnut Street
Philadelphia, PA 19102

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

Craig A. Doll, Esq.
25 North Front St., 2nd Floor
Harrisburg, PA 17101-1606

Brian Kalcic
Excel Consulting
Suite 720-T
225 S. Meramec Avenue
St. Louis, MO 63105
(OSBA)

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

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01 FEB 20 AM 11:36
PA PUBLIC
SECRETARY'S BUREAU

Larry Speilvogel
203 Hughes Road
King of Prussia, PA 19406
(PICGUG)

Dated: February 19, 2001



Mark S. Stewart, Esquire

RECEIVED
01 FEB 20 AM 11:36
F.A.P.U.C.
SECRETARY'S BUREAU



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

IN REPLY PLEASE
REFER TO OUR FILE

February 21, 2001

DOCKETED
FEB 26 2001

RECEIVED

FEB 23 2001

Mr. Robert Deck
4636 Edgemont Street
Philadelphia, PA 19137

PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Dear Mr. Deck:

Thank you for your recent email to Chairman Quain regarding Philadelphia Gas Works' (PGW). I am responding on behalf of the Chairman.

As you are aware, the Commission has granted PGW two gas cost rates increases, one a \$97 million gas cost increase and another \$133 million gas cost increase. These increases only cover the company's cost to secure gas supplies for its customers. Without such increases, PGW would not be able to purchase natural gas to meet its customers' needs. Likewise, it is important to understand that all parties scrutinize these costs, and PGW does not make a profit on these costs.

In addition, the Commission approved an interim base rate increase of \$11 million with conditions attached including the hiring of an independent experienced manager subject to PUC approval. This decision has been appealed by PGW, the Philadelphia Facilities Management Corporation and the City to Commonwealth Court.

Further, PGW has filed a proposed base rate increase of \$65 million at Docket No. R-00006042. On February 8, 2001, the Commission suspended this matter for review and investigation. Issues that you write about in your letter are expected to be discussed by the parties to this case. As this matter is pending before the Commission, law prohibits discussion of the merits of this case by Commissioners and staff. I have taken the liberty of forwarding a copy of your letter to the Secretary's Bureau for inclusion in the public comment folder.

**DOCUMENT
FOLDER**

Moreover, it is important to keep in mind that the Commission, by law, cannot take action that would adversely affect the debt service coverage of PGW's bonds. This is a requirement that the Commission must meet, but the Commission is also mindful of the need to protect the public interest which includes consumer interest.

I hope this information is useful to you, and thank you again for sharing your thoughts on this matter.

Sincerely,



June M. Perry
Director
Office of Legislative Affairs

cc: Chairman Quain
Secretary McNulty

Waters, Lisa

From: Morris, Marion on behalf of CHAIRMAN
Sent: Wednesday, February 07, 2001 8:33 AM
To: Waters, Lisa
Subject: FW: Philadelphia Gas Works

-----Original Message-----

From: Bob Deck [mailto:deckfamily@juno.com]
Sent: Tuesday, February 06, 2001 8:53 PM
To: CHAIRMAN@puc.state.pa.us
Subject: Philadelphia Gas Works

DOCKETED
FEB 26 2001

Sir,
The Philadelphia Gas Works has done it to the consumer again and the Pa. PUC has let them do it to us. You granted them yet another rate hike, after years of mismanagement and misappropriation of funds. They stated that it would ONLY cost the average consumer \$149.00 a year extra. What garbage!!! My January gas bill went up by \$105.00 to \$311.00. Considering that there are at least 2 months left in the winter, that would be \$315.00 just for this winter. What happens next winter? I will have you know that I keep the heat in my home on 68 degrees. This stinks !!!! I guess I should expect to pay \$311.00 or more for 5 months next winter. That is outrageous to say the least!!!!

**DOCUMENT
FOLDER**

On top of all this, it was published in the Philadelphia Daily News last week, that the Philadelphia Gas Works gave big fat raises to the top level executives. I don't know how much you make, but I have never gotten a \$10,000 - \$15,000 raise in my life. The Philadelphia Gas Works continually lies to the Pa. PUC and you folks almost always take the bait. My question is WHO will pay my gas bill? Which one of you should I send it to because I can't pay it. I am a civil servant working for the City of Philadelphia and my salary is only \$36,000 a year. I have a family to raise, feed and clothe. I have other bills to pay, electric, telephone, doctors, tuition, etc. What do my children do without in order for me to pay this exhorbitant gas bill? What bill do I not pay, in order to pay this gas bill? I barely make it as it is and because I make "so much" I am not eligible for assistance. This raise in the gas rate is a joke!!!! I also think the PUC is a joke. Why does the PUC exist? They sure don't work for the consumer.

Care to chat with me? You can call me at the phone numbers supplied below.

Robert Deck
4636 Edgemont Street
Philadelphia, pa. 19137
215-685-9192 7:30 a.m. to 3:30 p.m.
215-743-3972 after 4:30 p.m.

MCNEES, WALLACE & NURICK
ATTORNEYS AT LAW

100 PINE STREET
P. O. BOX 1166
HARRISBURG, PA 17108-1166
TELEPHONE (717) 232-8000
FAX (717) 237-5300
<http://www.mwn.com>

ORIGINAL

SECRETARY'S BUREAU

01 FEB 22 AM 10:18

CHARIS M. BURAK

DIRECT DIAL: (717) 237-5437

E-MAIL ADDRESS: CBURAK@MWN.COM

February 22, 2001

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
The Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

VIA HAND DELIVERY

DOCUMENT
FOLDER

Re: Philadelphia Industrial and Commercial Gas Users Group v. Philadelphia Gas Works; Docket No. R-00006042

Dear Secretary McNulty:

Please find enclosed the original and three (3) copies of the Prehearing Memorandum of the Philadelphia Industrial and Commercial Gas Users Group ("PICGUG") in the above-referenced matter.

