

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility
Commission
v.

Philadelphia Gas Works

DOCKETED
MAR 02 2007

R-00061931
R-00061931C0001 et al

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PREHEARING ORDER

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On December 22, 2006, the Philadelphia Gas Works ("PGW" or "Respondent") filed Supplement No. 16 to Tariff Gas – Pa. P.U.C. No. 2 to become effective February 20, 2007. In said tariff, PGW proposed changes in rules, regulations and rates calculated to produce \$107,000,000 (or 11%) in additional annual revenues.

By Order entered February 8, 2007, the Pennsylvania Public Utility Commission ("Commission") instituted an investigation into the lawfulness, justness and reasonableness of the proposed rate increase. Pursuant to section 1308(d) of the Public Utility Code, 66 Pa. C.S. §1308(d), Supplement No. 16 to Tariff Gas – Pa. P.U.C. No. 2 was suspended by operation of law on February 8, 2007, until September 20, 2007, unless otherwise directed by Order of the Commission. In addition, the Commission ordered that the investigation include consideration of the lawfulness, justness and reasonableness of PGW's existing rates. The matter was assigned to the Office of Administrative Law Judge for resolution by hearings and for issuance of a Recommended Decision.

In accordance with the Commission's order, the matter was assigned to Administrative Law Judges Cynthia Williams Fordham and Angela T. Jones.

On December 28, 2006, Richard A. Kanaskie, Esquire, Allison C. Kaster, Esquire, and Johnnie E. Simms, Esquire, entered a notice of appearance on behalf of the Commission's Office of Trial Staff ("OTS").

The Office of Consumer Advocate (“OCA”) filed a complaint and Public Statement on January 5, 2007. The complaint was docketed as R-00061931C0001. The Office of Small Business Advocate (“OSBA”) filed a complaint and Public Statement on January 18, 2007. The complaint was docketed as R-00061931C0008. Action Alliance of Senior Citizens of Greater Philadelphia and Tenant Union Representative Network (“TURN”) filed a complaint on January 26, 2007. The complaint was docketed as R-000 61931C0010. The Philadelphia Industrial & Commercial Gas Users Group (“PICGUG”) filed a complaint on February 5, 2007. The complaint was docketed as R-00061931C0033. To date, 45 complaints have been filed.

Pursuant to 52 Pa. Code §5.61(d), no answer is required to complaints docketed with Commission-instituted rate proceedings unless directed by the Commission or the presiding officer.

On February 7, 2007, PECO Energy Company filed a Petition to Intervene.

A Prehearing conference in this matter will be held on Friday, February 23, 2007 at 10:00 a.m. The parties in Philadelphia will meet in an available hearing room on the 13th floor of the Philadelphia State Office Building. The parties in Harrisburg will meet in an available room in the Commonwealth Keystone Building. The Harrisburg parties will participate by telephone.

The Commission’s regulation concerning Prehearing conferences in rate proceedings is located at 52 Pa. Code §5.224. We will discuss the following:

- 1) PECO Energy Company’s Petition to Intervene
- 2) A proposed plan and schedule of discovery;
- 3) Possibility of settlement;
- 4) Issues;
- 5) Amount of hearing time needed;
- 6) Witnesses;
- 7) Schedule for submission of testimony, hearings and briefs;

- 8) Public input hearings; and
- 9) any other appropriate matter.

Counsel should submit a Prehearing memorandum addressing the agenda items on or before noon on Thursday, February 22, 2007. Counsel can fax or e-mail the memoranda to the presiding officers and the other counsel who have agreed to accept service by fax or e-mail.

If there are no objections to PECO Energy Company's Petition to Intervene, the petition will be granted. If there are objections, pursuant to 52 Pa. Code §5.66 answers to the petition to intervene are due on or before February 27, 2007.

The following is a proposed schedule for hearings and briefs:

Hearings for cross-examination of all witnesses, oral Rebuttal/Surrebuttal	week of May 7, 2007
Close of Record	May 11, 2007(F)
Main Briefs Due	May 30, 2007(W)
Reply Briefs Due	June 8, 2007 (F)
Public Meeting	September 13, 2007
End of Suspension Period	September 20, 2007

Any documents filed in this proceeding should be served on the presiding officers at the Philadelphia office and the active parties. 52 Pa. Code §1.54(a) and (c).

