



ORIGINAL

OFFICE OF SMALL BUSINESS ADVOCATE  
Suite 1102, Commerce Building  
300 North Second Street  
Harrisburg, Pennsylvania 17101

William R. Lloyd, Jr.  
Small Business Advocate

(717) 783-2525  
(717) 783-2831 (FAX)

June 7, 2007

**HAND DELIVERY**

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

DOCUMENT  
FOLDER

SECRETARIAT OF COMMONWEALTH

2007 JUN -7 PM 3:47

**Re: Pennsylvania Public Utility Commission v. Philadelphia Gas Works  
Docket No. R-00072110**

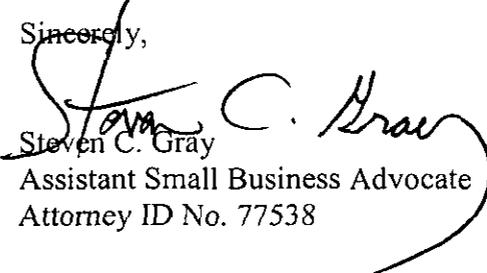
Dear Secretary McNulty:

I am delivering for filing today the original plus three copies of the Statement in Support of the Joint Petition, on behalf of the Office of Small Business Advocate in the above-captioned proceeding.

Two copies have been served today on all known parties in this proceeding. A Certificate of Service to that effect is enclosed.

If you have any questions, please do not hesitate to contact me.

Sincerely,

  
Steven C. Gray  
Assistant Small Business Advocate  
Attorney ID No. 77538

Enclosures

cc: Parties of Record

47

**ORIGINAL**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PENNSYLVANIA PUBLIC UTILITY  
COMMISSION**

v.

**PHILADELPHIA GAS WORKS**

:  
:  
:  
:  
:  
:

**DOCKET NO. R-00072110**

2007 JUN 17 7 31 AM  
SECRETARY'S BUREAU

**DOCUMENT  
FOLDER**

**STATEMENT OF THE  
OFFICE OF SMALL BUSINESS ADVOCATE  
IN SUPPORT OF THE  
JOINT PETITION**

**Introduction**

The Small Business Advocate is authorized and directed to represent the interests of the small business consumers of utility services in the Commonwealth of Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50. Pursuant to that statutory authority, the Office of Small Business Advocate ("OSBA") filed a complaint at Docket No. R-00072110, the March 1, 2007, 66 Pa. C.S. § 1307(f) filing of Philadelphia Gas Works ("PGW" or the "Company"). The OSBA actively participated in the negotiations that led to the proposed settlement, and is a signatory to the Joint Petition for Settlement of Philadelphia Gas Works' 2007 – 2008 GCR Proceeding ("Joint Petition") filed on June 1, 2007. The OSBA submits this statement in support of the Joint Petition.

**The Joint Petition**

The Joint Petition sets forth a comprehensive list of issues that were resolved through the negotiation process. The following issues were of particular significance to the OSBA when it concluded that the Joint Petition was in the best interests of PGW's small business customers:

**DOCKETED**  
JUN 12 2007

1) On November 24, 2004, the Energy Information Administration (“EIA”) released a Weekly Gas Storage Report that led to a significant spike in natural gas prices, apparently as a result of a clerical error in the underlying data supplied by Dominion Transmission, Incorporated (“DTI”). In the 2005 Peoples Natural Gas Company Section 1307(f) proceeding, the Pennsylvania Public Utility Commission (“Commission”) required that a natural gas distribution company (“NGDC”) “actively seek to recover from its suppliers, including its affiliates, the amounts paid for gas supplies that were in excess of reasonably anticipated prices as a result of the DTI reporting error.” *Peoples Natural Gas Company 1307(f) Proceeding*, Docket R-00050267 (Order entered September 30, 2005), at 16.

The Joint Petition requires that PGW promptly intervene in the current class action lawsuit against DTI in West Virginia (*Jacquet et al v. Dominion Transmission, Inc. et al*, Docket No. 2:05-cv-00548 (S.D. W.Va.)) on behalf of PGW customers if *Jacquet* survives a motion to dismiss and is given a class action designation.