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

By 

Charis M. Burak

Counsel to the Philadelphia Industrial
and Commercial Gas Users Group

Attachment
CMB/lhe

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

109

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

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

Steve Grey, Esq.
Office of Small Business Advocate
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Harrisburg, PA 17101

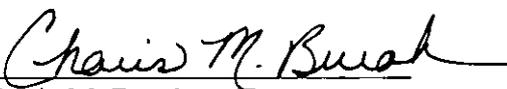
Johnnie Simms, Esq.
Office of Trial Staff
Pennsylvania Public Utility Commission
P.O. Box 3265
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Stephen Keene, Esq.
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Philip A. Bertocci, Esq.
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Philadelphia, PA 19102

Wendell F. Holland, Esq.
Obermayer, Rebmann, Maxwell &
Hippell, LLP
One Penn Center - 19th Floor
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1895


Charis M. Burak

Dated this 22nd day of February, 2001, in Harrisburg, Pennsylvania.

RECEIVED
01 FEB 22 AM 10:19
PENNSYLVANIA
SECRETARY'S BUREAU

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SECRETARY'S BUREAU

01 FEB 22 AM 10:19

PENNSYLVANIA PUBLIC UTILITY
COMMISSION

v.

Docket No. R-00006042

PHILADELPHIA GAS WORKS

DOCKETED

FEB 26 2001

**PREHEARING MEMORANDUM
OF THE PHILADELPHIA INDUSTRIAL AND
COMMERCIAL GAS USERS GROUP**

**DOCUMENT
FOLDER**

As requested by Administrative Law Judge Fordham in her Prehearing Order of February 16, 2001, the Philadelphia Industrial and Commercial Gas Users Group ("PICGUG") hereby submits this Prehearing Memorandum in the above-captioned proceeding.

I. HISTORY OF THE PROCEEDING

On January 5, 2001, the Philadelphia Gas Works ("PGW" or "Company") filed Supplement No. 7 to Tariff Gas - Pa. P.U.C. No. 1 with the Pennsylvania Public Utility Commission ("PUC" or "Commission"). In its filing, PGW proposes to implement a \$65 million base rate increase through a flat increase to the Company's Customer Charge and a volumetric increase to customer rates. PGW's accompanying testimony also presents several proposals to modify the Company's tariff, including: (1) the ability to offer non-standard rate arrangements to interruptible industrial and commercial customers; and (2) the need to "clarify" the maximum price PGW can charge to Rate Schedules BPS-S and BPS-L. In conjunction with this Supplement, PGW also filed a Petition for Waiver of Potential Applicable Notification and Filing Requirements and Establishment of Expedited Hearing Schedule for Base Rate Proceeding.

On February 2, 2001, PICGUG filed a Complaint in this proceeding. A description of PICGUG is set forth in Paragraph 5 of PICGUG's Complaint. PICGUG's Complaint is outstanding and awaits ALJ disposition. On February 8, 2001, the PUC issued an Order instituting an investigation into the lawfulness, justness, and reasonableness of the rates, rules and regulations proposed in Supplement No. 7. The PUC also suspended PGW's Supplement No. 7 until October 6, 2001, and denied PGW's request for a blanket waiver of the appropriate PUC filing requirements.

II. ANTICIPATED ISSUES AND SUBISSUES

PICGUG is concerned with: (1) the justness and reasonableness of the proposed base rate increase; (2) whether the proposed base rate increase will ensure nondiscriminatory treatment among PGW's customer classes; (3) the appropriate ratemaking methodology to be used to determine base rates; (4) the appropriate allocation of the proposed base rate increase among and within PGW's rate schedule; (5) rate design and rate structure; (6) the accuracy and legitimacy of the Cost of Service Study allocation; (7) the proposed distribution of the rate increase among the customer classes in light of the Cost of Service Study; (8) the specific terms of the non-standard rate arrangement proposal; and (9) the appropriateness of the proposed modifications to Rate Schedules BPS-S and BPS-L. PICGUG anticipates pursuing these issues during this proceeding. PICGUG also reserves the right to raise further issues and respond to issues raised by other parties.

III. WITNESSES

PICGUG has retained the services of Richard A. Baudino, of J. Kennedy and Associates, for purposes of this proceeding. Accordingly, PICGUG requests that all filings in this proceeding also be served to Mr. Baudino at the following address.

Richard A. Baudino
J. Kennedy and Associates Inc.
570 Colonial Park Drive, Suite 305
Roswell, GA 30075
Phone: 770-992-2027
Fax: 770-992-0806
e-mail: rbaudino@jkenn.com

IV. PROPOSED SCHEDULE AND DISCOVERY RULES

PICGUG will cooperate with the ALJ and the parties at the Prehearing Conference to develop an appropriate procedural schedule and discovery rules in accordance with the Commission's regulations and any ALJ directives.

V. POSSIBILITY OF SETTLEMENT

PICGUG is willing to participate in discussions with other parties to amicably resolve the issues in this proceeding.