We will discuss active and inactive status at the Prehearing conference. Active parties are expected to participate in the Prehearing conference, engage in discovery, attend hearings, present witnesses and cross-examine witnesses. If you do not attend the Prehearing conference and you would like to be an active party, you must submit a petition to intervene pursuant to 52 Pa. Code §§5.71-5.76. Inactive parties can participate and testify in public input hearings, will receive the presiding officers' written orders, notices of hearings and copies of any

decisions and Commission orders. The inactive parties will not participate in discovery or testify or cross-examine witnesses at the formal hearings. Therefore, inactive parties will not receive copies of the hearing exhibits or the briefs of the active parties. Active parties will receive all documents and must copy all other active parties on documents sent to the Commission or the presiding officers. 52 Pa. Code §1.54 (c).

Service may be made electronically, to those parties who have agreed to accept service in that manner. Documents served electronically need not be followed by service of a hard copy to the parties if the parties have so agreed. 52 Pa. Code §1.54 (b) (3). Service may be made by telefacsimile to those parties who have agreed to accept service in that manner. 52 Pa. Code §1.54 (b) (4). A final version in hard copy shall be stamped on the date due for filing with the Secretary regardless of any agreement among the parties. The presiding officers agree to electronic or telefacsimile service for this proceeding. In addition, we are requesting that a hard copy of all documents be sent to the Philadelphia Regional Office. Since documents can be submitted to the presiding officers and the participants by fax and e-mail, fax and e-mail addresses will be included on the service list. Please check the list for omissions and errors and contact the Philadelphia Regional Office to make corrections. The fax number for the Philadelphia Regional Office is (215) 560-3133 and our e-mail addresses are cfordham@state.pa.us and angeljones@state.pa.us.

ORDER

THEREFORE,
IT IS ORDERED:

That the parties shall comply with the procedural rules and regulations discussed herein.

Date: February 15, 2007


CYNTHIA WILLIAMS FORDHAM
ANGELA T. JONES
Administrative Law Judges

Pennsylvania Public Utility Commission v. Philadelphia Gas Works
Docket Nos. R-00061931, R-00061931C0001-C0045

SERVICE LIST

Daniel Clearfield, Esquire
Alan C. Kohler, Esquire
Wolfe Block
213 Market Street, 9th Floor
P.O. Box 865
Harrisburg, PA 17108-0865

Richard A. Kanaski, Esquire
Allison C. Kaster, Esquire
Pa. Public Utility Commission
Office of Trial Staff
P.O. Box 3265
Harrisburg, PA 17105-3265

Christy M. Appleby, Esquire
Darryl Lawrence, Esquire
Tanya J. McCloskey, Esquire
Office of Consumer Advocate
555 Walnut Street, 5th Floor
Forum Place
Harrisburg, PA 17101-5048

Shari C. Gribbin, Esquire
Kent D. Murphy, Esquire
Exelon Business Services Co.
2301 Market Street, S23-1
Philadelphia, PA 19101-8699

Eric J. Stabler
921 Tree Street
Philadelphia, PA 19148

Barbara Uecker
6308 Shelbourne Street
Philadelphia, PA 19111

James Mitchell
8109 Revere Street
Philadelphia, PA 19152

Russell J. Rossi
1523 Iseminger Street
Philadelphia, PA 19147

Debra Fleming
1764 North Dover Street
Philadelphia, PA 19121

Cornelia Hester-Williams
2727 West Lehigh Avenue
Philadelphia, PA 19132-3129

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

Robert Kloter
7038 Shelborne
Philadelphia, PA 19111

Phillip A. Bertocci, Esquire
Thu B. Tran, Esquire
Community Legal Services, Inc.
1424 Chestnut Street
Philadelphia, PA 19102-2505