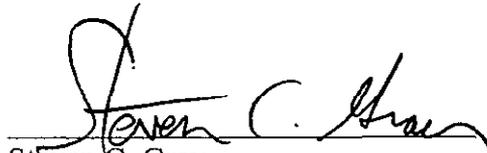
2) PGW addressed the retention of both the capacity release credits and the off-system sales margin in the Company’s current base rates proceeding at Docket No. R-00061931 rather than in this annual Section 1307(f) proceeding. The Joint Petition confirms that capacity release credits and off-system sales margin will be dealt with in the Company’s current base rates proceeding. However, the Joint Petition explicitly states that it will not stand as precedent for the proposition that the examination of whether the capacity release credits and off-system sales margin are just and reasonable is to be undertaken in a base rates proceeding rather than a

Section 1307(f) proceeding. The OSBA contends that such an examination properly belongs in the annual Section 1307(f) proceeding.

Conclusion

For the reasons set forth in the Joint Petition, as well as the additional factors that are enumerated in this statement, the OSBA supports the proposed Joint Petition and respectfully requests that the ALJ and the Commission approve the Joint Petition in its entirety.

Respectfully submitted,

  
Steven C. Gray  
Assistant Small Business Advocate  
Attorney ID No. 77538

For:  
William R. Lloyd, Jr.  
Small Business Advocate  
Attorney ID No. 16452

Office of Small Business Advocate  
Suite 1102, Commerce Building  
300 North Second Street  
Harrisburg, PA 17101

Dated: June 7, 2007

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY :  
COMMISSION :

v. :

PHILADELPHIA GAS WORKS :

DOCKET NO. R-00072110

2007 JUL 1 - 7 Pm 3:47  
SECRETARY'S BUREAU

**CERTIFICATE OF SERVICE**

I certify that I am serving two copies of the Statement in Support of the Joint Petition on behalf of the Office of Small Business Advocate, by e-mail and first class mail (unless otherwise noted) upon the persons addressed below:

Hon. Charles Rainey  
Administrative Law Judge  
Pa. Public Utility Commission  
1302 Philadelphia State Office Building  
Broad & Spring Garden Streets  
Philadelphia, PA 19130  
(215) 560-2105  
(215) 560-3133 (fax)  
[crainey@state.pa.us](mailto:crainey@state.pa.us)

Daniel Clearfield, Esquire  
Alan C. Kohler, Esquire  
Wolf, Block, Schorr & Solis-Cohen  
213 Market St., 9<sup>th</sup> Floor  
P. O. Box 865  
Harrisburg, PA 17108-0865  
(717) 237-7160  
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[dclearfield@wolfblock.com](mailto:dclearfield@wolfblock.com)  
[akohler@wolfblock.com](mailto:akohler@wolfblock.com)

Gregory J. Stunder, Esquire  
Philadelphia Gas Works  
900 West Montgomery Avenue  
Philadelphia, PA 19122  
(215) 684-6878  
(215) 684-6798 (fax)  
[greg.stunder@pgworks.com](mailto:greg.stunder@pgworks.com)

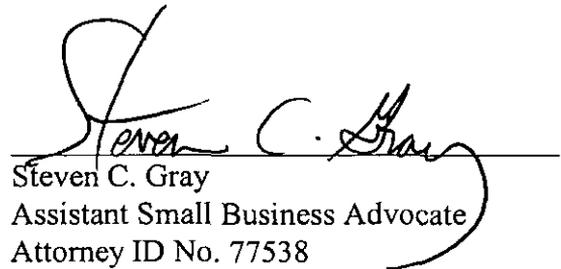
Tanya McCloskey, Esquire  
Aron J. Beatty, Esquire  
James A. Mullins, Esquire  
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(215) 981-0435 (fax)  
**(First class mail only)**

  
Steven C. Gray  
Assistant Small Business Advocate  
Attorney ID No. 77538

Date: June 7, 2007



OFFICE OF CONSUMER ADVOCATE

555 Walnut Street, 5th Floor, Forum Place  
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(717) 783-5048  
800-684-6560 (in PA only)

IRWINA. POPOWSKY  
Consumer Advocate

FAX (717) 783-7152  
consumer@paoca.org

June 11, 2007

James J. McNulty  
Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17101-3265

**ORIGINAL**

**DOCUMENT  
FOLDER**

RE: Pennsylvania Public Utility Commission  
v.  
Philadelphia Gas Works  
  
Docket No. R-00072110

Dear Secretary McNulty:

Enclosed for filing, please find an original and three (3) copies of the Office of Consumer Advocate's Statement in Support of the Joint Petition for Settlement, in the above-referenced proceeding.