Respectfully submitted,

McNEES, WALLACE & NURICK

By Charis M. Burak

David M. Kleppinger, Esq.
Charis M. Burak, Esq.
Karen S. Miller Orner, Esq.
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: February 22, 2001

SECRETARY'S BUREAU
01 FEB 22 AM 10:19
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LAW OFFICES

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MICHAEL C. RICHMAN
BARBARA WEINBERG
KIMBERLY D. SUTTON*
STEVEN T. DAVIS****
CATHIE PYUNE-MCELDOWNEY*
MICHAEL S. PEPPERMAN*
CYNTHIA A. TEDESCHI*
ANDREW J. GIORGIONE
KIMBERLY J. SCOTT*
WILLIAM K. PELOSI*
JASON E. REISMAN*
JONATHAN W. HUGG
MATHIEU J. SHAPIRO*
DAVID A. NASATIR***
TODD J. GLASSMAN*
MICHAEL D. VAGNONI
ERIC G. FIKRY*
RYAN W. DECKER*
CHRISTOPHER M. BRUBAKER*
JAMES P. LEONARD*
JENNIFER B. LAMBERT*

NINA B. STRYKER
ROGER P. CAMERON*
D. ALEXANDER BARNES*
GARY M. SAMMS
KIRSTEN B. HARE*
MICHAEL E. HESTON*
DANIEL F. SCHRANGHAMER*
STEPHEN W.W. CHING, JR.*
JOSEPH J. CENTENO
PETER J. OBERKIRCHER*
CAROLYN L. DORAZIO
AMANDA W. FIGLAND*
HILLARY J. MOONAY*
THOMAS E. HANSON, JR.*
LORI M. EMRICK*
LORI E. HALBER*
KARA L. PEISCHL*
MICHAUNE D. TILLMAN*
HARRY D. MADONNA
J. BENJAMIN YEAGER
MICHAEL J. KUDER

OF COUNSEL:
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JONATHAN H. NEWMAN***
ROBERT N.C. NIX, III
ROBERT M. DUBBS
FREDERICK COHEN
J. KURT STRAUB
WENDELL F. HOLLAND****
JOAN M. ROEDIGER

MARTIN WEINBERG
PETER M. BREITLING
ROBERT I. WHITELAW***
JEFFREY B. ROTWITT
GREGORY D. SAPUTELLI*
THORLEY C. MILLS, JR.**
WARREN W. AYRES
CHARLES M. GOLDEN
THOMAS A. LEONARD
ANN G. VERBER***
JOSEPH J. MCGOVERN***
JULIUS M. STEINER
WALTER W. COHEN
MARVIN S. LIEBER***
JEFFREY S. BATOFF*
SCOTT E. DENMAN
ANASTASIOS EFSTRATIADES*
JERALD S. BATOFF
DANIEL P. FINEGAN*
J. ERIC RATHBURN
RUTH RUDBARG WESSEL
NICHOLAS PODUSLENKO*
VAHAN H. GUREGHIAN
RICHARD P. LIMBURG
STEVEN A. HABER*
EDMOND M. GEORGE*
MICHAEL P. WEINSTEIN**

PAUL C. HEINTZ
HUGH C. SUTHERLAND
E. PARRY WARNER
JAMES M. PENNY, JR.
KENNETH L. OLIVER, JR.
JOHN J. EHLINGER, JR.
MARK A. LUBLIN*
JAMES W. BAUMBACH
STEPHEN D. SCHRIER*
LOUIS B. KUPPERMAN
JOSEPH P. DOUGHER
PAUL S. DIAMOND
JEROME N. KLINE
LAWRENCE J. TABAS
PAUL N. ALLEN
VICTOR ALAN YOUNG
CATHLEEN CURRAN MYERS
CHARLES S. K. SCUDDER****
WILLIAM J. LEONARD
JOHN E. RYAN
CAROL BRAYSHAW LONGWELL
JACQUELINE Z. SHULMAN*
LARRY BESNOFF
JAMES R. THOMPSON*
SCOTT J. FIELDS*
CLARE M. DIEMER*
JOHN V. O'HARA*

- * ALSO MEMBER OF NEW JERSEY BAR
- ** ALSO MEMBER OF OHIO BAR
- *** ALSO MEMBER OF D.C. BAR
- **** ADMITTED IN DELAWARE ONLY
- + ALSO MEMBER OF N.J. BAR AND D.C. BAR
- ** ALSO MEMBER OF N.J. & FLORIDA BAR
- *** ALSO MEMBER OF D.C. AND MASSACHUSETTS BAR
- **** ALSO MEMBER OF NEW YORK BAR

DIRECT DIAL: (717) 221-7920

February 22, 2001

Via Hand Delivery

James McNulty, Secretary
Pennsylvania Public Utility Commission
Room B-20, North Office Building
Harrisburg, PA 17120

DOCUMENT
FOLDER

SECRETARY'S BUREAU

01 FEB 22 PM 3:41

RECORDED

Re: Philadelphia Gas Works' Permanent Base Rate Filing
Docket No. R-00006042

Dear Secretary McNulty:

Please accept for filing an original and three (3) copies of the enclosed Praecipe for Entry of Appearance in the above-captioned matter.

All current parties have been served in accordance with the attached Certificate of Service

Sincerely,

Walter W. Cohen

WWC:dhs
Enclosures
cc: All parties on Proof of Service

110

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

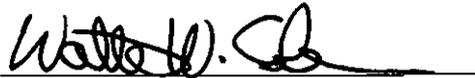
Philadelphia Gas Works' Permanent	:	Docket No. R-00006042
Base Rate Filing,	:	
	:	
PA Public Utility Commission,	:	
	:	
v.	:	
	:	
Philadelphia Gas Works	:	

PRAECIPE FOR ENTRY OF APPEARANCE

TO: James McNulty, Secretary

Please enter my appearance on behalf of Philadelphia Gas Works in the above-captioned actions. On the basis of this notice, I request a copy of each document hereafter issued by the Commission in these matters.