Stephen Rosenzweig
744 East Passyunk Avenue
Philadelphia, PA 19147

Dawn Reid Eshleman
267 Rochelle Avenue
2nd Floor
Philadelphia, PA 19128

Barbara Cicalese
363 W. Salignac Street
Philadelphia, PA 19128-5123

Howard & Diane Woods
3306 Lansing Street
Philadelphia, PA 19136

Dennis L. Pharo, Jr.
3044 Magee Avenue
Philadelphia, PA 19149

Cynthia Bullock
6320 Chew Avenue
Apt. 36-A
Philadelphia, PA 19138

Onyeka Floabachic
7900 Lindbergh Boulevard
Apt. 3905
Philadelphia, PA 19153

Aurora R. Vescio
101 Hickory Hill Road
Philadelphia, PA 19154

Constance Brooks
7705 Fayette Street
Philadelphia, PA 19150

Catherine Naticchione
103 Hickory Hill Road
Philadelphia, PA 19154

Briane Love
3848 Terrace Street
Apt. 2
Philadelphia, PA 19128

Diane Fink
13470 Trevoise Road
Philadelphia, PA 19116

Marian C. Gilbert
8040 Rowland Avenue
Apt. C251
Philadelphia, PA 19136

Mary Jane Baez
3064 North Mascher Street
Philadelphia, PA 19133

Matilda O'Neal
1874 N. Van Pelt Street
Philadelphia, PA 19121

Eileen March
9356 Lans Ford Street
Philadelphia, PA 19114

Darlene Brown
5318 Locust Street
Philadelphia, PA 19139

Bessie W. Johnson
3526 North 21st Street
Philadelphia, PA 19140

Kenneth Milgrom
10840 Harrow Road
Philadelphia, PA 19154

David R. Bigelow
515 Selma Street
Philadelphia, PA 19116

Fadi Al Did
2308 South Hicks Street
Philadelphia, PA 19145

John Couden
8635 Jackson Street
Apt. 1
Philadelphia, PA 19136

Leslie & Anthony Arvelo
6510 Cottage Street
Philadelphia, PA 19135

George M. Sterthous
138 Hickory Hill Road
Philadelphia, PA 19154-4306

Josephine Pierre
708A South Colorado Street
Philadelphia, PA 19146-1930

Mr. & Mrs. Antonio Russo
806 Pierce Street
Philadelphia, PA 19148

Kevin Ingram
134 Hickory Mill Road
Philadelphia, PA 19154-4306

Maria A. Longo
821 Pierce Street
Philadelphia, PA 19144

Kimberlee B. Johnson
1818 Widener Place
Philadelphia, PA 191941

Nadine Jackson
2528 North 9th Street
Philadelphia, PA 19133

Charise Mincavage, Esquire
McNees Wallace & Nurick
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166

Richard A. Perugini
7200 Torresdale Avenue
Philadelphia, PA 19135

Jerrilyn P. Smith-Bey
603 East Mt. Airy Avenue
Philadelphia, PA 19119

John Darby
4519 Pearson Avenue
Philadelphia, PA 19114

Counsel

Daniel Clearfield, Esquire
Alan C. Kohler, Esquire
Wolfe Block Schorr & Solis-Cohen LLP
213 Market Street, 9th Floor
P.O. Box 865
Harrisburg, PA 17108-0865
(717) 237-7173 (717) 237-7161 (fax)
dclearfield@wolfblock.com

Gregory J. Stunder, Esquire
Philadelphia Gas Works
800 West Montgomery Avenue
Philadelphia, PA 19122
Fax (215) 684-6798
Greg.stunder@pgworks.com

Richard A. Kanaski, Esquire
Allison C. Kaster, Esquire
Pa. Public Utility Commission
Office of Trial Staff
P. O. Box 3265
Harrisburg, PA 17105-3265
(717) 787-1976
rkanaskie@state.pa.us
akaster@state.pa.us

Christy M. Appleby, Esquire
Darryl Lawrence, Esquire
Tanya J. McCloskey, Esquire
Office of Consumer Advocate
555 Walnut Street, 5th floor
Forum Place
Harrisburg, PA 17101-5048
(717) 783-5048 (717) 783-7152 (fax)
cappleby@paoca.org
dlawrence@paoca.org
tmccloskey@paoca.org

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

David M. Kleppinger, Esquire
Charis Mincavage, Esquire
McNees Wallace & Nurick
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
(717) 232-8000 (717) 237-5300 (fax)
cmincavage@mwn.com

Phillip A. Bertocci, Esquire
Thu B. Tran, Esquire
Community Legal Services, Inc.
1424 Chestnut Street
Philadelphia, PA 19102-2505
(215) 981-3702 (215) 981-0435 (fax)
pbertocci@clsphila.org

Shari C. Gribbin, Esquire
Kent D. Murphy, Esquire
Exelon Business Services Co.
2301 Market Street, S23-1
Philadelphia, PA 19101-8699
(215) 841-3606 Gribbin phone (215) 568-3389 Gribbin fax
Shari.gribbin@exeloncorp.com
(215) 841-4941 Murphy phone (215) 841-4941 Murphy fax
kent.murphy@exeloncorp.com