Copies have been served on the parties of record as indicated on the enclosed Certificate of Service.

Sincerely,

Aron J. Beatty  
Assistant Consumer Advocate  
PA Attorney I.D. # 86625

Enclosures

cc:

Honorable Charles E. Rainey  
Parties of Record

00094389.DOC

RECEIVED  
2007 JUN 11 PM 4:15  
SECRETARY'S BUREAU

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED  
2007 JUN 11 PM 4:15  
P.A.U.C.  
SECRETARY'S BUREAU

Pennsylvania Public Utility Commission, :

v. :

The Philadelphia Gas Works :

Docket No. R-00072110

DOCUMENT  
FOLDER

ORIGINAL

STATEMENT OF THE  
OFFICE OF CONSUMER ADVOCATE  
IN SUPPORT OF JOINT PETITION FOR SETTLEMENT

The Office of Consumer Advocate ("OCA"), one of the signatory parties to the Joint Petition for Settlement of Philadelphia Gas Works' 2007-2008 GCR Proceeding ("Joint Petition"), finds the terms and conditions of the settlement to be in the public interest for the following reasons:

DOCKETED  
JUN 12 2007

**I. BACKGROUND**

On February 1, 2007, The Philadelphia Gas Works ("PGW" or "Company") filed advance information regarding its annual purchased gas cost rate ("PGC") filing pursuant to Section 1307(f) of the Public Utility Code, 66 Pa. C.S. § 1307(f), and the Public Utility Commission's ("Commission") Regulations at 52 Pa.Code §53.64. Thereafter, on March 1, 2007, PGW filed Supplement No. 16 (later changed to Supplement No. 17) to Tariff Gas-Pa. P.U.C. No. 2 and Supplement No. 15 to Gas Supplier Tariff-Pa. P.U.C. No. 1 to become effective for service rendered on or after September 1, 2007.

On March 12, 2007, the OCA filed a Formal Complaint against the Company's proposed rates, seeking to ensure that such rates are not excessive, discriminatory, or otherwise contrary to Commission regulation or policy. PGW's definitive filing of March 1<sup>st</sup> reflected a proposed decrease in the PGC rate. PGW's proposed PGC rate to be effective September 1, 2007 was projected to be \$10.1812, a decrease of \$0.2526/Mcf from the \$10.4338/Mcf rate in effect on March 1, 2007.

A prehearing conference was held before Administrative Law Judge Charles E. Rainey, Jr. ("ALJ") on March 15, 2007 and a procedural schedule was established for this proceeding.

On April 16, 2007, the OCA submitted the Direct Testimony of Richard W. LeLash (OCA St. 1). After propounding extensive discovery, filing testimony, and participating in informal discovery sessions to evaluate PGW's operations and purchasing procedures, the OCA entered into settlement discussions with the Company and other parties. These settlement discussions resulted in the proposed settlement set forth in the Joint Petition. This settlement addresses issues relating to the Company's PGC rate filing, and for the reasons set forth below, the OCA submits that the settlement is in the public interest.

## **II. TERMS AND CONDITIONS OF SETTLEMENT**

The settlement provides for a PGC rate, to become effective on September 1, 2007, of \$10.1812/Mcf. In addition, the Joint Petition provides for the continuation and modification of the Company's hedging program designed to increase the stability of rates for PGW's customers. The Joint Petition further requires that the Company conduct an informational presentation to demonstrate to the parties that its demand requirements, and the

capacity needed to meet its expected demands, are economical. The Joint Petition further requires that the Company's proposal to retain off-system sales margins and capacity release revenues, and not credit those revenues to the PGC, be decided in PGW's currently pending base rate proceeding. The Joint Petition also recognizes the Company's attempts to utilize third party asset managers to the benefit of consumers. In addition, the Joint Petition requires the Company to take reasonable steps to recover any award resulting from litigation pending against Dominion Transmission, Inc. regarding reporting errors.