Respectfully submitted,



Walter W. Cohen, Esquire
OBERMAYER, REBMANN, MAXWELL & HIPPEL, LLP
204 State Street
Harrisburg, PA 17101

Dated: February 22, 2001

DOCUMENT
FOLDER

DOCKETED
FEB 26 2001

RECEIVED
01 FEB 22 PM 3:41
P.U.C.
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

ORIGINAL

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 U.S. Mail

RECEIVED

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

Charis M. Burak, Esquire
McNees, Wallace, Nurick
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
FEB 22 2001
PUBLIC UTILITY COMMISSION
CLERK'S OFFICE

Angela Jones, Esquire
Office of Small Business Advocate
Commerce Building, Suite 1102
300 North 2nd Street
Harrisburg, PA 17101

Craig A. Doll, Esquire
25 North Front Street, 2nd Floor
Harrisburg, PA 17101-1606

Tanya Mc Closkey, Esquire
Steve Keene, Esquire
Office of Consumer Advocate
5th Floor, Forum Place Building
555 Walnut Street
Harrisburg, PA 17101-1921

Daniel Clearfield, Esquire
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Dated: February 22, 2001

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VIA HAND DELIVERY

James J. McNulty, Secretary
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street; 2nd Floor
Harrisburg, PA 17120

RE: Philadelphia Gas Works' Permanent Base Rate Filing,
Docket No. R-00006042

Dear Mr. McNulty:

On behalf of Philadelphia Gas Works, enclosed for filing please find an original and three copies of its Pre-Hearing Memorandum with regard to the above-referenced matter. As indicated by the attached certificate of service, all parties of record have been served with a copy of this filing.

Please contact me if you have any questions with respect to the enclosed.

Respectfully submitted,



Mark S. Stewart

For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

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MSS/jlg
Enclosures

cc: Parties of record (w/encl.)

DSH:26230.1

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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In Re: Petition of Philadelphia Gas Works for :
Waiver of Certain Notification and Filing :
Requirements and Establishment of :
Expedited Hearing Schedule for Base :
Rate Proceeding :

Docket No. R-00006042

PHILADELPHIA GAS WORKS' PREHEARING MEMORANDUM

I. INTRODUCTION

Philadelphia Gas Works ("PGW") hereby submits this Prehearing Memorandum pursuant to 66 Pa. C.S. § 333, 52 Pa. Code § 522 and Administrative Law Judge (ALJ) Cynthia Williams Fordham's February 16, 2001 Prehearing Order.

II. HISTORY

Prior to passage of the Natural Gas Choice and Competition Act ("Gas Choice Act"), 66 Pa. C.S. §§ 2201-2212, PGW — as a municipally owned natural gas operation providing service only within the corporate limits of the City of Philadelphia — was exempt from PUC jurisdiction. Pursuant to the Gas Choice Act, 66 Pa. C.S. § 2212(b), PGW became subject to regulation by the Pennsylvania Public Utility Commission ("PUC") on July 1, 2000 under PGW's existing tariff, policies and programs and subject to various exceptions or limitations contained in the remainder of Section 2212.

On June 19, 2000, PGW filed a base rate case with the Philadelphia Gas Commission ("PGC"), the organization that then had jurisdiction over PGW. In a Pre-Hearing Memorandum Order, the PGC, through its chief Hearing Examiner, issued an order stating it no longer had

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authority to make final binding determinations in the pending proceeding. On August 8, 2000, PGW filed an Interim Rate case with the PUC, in accordance with PGW's tariff and a Petition for an expedited proceeding. On August 17, 2000, the PUC granted the request for an expedited hearing and review schedule.

After hearings and the receipt of evidence, the PUC entered its Opinion and Order of November 22, 2000, allowing PGW an \$11 million interim rate increase subject to several conditions. Due to significant questions regarding the legality of the Commission's Order and a belief that it was not consistent with the law or based upon substantial evidence, PGW, accompanied by the City of Philadelphia and the Philadelphia Facilities Management Corporation ("PFMC"), filed a dual jurisdiction petition for review with the Commonwealth Court challenging the November 22nd Order. On February 8, 2001, PGW and the Commission's Law Bureau filed a Joint Settlement Petition resolving the issues raised by PGW's petition for review. At its February 21, 2001 Public Meeting, the Commission approved that Joint Settlement Petition.

In the meantime, on January 5, 2001, PGW filed a proposed revision to its tariff that would increase its rates and charges so as to produce \$65 million in additional annual revenues. In conjunction with its proposed tariff supplement, PGW sought an expedited review of its revision and waiver of certain notification and filing requirements. By Order entered February 8, 2001, the PUC granted PGW's requests in relation to the notification requirements, but declined to allow a blanket waiver of the Public Utility Code's filing requirements, indicating that the parties could request specific filing information and PGW could seek specific waivers as necessary.

III. RATEMAKING STANDARD

The central question in this proceeding is: following the same ratemaking methodology and requirements that were previously applied to PGW and considering the Gas Choice Act's mandates regarding PGW's bond covenants and its payment to the City of Philadelphia, what level of base rate increase must the Commission allow? The provisions of the Gas Choice Act provide the framework for the answer to this question.

