

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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September 17, 2015

Rosemary Chiavetta, Secretary  
PA Public Utility Commission  
Commonwealth Keystone Bldg.  
400 North Street  
Harrisburg, PA 17120

Re: Petition of Philadelphia Gas Works for  
Approval to Establish a Distribution System  
Improvement Charge  
Docket No. P-2015-2501500

Dear Secretary Chiavetta:

Attached for electronic filing are the Office of Consumer Advocate's Notice of Intervention and Public Statement in the above-referenced proceedings.

Copies have been served per the attached Certificate of Service.

Respectfully submitted,

*Erin L. Gannon (YG)*

Erin L. Gannon  
Senior Assistant Consumer Advocate  
PA Attorney I.D. # 83487  
E-Mail: EGannon@paoca.org

Attachment

cc: Office of Administrative Law Judge  
Office of Special Assistants  
Certificate of Service

\*212195

CERTIFICATE OF SERVICE

Re: Petition of Philadelphia Gas Works :  
for Approval to Establish a Distribution : Docket No. P-2015-2501500  
System Improvement Charge :

I hereby certify that I have this day served a true copy of the foregoing document, the Office of Consumer Advocate's Notice of Intervention and Public Statement, 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 17th day of September 2015

SERVICE BY E-MAIL & INTER-OFFICE MAIL

Johnnie E. Simms, Director  
Bureau of Investigation & Enforcement  
Pa Public Utility Commission  
400 North Street,  
Harrisburg, PA 17101

SERVICE BY EMAIL & FIRST CLASS MAIL, POSTAGE PAID

Carl Shultz, Esquire  
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Erin L. Gannon (yB)  
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Counsel for  
Tanya McCloskey, Acting Consumer  
Advocate  
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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of Philadelphia Gas Works for :  
Approval of a Distribution System : Docket No. P-2015-2501500  
Improvement Charge :

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NOTICE OF INTERVENTION

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Pursuant to 71 P.S. § 309-1, *et seq.*, and 52 Pa. Code § 5.71(a)(1), the Office of Consumer Advocate hereby gives Notice of Intervention in the above-captioned proceeding. A copy of all correspondence and notices, documents, orders or other communications with respect to the above-captioned proceeding should be addressed to the following:

Erin L. Gannon  
Senior Assistant Consumer Advocate  
PA Attorney I.D. # 83487  
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Darryl Lawrence  
Senior Assistant Consumer Advocate  
PA Attorney I.D. # 93682  
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Office of Attorney General  
Office of Consumer Advocate  
5<sup>th</sup> Floor, Forum Place  
555 Walnut Street  
Harrisburg, Pa 17101-1923

Respectfully submitted,

Erin L. Gannon (YB)  
Erin L. Gannon  
Assistant Consumer Advocate  
PA Attorney I.D. # 83487

Dated: September 17, 2015

PUBLIC STATEMENT OF THE OFFICE OF CONSUMER ADVOCATE  
PURSUANT TO 71 P.S. SECTION 309-4(e)

Act 161 of the Pennsylvania General Assembly, 71 P.S. § 309-2, as enacted July 9, 1976, authorizes the Consumer Advocate to represent the interests of consumers before the Pennsylvania Public Utility Commission (Commission). In accordance with Act 161, and for the following reasons, the Acting Consumer Advocate determined to file an Intervention and participate in proceedings before the Commission involving the Petition by Philadelphia Gas Works (PGW or the Company) at Docket No. P-2015-2501500 for multiple waivers of the provisions of Act 11 relating to the Distribution System Improvement Charge (DSIC), 66 Pa. C.S. §§ 1350-1360, and expedited approval of changes to the DSIC rate and mechanism.

On September 1, 2015 PGW filed a Petition seeking to, *inter alia*, increase its maximum allowable DSIC; use an annual, levelized charge as the basis for establishing a DSIC, subject to subsequent true-up; pay no interest on DSIC over recoveries, and waive or suspend any provisions of Act 11 that are inconsistent with its proposals. The Acting Consumer Advocate has filed this Intervention with the Commission to ensure that PGW's proposed waivers, increase of the DSIC cap, levelization and annualization of the charge, exemption from paying interest and request for expedited approval are just and reasonable, consistent with sound public policy, and are not unduly discriminatory or otherwise unlawful. A thorough analysis and review are appropriate because the Company seeks waiver of material provisions of the statute authorizing surcharge recovery of the costs at issue, material changes to the DSIC mechanism, and an increase in the surcharge rate. The OCA, therefore, will seek to ensure that only those waivers and changes that are necessary to "provide for the timely recovery of the reasonable and prudent costs incurred to repair, improve or replace eligible property in order to ensure and maintain adequate, efficient, safe, reliable and reasonable service" are approved. 66 Pa. C.S. § 1353(a).