PGW's PGC rate has been subject to volatility over recent periods. Under the settlement, the Company will continue its Gas Purchasing Program, including non-discretionary purchasing guidelines, intended to minimize this volatility in gas prices faced by ratepayers. The stated purpose of the purchasing plan is "to reduce PGW's exposure to natural gas price volatility and to establish agreed upon standards governing PGW's gas procurement practices." Joint Petition For Settlement at 4.

The Company has set firm goals under the Settlement that the OCA submits will help mitigate price volatility for PGW ratepayers. The Company has worked with the OCA's witness in this proceeding to further enhance the implementation and reporting of the hedging program. As part of this process, the Company has agreed to report its hedging activities to the parties on a quarterly basis for the upcoming PGC year. These reports should show positions taken for each prospective month, with details of underlying positions segregated into discretionary and non-discretionary portions of the program. The OCA submits that continued, detailed review of the Company's hedging program will help to improve its operations, and thereby bring additional benefits to consumers.

The benefits of reduced volatility of gas costs are significant, particularly for residential customers with limited flexibility in their monthly budgets. PGW's agreement to continue to layer its gas purchases according to the terms of the Gas Purchasing Program, and to improve the transparency of its process for review during its annual PGC proceeding, will help bring the benefits of increased rate stability to PGW's customers.

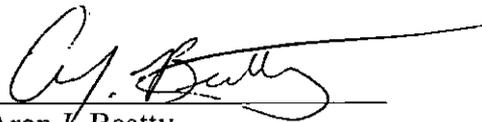
In addition, under the settlement, the Company has agreed to defer its request to retain off-system sales margins and capacity release credits to its currently pending base rate proceeding at Docket No. R-00061931. The OCA submits consumers will benefit from the review of this issue in the base rate proceeding, where a more thorough evaluation is possible.

The settlement also establishes what has been termed an "Interim Informational Presentation." Under this provision of the settlement, the Company has agreed to review, update, and present to the parties information regarding PGW's demand requirements, the economics that support its Equitrans and WSS storage/transportation capacity, the cost impacts of interruptible and off-system sales and capacity releases, and an update concerning the LNG phase II project. The OCA submits that further study and updating of these issues will help ensure that customers are not paying any costs that may not be needed going forward.

### III. CONCLUSION

For the foregoing reasons, the OCA submits that the terms and conditions of the Joint Petition for Settlement are in the public interest and the interest of Philadelphia Gas Works' ratepayers and should be approved.

Respectfully submitted,



Aron V. Beatty  
Assistant Consumer Advocate

Counsel for:  
Irwin A. Popowsky  
Consumer Advocate

Office of Consumer Advocate  
555 Walnut Street 5<sup>th</sup> Floor, Forum Place  
Harrisburg, PA 17101-1923  
(717) 783-5048

Dated: June 11, 2007

00094377

CERTIFICATE OF SERVICE

Pennsylvania Public Utility Commission :  
 :  
 v. : Docket No. R-00072110  
 :  
 Philadelphia Gas Works :  
 :

I hereby certify that I have this day served a true copy of the foregoing document, the Statement of the Office of Consumer Advocate in Support of Joint Petition for Settlement, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 11<sup>th</sup> day of June 2007.

SERVICE BY E-MAIL and INTEROFFICE MAIL

Richard Kanaskie, Esquire  
Office of Trial Staff  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17105-3265  
Counsel for: *Office of Trial Staff*

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P.U.C.