Looking first to the bond covenant ordinances, Section 2212(e) of the Gas Choice Act directs that the Commission shall permit PGW to charge and collect rates that will ensure that it satisfies its bond covenants. This requirement is also contained in the Management Agreement Ordinance's¹ cash flow ratemaking method which obligates PGW to "observe and comply with the covenants of its bonds issued in accordance with the First Class City Revenue Bond Act."

As is explicitly recognized in the Joint Petition for Settlement, approved by the PUC on February 21, PGW has at least three relevant bond covenants: (1) a covenants to maintain debt service coverages at 150% of its annual obligations; (2) a covenant that requires PGW and its owner, the City of Philadelphia, to charge rates that permit PGW to have sufficient cash to pay all of its obligations, including its debt service obligations, during each fiscal year in full when they are due; and (3) a covenant that requires PGW and the City to continuously maintain and operate the Gas Works. Section 2212(e) requires the Commission to enable PGW to charge and

¹ PGW is managed by PFMC, subject to oversight by the PGC and, in some instances, Philadelphia City Council, pursuant to an Agreement for Management and Operation of Philadelphia Gas Works executed with the City of Philadelphia on December 29, 1972. On that same date, the Management Agreement was incorporated into and approved by an ordinance of the Philadelphia City Council ("Management Agreement Ordinance").

collect rates that will meet these covenants “notwithstanding any provision in [Title 66] to the contrary.” 66 Pa. C.S. 2212(e).

In connection with the bond covenants requirement, Section 2212(e) of the Gas Choice Act directs the Commission, when determining PGW’s “revenue requirement” and “approving overall rates and charges,” to “follow the same ratemaking methodology and requirements that were applicable to [PGW]” prior to the Commission’s assumption of jurisdiction over PGW until all “approved bonds” have been “retired, redeemed, advance refunded or otherwise defeased.” 66 Pa. C.S. § 2212(e).² All “approved bonds” have not been “retired, redeemed, advance refunded or otherwise defeased” as of this date and will not be “retired, redeemed, advance refunded or otherwise defeased” prior to December 31, 2001.

The ratemaking methodology applicable to PGW prior to the Commission’s assumption of jurisdiction over PGW is the “cash flow method.”³ As set forth in Section VII, ¶ 1 of the Management Agreement Ordinance, the “cash flow method” mandates that the PGC,⁴ at a minimum, shall fix and regulate rates and charges for supplying gas to customers . . . which . . . will, in each fiscal year produce revenues, at a minimum:

² In addition, pursuant to section 2212(d) of the Act, and until the completion of PGW’s restructuring case, PGW’s rates and calculation formula, as well as the procedure for implementing those rates, are controlled by PGW’s tariff. PGW is authorized to request modifications in its “prior” tariff from the Commission.

³ Action Alliance v. Philadelphia Gas Comm’n, 406 A.2d 1155, 1158 (Pa. Cmwlth. 1979) (recognizing and upholding the cash flow method).

⁴ Under the third sentence of § 2212(d) of the Gas Choice Act, this mandate is applicable to the Commission.

- (a) Sufficient to pay all of the operation and maintenance costs and expenses of conducting the Gas Works enterprise and to pay the interest and amortization becoming due in such fiscal year on debt incurred for the Gas Works . . .

including: (1) a minimum payment of \$18 million to the City; (2) approved payment of debt and capital additions; and (3) an allowance for cash for working capital. The cash flow method thus requires rates to be set which, at a minimum, satisfy the previously described covenants and provide reasonable amounts to fund PGW's Operating Budget. The Pennsylvania Supreme Court has held that rates set in accordance with the cash flow method, as embodied in the Management Agreement Ordinance, are just and reasonable and constitutional. Public Advocate v. Philadelphia Gas Comm'n, 674 A.2d 1056, 1061 (Pa. 1996).⁵

Finally, Section 2212(f) of the Gas Choice Act mandates that the Commission shall permit PGW to charge and collect rates that will enable it to make its \$18 million payment to its owner, the City, annually. Given the statute's unmistakable dictate, these proceedings should not involve even the suggestion that the City of Philadelphia will not receive its full, annual payment from PGW.

On January 5, 2001, PGW submitted testimony and supporting information setting forth the justification for its position that, if the Commission follows the required cash flow method and adheres to the bond covenant and City payment mandates in the Act, a \$65 million base rate increase is necessary.

⁵ Although the Commission failed to follow the cash flow method in arriving at its November 22, 2000 Interim Order, the Commission explicitly linked its decision not to utilize the required cash flow method to the interim nature of the proceedings. November 22, 2000 Order at 8-9.

IV. ISSUES, PROPOSED SCHEDULE, AND WITNESSES

A. Issues

As stated, the primary issue in this proceeding what level of increase in PGW's base rates is required applying the prior ratemaking methodology and requirements, the cash flow method, and complying with Section 2212(e) and (f)'s mandates regarding PGW's bond covenants and its annual payment to the City of Philadelphia. Additional issues that arise from PGW's initial filing include: 1) the appropriate allocation of the rate increase among customer classes; 2) the appropriate level of customer charge, cost of service issues and rate structure; and 3) the appropriateness of tariff changes proposed by PGW.

