

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission

v.

Philadelphia Gas Works

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R-00072110

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PREHEARING ORDER

A prehearing conference was held on March 15, 2007. The presiding officer was Administrative Law Judge Charles E. Rainey, Jr. Present were Philadelphia Gas Works (PGW), Office of Trial Staff (OTS), Office of Consumer Advocate (OCA), Office of Small Business Advocate(OSBA) and the Philadelphia Industrial and Commercial Gas Users Group (PICGUG).

1. Petitions to Intervene

On March 9, 2007, PICGUG filed a petition to intervene in the proceeding. No objections were raised. PICGUG's petition to intervene was granted.

2. Prehearing Conference Memoranda

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In response to my Prehearing Conference Order dated March 2, 2007, prehearing conference memoranda were submitted by PGW, OTS, OCA, OSBA and PICGUG.

3. Discovery

Effective March 15, 2007, the following discovery rules shall apply in this proceeding:

- (a) Answers to written interrogatories shall be served in-hand within 10 calendar days after service of the interrogatories.

- (b) The answering participant must make any objections orally to the participant submitting the interrogatories within 3 calendar days after service of the interrogatories.
- (c) Written objections shall be served on the parties, filed with the Commission, and submitted to the presiding officer, within 5 calendar days after service of the interrogatories.
- (d) Motions to compel answers to interrogatories shall be served on the parties, filed with the Commission, and submitted to the presiding officer within 3 calendar days after service of the written objections.
- (e) Answers to motions to compel answers to interrogatories shall be served on the parties, filed with the Commission, and submitted to the presiding officer within 3 calendar days after service of the motion to compel.
- (f) Rulings on motions to compel shall be made within 7 days of the presiding officer's receipt of the motion to compel, if practicable.
- (g) When a written request for admissions is made, matters are deemed admitted unless the request is answered in writing within 10 calendar days or objected to in writing within 5 calendar days after the request is made.
- (h) Answers to on-the-record data requests shall be served in-hand within seven (7) days of the requests.
- (i) The parties are expected to cooperate with each other in regard to discovery.

- (j) The parties are encouraged to amicably resolve discovery disputes among themselves.

4. Evidentiary Hearing and Briefing Schedule

The following evidentiary hearing and briefing schedule was adopted:

April 16, 2007	Direct Testimony of Parties other than PGW due in-hand
May 4, 2007	Rebuttal Testimony of all Parties due in-hand
May 10, 2007	Surrebuttal Testimony of all Parties due in-hand by 1:00 p.m.
May 11, 2007	Outline of Oral Rejoinder Testimony due in-hand
May 14 – 15, 2007	Evidentiary Hearings
May 31, 2007	Main Briefs due in-hand
June 8, 2007	Reply Briefs due in-hand

The evidentiary hearings will be held in an available hearing room in the Philadelphia State Office Building, Broad and Spring Garden Streets, 13th Floor, Philadelphia, Pennsylvania. The evidentiary hearings will begin at 10:00 a.m.

Written testimonies and briefs are due in-hand by 4:00 p.m. (unless another time is stated in the above schedule) on the due dates. Technical terms and concepts are to be clearly defined and explained in written testimonies and briefs.

Written testimonies must follow the form for written testimonies as set forth at 52 Pa. Code §5.412(e). Briefs must follow the content and form for briefs as set forth at 52 Pa. Code §5.501. Briefs shall include proposed findings of fact, conclusions of law and ordering

paragraphs. Briefs shall be as concise as possible and shall be limited to 60 pages. Any unpublished opinions, decisions or policies cited in a brief, must be attached to the brief.

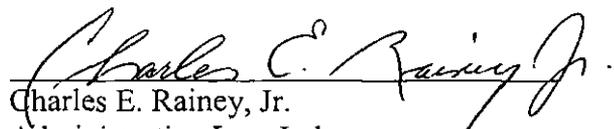
5. Public Input Hearings

The OCA indicated in its prehearing conference memorandum that the public as of yet has not shown substantial interest in this proceeding so as to necessitate holding one or more public input hearings. If a party becomes aware of sufficient public interest in this proceeding so as to necessitate holding one or more public input hearings, the party is to confer with the other parties and then submit to me in writing as soon as possible, proposed dates, times and specific locations for one or more public input hearings.

6. Document Submission

Written testimonies and briefs may be delivered to me via electronic mail on the date due as long as a hard copy is delivered to me by the following business day via overnight mail or hand delivery.

The parties may enter into an agreement in regard to the manner in which they will serve documents on each other. The parties are otherwise required to serve documents on each other consistent with the Commission's rules at Title 52 of the Pennsylvania Code.


Charles E. Rainey, Jr.
Administrative Law Judge

Date: March 15, 2007

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