SERVICE BY E-MAIL and FIRST CLASS MAIL

Gregory Stunder, Esquire  
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800 W. Montgomery Avenue  
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Counsel for: *Philadelphia Gas Works*

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Counsel for: *Philadelphia Gas Works*

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Assistant Small Business Advocate  
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Counsel for: *Office of Small Business Advocate*

Charis Mincavage, Esquire  
McNees, Wallace, & Nurick, LLP  
100 Pine Street  
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Harrisburg, PA 17108-1166  
Counsel for: *Philadelphia Industrial and  
Commercial Gas Users Groups*



---

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James A. Mullins  
Assistant Consumer Advocate  
PA Attorney I.D. # 77066  
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COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

June 14, 2007

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**ORIGINAL**

SECRETARY'S BUREAU  
2007 JUN 14 AM 3:37

Re: Pennsylvania Public Utility Commission v.  
Philadelphia Gas Works 1307(f)

Docket No. R-00072110

Dear Secretary McNulty:

Enclosed for filing, please find the original and three copies of the Office of Trial Staff's Statement in Support of Settlement Agreement in the above-captioned proceeding.

Copies are being served upon all active parties of record.

**DOCUMENT  
FOLDER**

Sincerely,

Richard A. Kanaskie  
Prosecutor  
Attorney ID #80409  
Office of Trial Staff

Enclosure

RAK/nhd

cc: Parties of Record

65

**ORIGINAL**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Pennsylvania Public Utility Commission** :  
 :  
 v. : **Docket No. R-00072110**  
 :  
 **Philadelphia Gas Works 1307(f)** :

**DOCUMENT  
FOLDER**

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**OFFICE OF TRIAL STAFF  
STATEMENT IN SUPPORT OF  
SETTLEMENT AGREEMENT**

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SECRETARIAT'S BUREAU  
2007 JUN 14 AM 3:37

**TO ADMINISTRATIVE LAW JUDGE CHARLES E. RAINEY, JR.:**

The Office of Trial Staff ("OTS") of the Pennsylvania Public Utility Commission, by and through its Prosecutor, Richard A. Kanaskie, hereby respectfully submit that the terms and conditions of the foregoing Settlement Agreement ("Settlement" or "Agreement") are in the public interest and represent a fair, just, reasonable and equitable balance of the interest of The Philadelphia Gas Works ("PGW" or "Company") and its customers. The parties to this Settlement have conducted numerous settlement conferences and as result, OTS, PGW and all other active parties have agreed upon the terms embodied in the foregoing Settlement Agreement. This request is based upon OTS' conclusion that the Settlement is in the public interest as supported by the following factors:

**DOCKETED**  
JUN 15 2007

## BACKGROUND

1. On March 1, 2007, the Company made its annual purchased gas cost (“PGC”) filing as Supplement No. 16 to Tariff Gas-Pa. P.U.C. No. 2 (“Supplement No. 17”). Supplement No. 16 was subsequently changed to Supplement No. 17. Supplement No. 17 was filed pursuant to Section 1307(f) of the Public Utility Code proposing rates for recovery of its purchased natural gas costs. At the same time, the Company filed Supplement No. 15 to Tariff Gas –Pa. P.U.C. No. 1.

2. OTS entered its Notice of Appearance on March 7, 2007. The Office of Consumer Advocate (“OCA”) and the Office of Small Business Advocate (“OSBA”) filed Formal Complaints. In addition, the Philadelphia Industrial and Commercial Gas Users Group (“PICGUG”) filed a Petition to Intervene.

3. The matter was assigned to Administrative Law Judge (“ALJ”) Charles E. Rainey, Jr.

4. A telephonic Prehearing Conference was held on March 15, 2007, at which time a procedural schedule was developed. The schedule included filing dates for Testimony, Briefs and Reply Briefs as well as a date for an Evidentiary Hearing.

5. In accordance with the Commission’s policy favoring settlements over costly and time consuming litigation, OTS, PGW and all active parties were successful in achieving an Agreement using Discovery and settlement discussions.

## DISCUSSION

6. The Settlement provides that the natural gas costs that PGW incurred during the historic period were incurred under a least cost fuel procurement policy.

7. The settlement also provides that the natural gas costs that PGW will incur in the upcoming period appear that they will be incurred based on the Company's adherence to its least cost fuel procurement policy. The Company's diligence in adhering to a least cost procurement strategy benefits customers directly in their gas bills. A least cost procurement policy, despite the quarterly fluctuations, benefits ratepayers on an annual basis. This statutory policy must be adhered to and OTS is of the opinion that PGW's practices reflect this requirement.