B. Proposed Schedule

PGW proposes the following schedule for these base rate proceedings:

PGW Direct Testimony	1/5/2001
Intervenor's Direct Testimony	3/23/2001
Rebuttal Testimony (in response to any party)	4/23/2001
Surrebuttal Testimony	5/7/01
Hearings	5/21 through 6/1/2001
Close of record	6/4/2001
Main Briefs Due	6/25/2001
Reply Briefs Due	7/9/2001
Recommended Decision	8/20/2001 (suggested date)
Exceptions	9/4/2001
Reply Exceptions	9/10/2001
Final Commission Decision	9/24/2001 (week of)

This schedule is slightly different than the schedule proposed in the ALJ's Pre-Hearing Order in that it provides for hearings at a slightly later point in order to give all parties the opportunity to submit rebuttal and surrebuttal testimony.

C. Witnesses

PGW anticipates calling the following witnesses:

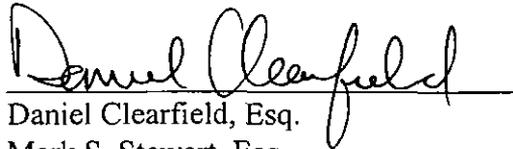
- (a) Craig White
- (b) Thomas E. Knudsen
- (c) Barbara Bisgaier
- (d) Joseph Bogdonavage
- (e) Jay P. Lukens

PGW reserves the right to submit additional witnesses after the submission of the direct testimony of other parties.

IV. SETTLEMENT

PGW is willing to discuss settlement of its claims and will be initiating such discussions as soon as the parties indicate that they have had sufficient time to review PGW's direct case.

Respectfully submitted



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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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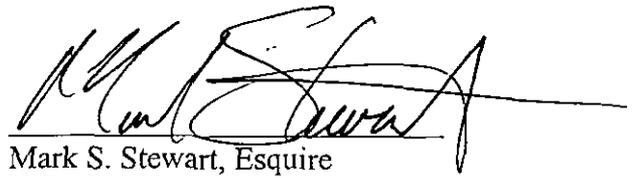
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PHILADELPHIA PA 19131-3411

HELEN T KLOCEK
C0088
3151 CEDAR STREET
PHILADELPHIA PA 19134

AUDREY F RICHARDSON-JORDAN
C0089
6438 NORTH NORWOOD STREET
PHILADELPHIA PA 19138-2508

ROXANNE T GREGORIO
C0090
718 SOUTH PERCY STREET
PHILADELPHIA PA 19147

ATTILIO W FEDELI
C0091
3291 HOLME AVENUE
PHILADELPHIA PA 19114

DENISE RIEHL
C0092
676 RENZ STREET
PHILADELPHIA PA 19128

LINDA G REDDING
C0093
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PHILADELPHIA PA 19128

KEVIN CAMPBELL
C0094
2242 FRIENDSHIP STREET
PHILADELPHIA PA 19149

CHRISTINA GAINES
C0095
260 EAST SLORUM STREET
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SUSAN CAVANAUGH
C0096
147 FULLER STREET
PHILADELPHIA PA 19152

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C0097
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C0098
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HIPPEL LLP
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PHILADELPHIA PA 19148

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723 WESTVIEW STREET
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JANE MCKAIN
C0114
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6551 NORTH WOODSTOCK STREET
PHILADELPHIA PA 19138

JUNE AND JAMES GREGORIO
C0123
710 REED STREET
PHILADELPHIA PA 19147

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	R-00006042, R-00006042C0001-C00123		YES	NO
		Prehearing Held:	<input type="checkbox"/>	<input type="checkbox"/>
Case Name:	Pennsylvania Public Utility Commission v. Philadelphia Gas Works	Hearing Held:	<input type="checkbox"/>	<input type="checkbox"/>
		Testimony Taken:	<input type="checkbox"/>	<input type="checkbox"/>
		Transcript Due:	<input type="checkbox"/>	<input type="checkbox"/>
		Hearing Concluded:	<input type="checkbox"/>	<input type="checkbox"/>
Location:	Harrisburg, Pennsylvania	Further Hearing Needed:	<input type="checkbox"/>	<input type="checkbox"/>
		Estimated Add'l Days:		
Date:	Friday, February 23, 2001			
		RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>
ALJ:	Cynthia W. Fordham	DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Commonwealth Reporting	DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:		

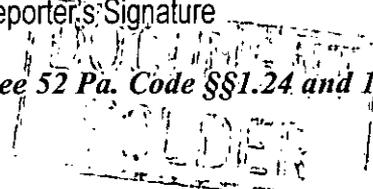
PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?				
Johnnie E. Simms	P.O. Box 3265	Office of TRIAL STAFF				
	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; font-size: small;">City</td> <td style="text-align: center; font-size: small;">State</td> <td style="text-align: center; font-size: small;">Zip</td> </tr> <tr> <td>HARRISBURG</td> <td>PA</td> <td>17105</td> </tr> </table>		City	State	Zip	HARRISBURG
City	State	Zip				
HARRISBURG	PA	17105				
Telephone: (717) 787-1976	E-mail Address: <i>simmsj@pur.state.pa.us</i>	Fax Number: (717) 772-2677				
Steven C. GRAY	300 North Second Street Suite 1102, Commerce Bldg	Office of Small Business Advocate				
	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; font-size: small;">City</td> <td style="text-align: center; font-size: small;">State</td> <td style="text-align: center; font-size: small;">Zip</td> </tr> <tr> <td>HARRISBURG</td> <td>PA</td> <td>17101</td> </tr> </table>		City	State	Zip	HARRISBURG
City	State	Zip				
HARRISBURG	PA	17101				
Telephone: (717) 783-2525	E-mail Address: <i>sgray@STATE.PA.US</i>	Fax Number: (717) 783-2831				
Charis M. Burak	100 Pine St.	PILGUG				
	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; font-size: small;">City</td> <td style="text-align: center; font-size: small;">State</td> <td style="text-align: center; font-size: small;">Zip</td> </tr> <tr> <td>Hbg.</td> <td>PA</td> <td>17108</td> </tr> </table>		City	State	Zip	Hbg.
City	State	Zip				
Hbg.	PA	17108				
Telephone: 717-237-5437	E-mail Address: <i>cburak@mwn.com</i>	Fax Number: 717-237-5300				