8. Furthermore, the Company's calculation of the E-Factor was done in accordance with established Commission practices. The proper calculation of the E-Factor protects ratepayers by ensuring that rates are adjusted appropriately to reflect the impact that these charges have on purchased gas costs. For example, the interest associated with over-collections or under-collections must be appropriately reflected in the Company's claimed purchased gas costs. OTS is satisfied that the Company's calculations are appropriate and accurate.

9. In addition, the company's projected gas costs ("C-Factor") are also planned in accordance with established commission practices. This adherence to accepted practices aids ratepayers in that the company's practices with respect to purchased gas is being done

with the balanced interests of the Company and ratepayers being considered. OTS opines that ratepayers are protected in that PGW gains no unwarranted financial advantage through its practices.

10. PGW's annual filing indicates a proposed decrease in its rates compared to its last quarterly update.

11. The Agreement will benefit consumers by reducing the purchased gas cost rate from its current level of \$10.9119/Mcf to the requested level of \$10.4338/Mcf. The use of quarterly updates isolates consumers from dramatic swings on an annual basis.

12. PGW may place into effect the natural gas supply rates as proposed and identified in Appendix "A" to the Petition, subject to quarterly updates as required by Commission Regulations.

13. The parties to this proceeding are in agreement that the Company will adhere to the purchasing patterns established in the Base Volume Gas Purchasing Program attached to the Settlement as Appendix "B".

14. Furthermore, the parties agree to review the effectiveness of the Base Volume Gas Purchasing Program in the Company's 2008 PGC filing. OTS agrees that it will not challenge the reasonableness of this program as long as it is restricted to the volumes set forth in the plan.

15. The limited nature of the Base Volume Gas Purchasing Program will assist in reducing the volatile nature of gas purchases while not dramatically impacting the

Company's requirement of purchasing gas under a least cost procurement policy. Reducing volatility can be beneficial to ratepayers as long as it does not violate that statutory mandates of gas purchases.

16. The Company's PGC practices adequately protect its ratepayers as its annual filings include provisions deemed appropriate in protecting the public interest. Provisions agreed to in last year's proceeding have been implemented and policies are in place to protect the Company's ratepayers from the impact of purchased gas on rates borne by the consumer.

### **CONCLUSION**

17. Based upon OTS' analysis of the filing, acceptance of this proposed settlement is in the public interest because resolution of this case by settlement rather than litigation will avoid the substantial time and expense involved in continuing to formally pursue all issues in this proceeding.

18. OTS further submits that acceptance of the foregoing settlement will negate the need for any direct and cross-examination of witnesses, the preparation of main briefs, reply briefs, exceptions and reply exceptions, and the filing of possible appeals. The avoidance of further rate case expense by settlement of this base rate proceeding serves the interests of PGW, the active parties and PGW's customers.

19. The Settlement is conditioned upon the Commission's approval of all terms and conditions contained therein and should the Commission fail to grant such approval

or otherwise modify the terms and conditions of the settlement, it may be withdrawn by PGW or OTS or as provided therein.

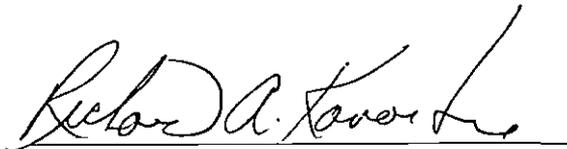
20. OTS' agreement to settle this case is made without any admission or prejudice to any position that OTS might adopt during subsequent litigation in the event the Settlement is rejected by the Commission or otherwise properly withdrawn by any of the Joint Petitioners.

21. If the ALJ recommends that the Commission adopt the Settlement as proposed, OTS has agreed to waive the filing of Exceptions. However, OTS has not waived its rights to file Exceptions with respect to any modifications to the terms and conditions of the settlement, or any additional matters, that may be proposed by the ALJ in his Recommended Decision. OTS has also reserved the right to file Reply-Exceptions to any Exceptions that may be filed by PGW or any Formal Complainant.

22. The Office of Trial Staff is satisfied that the provisions and data contained in the Company's annual filing accurately reflect its purchased gas costs and its practices adequately protect the public interest.