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

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?
JAMES A. MULLINS	555 WALNUT ST.			OCA
	City HBCA.	State PA	Zip 17101	
Telephone: (717) 283-5048	E-mail Address: jmullins@paoca.org			Fax Number: (717) 283-2152
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	

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

OALJ Hearing Report

Please check Those Blocks Which Apply

Docket No.:	R-00006042, R-00006042C0001-C0100	YES	NO
Case Name:	Pennsylvania Public Utility Commission v. Philadelphia Gas Works	Prehearing Held:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Location:	Philadelphia, PA	Hearing Held:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Date:	February 23, 2001	Testimony Taken:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ALJ:	Cynthia W. Fordham	Transcript Due:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reporting Firm:	Commonwealth Reporting	Hearing Concluded:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
		Further Hearing Needed:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
		Estimated Add'l Days:	6 days
		RECORD CLOSED:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
		Briefs to be Filed:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
		Bench Decision:	<input type="checkbox"/> YES <input type="checkbox"/> NO
		REMARKS:	May 22-25 & May 30, 31, 2001 hearing dates

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Name and Telephone Number	Address	Who are you representing?
Stephen J. Keene, Esq. Christy M. Appleby, Esq. 717-783-5048	555 Walnut Street 5th Floor Harrisburg PA 17101-1923	Office of Consumer Advocate
Philip A. Bertocci, Esq. 215 981-3702	Community Legal Services, Inc. 1424 Chestnut St. 4th Fl. Philadelphia PA 19102	CEPA ACORN TAG Action Alliance of Senior Citizens
Dan Clearfield, Esq. Wolf Block 717 237-7173	212 Locust St Suite 300 Harrisburg PA 17110	PGW

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

Robert J. Stewart

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?
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Telephone: 717-221-7920	E-mail Address: WALTER.COHEN@PACOMLINE.COM	Fax Number: 717-230-9834
Vince Mulline 215-332-3748	3522 Wellington St City: Phila PA Zip: 19149	Self
Telephone:	E-mail Address:	Fax Number:
Lil Henderson	6334 N. 10 th St. City: Phila PA Zip: 19141	self
Telephone: 215) 548 5455	E-mail Address: Lilly 0729 @ AOL.	Fax Number:
Jessica M. Woods	4628 Spruce St 2 nd Fl City: Phila PA Zip: 19139	Self
Telephone: 215-747-3522	E-mail Address: noqom@hotmail.com	Fax Number:
Harriette Taylor	5717 Spruce Street City: Phila PA Zip: 19139-3808	self
Telephone:	E-mail Address:	Fax Number:
Johnnie E. Simms, Esq. (appeared telephonically)	P.O. 3265 City: Hbg PA Zip: 17105	OTS
Telephone:	E-mail Address:	Fax Number:
Charin M. Burch, Esq. (appeared telephonically)	100 Pine St P.O. 1166 City: Hbg PA Zip: 17108	PHILA. INDUSTRIAL/ COMMERCIAL GAS USERS GROUP
Telephone:	E-mail Address:	Fax Number:
Steven C. Gray, Esq. (appeared telephonically)	Suite 1102, 300 North 2nd St. City: Hbg PA Zip: 17101	OSBA
Telephone:	E-mail Address:	Fax Number:

Name and Telephone Number	Address			Who are you representing?
James A. Mullins, <i>ESQ.</i> (telephonically)	555 Walnut Street 5th floor			OCA
	City: Harrisburg	State: PA	Zip: 17101-1923	
Telephone:	E-mail Address:			Fax Number:
Mark A. Stewart (telephonically)	212 Locust St. Suite 300			PGW
	City: Harrisburg	State: PA	Zip: 17110	
Telephone:	E-mail Address:			Fax Number:
	City:	State:	Zip:	
Telephone:	E-mail Address:			Fax Number:
	City:	State:	Zip:	
Telephone:	E-mail Address:			Fax Number:
	City:	State:	Zip:	
Telephone:	E-mail Address:			Fax Number:
	City:	State:	Zip:	
Telephone:	E-mail Address:			Fax Number:
	City:	State:	Zip:	
Telephone:	E-mail Address:			Fax Number:
	City:	State:	Zip:	
Telephone:	E-mail Address:			Fax Number:

Name and Telephone Number	Address			Who are you representing?
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
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DANIEL CLEARFIELD
DIRECT DIAL: (717) 237-7173
E-MAIL: DCLEARFIELD@WOLFBLOCK.COM

February 27, 2001

VIA HAND DELIVERY

James McNulty, Secretary
PA Public Utility Commission
Commonwealth Keystone Bldg., 2nd. Fl.
400 North Street
Harrisburg, PA 17120

RECEIVED
01 FEB 27 PM 3:17
SECRETARY'S BUREAU

RE: Philadelphia Gas Works' Permanent Base Rate Filing,
Docket No. R-00006042

Dear Secretary McNulty:

In accordance with the PUC's February 8, 2001 Order, enclosed please find Supplement No. 10 to PGW's Tariff - Gas No. 1 which suspends until August 8, 2001, PGW's Supplement No. 7, which had proposed base rate increases totaling \$65 million on an annual basis.

Please contact me with questions.

Very truly yours,

Daniel Clearfield

For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

DC/kec
Enclosure

cc: All Parties of Record (Per Attached Certificate of Service) w/enc.
Robert Rosenthal, Director, FUS, w/enc.
Karen Moury, Esq., Law Bureau, w/enc.

33

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).

HAND DELIVERY OR FIRST CLASS MAIL

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Philadelphia, PA 19103-1895

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SECRETARY'S BUREAU


Daniel Clearfield, Esquire

Dated: February 27, 2001

PHILADELPHIA GAS WORKS

PHILADELPHIA GAS WORKS
TERRITORY SERVED BY COMPANY

The company's service territory is defined as the City of Philadelphia in the *AGREEMENT BETWEEN THE CITY OF PHILADELPHIA AND THE PHILADELPHIA FACILITIES MANAGEMENT CORPORATION FOR THE MANAGEMENT AND OPERATION OF THE PHILADELPHIA GAS WORKS.*

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The application of rates proposed in Supplement No. 7 to Tariff Gas - Pa. P.U.C. No. 1 filed to become effective March 6, 2001 is hereby suspended until August 8, 2001, at Docket No. R-00006042. Presently effective rates contained in Tariff Gas - Pa. P.U.C. No. 1 and supplements thereto, will continue in effect until otherwise amended.

Issued:
February 27, 2001

Issued in compliance with
Title 66 Pa. C.S. § 1308(b)

Wolf, Block, Schorr and Solis-Cohen LLP

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DANIEL CLEARFIELD
DIRECT DIAL: (717) 237-7173
E-MAIL: DCLEARFIELD@WOLFBLOCK.COM

February 27, 2001

VIA HAND DELIVERY

Johnnie Simms
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' Permanent Base Rate Filing,
Docket No. R-00006042

002853

Dear Mr. Simms:

Enclosed please find the following PGW responses to OTS Interrogatories:

OTS-RE - 45, 64, 65, 81, 83, 84, 92, 93, 103, 104, 111, 128

OTS-RB - 8, 9(revised)

Please note that the attachment to RB-8 is being sent to OTS on a diskette pursuant to its request, however, the remaining parties will receive the information as a hard copy attachment. Also, RB-9 is being resubmitted to include all referenced attachments. Thank you for your attention to this matter.

Sincerely,

Daniel Clearfield

For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

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SECRETARY'S BUREAU

01 FEB 28 AM 9:04

/smw

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).

HAND DELIVERY OR FIRST CLASS MAIL

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J. Kennedy and Associates
570 Colonial Park Dr., Suite 305
Roswell, GA 30075

002854

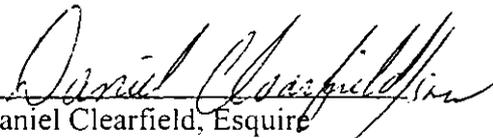
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MAR 01 2001

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203 Hughes Road
King of Prussia, PA 19406
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Wendell F. Holland, Esq.
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Philadelphia, PA 19103-1895


Daniel Clearfield, Esquire

Dated: February 27, 2001

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DANIEL CLEARFIELD
DIRECT DIAL: (717) 237-7173
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February 27, 2001

VIA HAND DELIVERY

Tanya McCloskey, Esquire
Office of Consumer Advocate
5th Floor, Forum Place Bldg.
555 Walnut Street
Harrisburg, PA 17101-1921

DOCUMENT
FOLDER

002865

RE: Philadelphia Gas Works' Permanent Base Rate Filing,
Docket No. R-00006042

Dear Ms. McCloskey:

Enclosed please find PGW's responses to the following OCA Interrogatories:

Set I - 7, 11, 13(a-b), 14, 15(a), 16, 17(a-c), 29, 38, 42

Set II - 6, 23(a-b)

Set III - 2, 3, 10, 12, 13, 14, 17, 21, 33, 38, 47

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Please be advised that the response to Set II - 6 refers to an attachment which is confidential in nature and is provided to the OCA only under a prior agreement to handle the information as proprietary. Copies will be provided to other parties upon request and agreement if necessary. Additionally, PGW acknowledges that that the remainder of OCA's Interrogatories are now overdue and intends to submit all OCA responses by the end of this week.

Very truly yours,



Daniel Clearfield

For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

/smw

cc: Parties of record (w/encl.)

Secretary McNulty (Certificate of Service only)

DSH:26303.1

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).

HAND DELIVERY OR FIRST CLASS MAIL

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Steve Keene, Esq.
Office of Consumer Advocate
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Harrisburg, PA 17101-1921

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203 Hughes Road
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Wendell F. Holland, Esq.
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Dated: February 27, 2001

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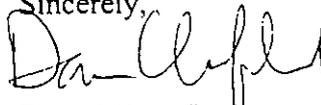
RE: Philadelphia Gas Works' Permanent Base Rate Filing,
Docket No. R-00006042

Dear Mr. Simms:

Enclosed please find the following PGW responses to OTS Interrogatories:

- OTS-RE - 13, 19, 23-25, 37-39, 44, 60, 62, 77, 78, 79, 80, 82,
87, 91, 95-110, 112, 114, 116, 118
- OTS-RB - 5, 6, 9, 5(a)
- OTS-RS - 21, 39, 41, 43-46
- OTS-RR - 20(b)

Thank you for your attention to this matter.

Sincerely,

Daniel Clearfield

For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

/smw

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

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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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