**WHEREFORE**, the Commission's Office of Trial Staff represents that it supports the Settlement as being in the public interest and respectfully requests that Administrative Law Judge Charles E. Rainey, Jr. recommend, and the Commission subsequently approve, the foregoing Settlement Agreement, including all terms and conditions contained therein.

Respectfully submitted,



Richard A. Kanaskie  
Prosecutor  
Attorney ID #80409

Office of Trial Staff

Pennsylvania Public Utility Commission  
Post Office Box 3265  
Harrisburg, Pennsylvania 17105-3265  
(717) 787-1976

Dated: June 14, 2007

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission :  
v. : Docket No. R-00072110  
Philadelphia Gas Works 1307(f) :

**CERTIFICATE OF SERVICE**

I hereby certify that I am serving the foregoing **Statement in Support of Settlement Agreement**, dated June 14, 2007, either personally, by first class mail, electronic mail, express mail and/or by fax upon the persons listed below:

Honorable Charles E. Rainey, Jr.  
Office of Administrative Law Judge  
PA Public Utility Commission  
1302 State Office Building  
Broad & Spring Garden Street  
Philadelphia, PA 19130

Aron J. Beatty, Esquire  
James A. Mullins, Esquire  
Office of Consumer Advocate  
5<sup>th</sup> Floor Forum Place  
555 Walnut Street  
Harrisburg, PA 17101-1921

Stephen C. Gray, Esquire  
Office of Small Business Advocate  
1102 Commerce Building  
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Community Legal Services  
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SECRETARY'S OFFICE  
2007 JUN 14 AM 8:37

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Richard A. Kanaskie  
Prosecutor  
Office of Trial Staff  
PA Attorney I.D. #80409

Dated: June 14, 2007  
Docket No. R-00072110



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
June 14, 2007

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: R-00072111

(SEE LETTER DATED 4/11/07)

Pennsylvania Public Utility Commission, et al. v. Equitable Gas Company

Cancellation Notice

This is to inform you of the following cancellation:

Type: Initial & Further Hearing  
Date: Friday, June 22, 2007  
Time: 9:30 a.m.  
Presiding: Administrative Law Judge John H. Corbett, Jr.

Please mark your records accordingly.

pc: Judge Corbett  
Stacy Nolan, Scheduling Officer  
Beth Plantz  
Docket Section  
Calendar File

**H**awke  
  **M**ckeon &  
   **S**niscak LLP  
ATTORNEYS AT LAW

William P. Hawke  
Kevin J. McKeon  
Thomas J. Sniscak  
Lillian Smith Harris  
Scott T. Wyland  
Todd S. Stewart  
Craig R. Burgraff

Steven D. Snyder  
Janet L. Miller  
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Amy A. Whitney

100 North Tenth Street, Harrisburg, PA 17101 Phone: 717.236.1300 Fax: 717.236.4841 www.hmslegal.com

June 29, 2007

*Via Electronic And First Class Mail*

Kenneth L. Mickens, Esquire  
Office of Trial Staff  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor - West  
Harrisburg, PA 17120

DOCUMENT  
FOLDER

RECEIVED

JUN 29 2007

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

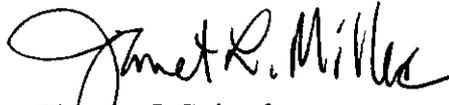
RE: Pennsylvania Public Utility Commission v. Audubon Water Company;  
Docket No. R-00072100, *et al.*; **RESPONSES TO INTERROGATORIES**  
**(RB-16 to RB-22)**

Dear Mr. Mickens:

In connection with the above matter, enclosed are two (2) copies of Audubon Water Company's responses to the Office of Trial Staff's Interrogatories RB-16 to RB-22.

If you have any questions, please feel free to call either of the undersigned.

Very truly yours,



Thomas J. Sniscak  
Janet L. Miller  
Counsel for Audubon Water Company

JLM/das  
Enclosures

cc: Per Certificate of Service  
James J. McNulty (Cover Letter and Certificate of Service Only)

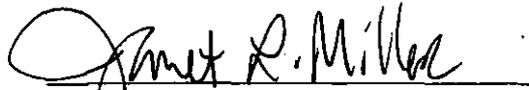
MAILING ADDRESS: P.O. BOX 1778 HARRISBURG, PA 17105

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing document upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

By Electronic and First Class Mail

Christine Maloni Hoover, Esquire  
Darlene R. Wong, Esquire  
Office of Consumer Advocate  
555 Walnut Street  
Forum Place, 5th Floor  
Harrisburg, PA 17101-1921

  
\_\_\_\_\_  
Thomas J. Sniscak  
Janet L. Miller

Dated this 29<sup>th</sup> day of June, 2007.



OFFICE OF CONSUMER ADVOCATE

555 Walnut Street, 5th Floor, Forum Place  
Harrisburg, Pennsylvania 17101-1923  
(717) 783-5048  
800-684-6560 (in PA only)

IRWINA. POPOWSKY  
Consumer Advocate

FAX (717) 783-7152  
consumer@paoca.org

July 16, 2007

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17101-3265

**ORIGINAL**

RE: Pennsylvania Public Utility Commission  
v.  
Philadelphia Gas Works  
Docket No. R-00072110

Dear Secretary McNulty:

Please be advised that the Office of Consumer Advocate will not be filing Exceptions to the Recommended Decision of the Honorable Charles E. Rainey in the above-referenced proceeding.

A copy of this notification has been served on the parties of record as indicated on the enclosed Certificate of Service.

**DOCUMENT  
FOLDER**

Sincerely,

Aron J. Beatty  
Assistant Consumer Advocate  
PA Attorney I.D. # 86625

Enclosures

cc: Honorable Charles E. Rainey  
Parties of Record

00094389.DOC

**DOCKETED**  
JUL 18 2007

SECRETARY'S OFFICE  
2007 JUL 16 PM 4:20

80

CERTIFICATE OF SERVICE

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-00072110
	:	
Philadelphia Gas Works	:	
	:	

I hereby certify that I have this day served a true copy of the foregoing document, the letter, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 16<sup>th</sup> day of July 2007.

SERVICE BY E-MAIL and INTEROFFICE MAIL

Richard Kanaskie, Esquire  
Office of Trial Staff  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17105-3265  
Counsel for: *Office of Trial Staff*

SECRETARY'S OFFICE  
2007 JUL 16 PM 4: 10

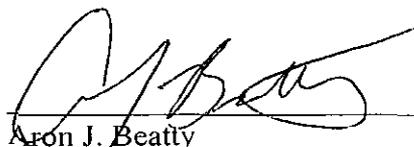
SERVICE BY E-MAIL and FIRST CLASS MAIL

Gregory Stunder, Esquire  
Philadelphia Gas Works  
800 W. Montgomery Avenue  
Philadelphia, PA 19122  
Counsel for: *Philadelphia Gas Works*

Daniel Clearfield, Esquire  
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213 Market Street, 9<sup>th</sup> Floor  
Harrisburg, PA 17101  
Counsel for: *Philadelphia Gas Works*

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Assistant Small Business Advocate  
Office of Small Business Advocate  
Commerce Building, Suite 1102  
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Harrisburg, PA 17101  
Counsel for: *Office of Small Business Advocate*

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McNees, Wallace, & Nurick, LLP  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
Counsel for: *Philadelphia Industrial and  
Commercial Gas Users Groups*



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Aron J. Beatty  
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James A. Mullins  
Assistant Consumer Advocate  
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Fax: (717) 783-7152

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DATE: July 18, 2007

SUBJECT: R-00072110

TO: Office of Administrative Law Judge  
Susan Hoffner

FROM:  James J. McNulty  
Secretary

DOCUMENT  
FOLDER

Pennsylvania Public Utility Commission  
VS  
Philadelphia Gas Works

Copies of the Recommended Decision have been served upon all parties.

No exceptions have been received by the Commission. This matter is referred to your office for whatever action you deem necessary.

cc: Office of Special Assistants

P.S. Please note that exceptions or reply exceptions may come in timely with certificate of mailings. A second memo will not be released for these exceptions.

**DOCKETED**  
JUL 18 2007