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March 7, 2016

*Via Electronic Filing*

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Post Office Box 3265  
Harrisburg, PA 17105-3265

Re: Sapa Extrusions, Inc. v. UGI Central Penn Gas, Inc.  
Docket No. C-2016-2525246

Dear Secretary Chiavetta:

We are counsel for Complainant, Sapa Extrusions, Inc. (“Sapa”) in the above matter.

Pursuant to Section 5.342(g) of the Pennsylvania Public Utility Commission (“PaPUC” or “Commission”) regulations, 52 Pa. Code § 5.342(g), Sapa files this Motion to dismiss Respondent UGI Central Penn Gas, Inc.’s (“UGI-CPG”) objections to Sapa’s Set I Interrogatories Nos. 2, 3, 13, 14, 16, 19, 23, 24, 25, 27, 28, 30, 31, 32, 33, 35, 38, 39, 44, 45, 47, 48, 60 and 61 in the matter, and to compel answers to the subject Interrogatories. A copy of this Motion is being served on counsel for Respondent UGI-CPG and on the Office of Administrative Law Judge in accordance with the attached Certificate of Service.

Any questions or requests regarding this matter should be directed to the undersigned.

Very truly yours,

THOMAS, NIESEN & THOMAS, LLC

By

  
Charles E. Thomas, Jr.

cc: Jacquelyne Belcastro, Sapa Extrusions, Inc.  
Michael Hammer, Sapa Extrusions, Inc.

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Sapa Extrusions, Inc.	:	
	:	
v.	:	Docket No. C-2016-2525246
	:	
UGI Central Penn Gas, Inc.	:	

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**MOTION OF SAPA EXTRUSIONS, INC.  
TO DISMISS OBJECTIONS AND COMPEL ANSWERS  
TO SET I INTERROGATORIES**

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TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to Section 5.342(g) of the Pennsylvania Public Utility Commission (“PaPUC” or “Commission”) regulations, 52 Pa. Code § 5.342(g), Sapa Extrusions, Inc. (“Sapa”), Complainant in the above-captioned proceeding, files this Motion to dismiss UGI Central Penn Gas, Inc.’s (“UGI-CPG”) objections to Sapa’s Set I Interrogatories Nos. 2, 3, 13, 14, 16, 19, 23, 24, 25, 27, 28, 30, 31, 32, 33, 35, 38, 39, 44, 45, 47, 48, 60 and 61 and to compel answers to the subject Interrogatories. In support of its Motion, Sapa states as follows:

**I. BACKGROUND**

1. On January 14, 2016, Sapa filed a formal Complaint against UGI-CPG, concerning the Rate XD-Extended Large Firm Delivery Service being provided to Sapa by UGI CPG under UGI CPG’s Tariff No. 4 and service and other agreements between Sapa and UGI CPG regarding the terms and conditions of such service.

2. On February 16, 2016, Sapa served its Set I Interrogatories and Document Requests on UGI-CP pursuant to 66 Pa.C.S. 333(d) and 52 Pa. Code § 5.321 *et seq.* A copy of Sapa’s Set I Interrogatories are attached hereto as Exhibit “A.”

3. On February 26, 2016, UGI-CPG served its Objections to Sapa's Set I Interrogatories, Nos. 2, 3, 13, 14, 16, 19, 23, 24, 25, 27, 28, 30, 31, 32, 33, 35, 38, 39, 44, 45, 47, 48, 60 and 61. A copy of UGI-CPG's Objections is attached hereto as Exhibit "B."<sup>1</sup> UGI-CPG objects to every interrogatory on the basis that the information sought is unreasonably burdensome because it is not relevant to any claim in Sapa's Complaint.

4. As discussed more fully herein, the Objections are without merit. The information requested by Sapa's Set I Interrogatories is, indeed, relevant and necessary and is reasonably calculated to lead to the discovery of admissible evidence. 52 Pa. Code § 5.321(c). Moreover, UGI-CPG has failed to satisfy its high burden of proving that the information requested by Sapa is irrelevant for purposes of this complaint proceeding.

5. Accordingly, Sapa files this Motion to dismiss the Objections and compel UGI-CPG to answer fully the subject Set I Interrogatories.

## **II. MOTION TO COMPEL**

6. The Commission's Rules and Regulations permit a broad scope of discovery, providing for discovery of "any matter, not privileged, which is relevant to the subject matter involved in the pending action." 52 Pa. Code § 5.321(c); *see also* Pa. R. Civ. P. No. 4003.1. Discovery may be obtained regarding any matter, claim, or defense relevant to the subject, including the existence, description, nature content, custody, condition and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of a discoverable matter. 52 Pa. Code § 5.321(c). Relevancy should be interpreted broadly and liberally, and any doubts regarding the relevancy of the subject matter should be

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<sup>1</sup> Contrary to its Certificate of Service, UGI-CPG's Objections were not served on counsel for Sapa on February 24, 2016 as certified, but, rather, were served electronically during the afternoon of Friday, February 26, 2016, making March 7, 2016 the due date for the instant Motion.

resolved in favor relevancy. *Koken v. One Beacon Ins. Co.*, 911 A.2d 1021, 1025 (Pa. Cmwlth. 2006). The party contending discovery is not relevant has the burden of proving irrelevancy. *Id.*

7. UGI-CPG's objects to Sapa's Set I Interrogatories, Nos. 2, 3, 13, 14, 16, 19, 23, 24, 25, 27, 28, 30, 31, 32, 33, 35, 38, 39, 44, 45, 47, 48, 60 and 61, on grounds that the information sought is unreasonably burdensome because it is not relevant to any claim in Sapa's Complaint. UGI-CPG also objects to Interrogatory No. 3 on the additional basis that the information requested therein is confidential.

8. UGI-CPG's Objections lack merit. Sapa's Set I Interrogatories request information directly relevant to this proceeding and impose no undue burden on UGI-CPG. The information sought is germane to matters presented in the Complaint, including issues related to UGI-CPG's service obligations under the Public Utility Code and the terms of the settlement agreement Sapa entered into with UGI-CPG. The information is also relevant to address the various assertions made by UGI-CPG in its Answer to the Complaint. UGI-CPG's responses to these interrogatories will lead to admissible evidence and are well within the confines and scope of this complaint proceeding.

9. Moreover, to the extent that any information sought by Sapa's interrogatories is potentially sensitive, confidential, or proprietary, Sapa is willing to enter into a mutually agreeable Protective Order to obviate any possible harm to UGI-CPG.

10. For ease of reference, the subject Set I Interrogatories are individually set forth on separate pages which follow with UGI-CPG's objection and Sapa's reasons for dismissing the same and compelling UGI-CPG to answer set forth below each interrogatory.

## SAPA-I-2

2. How many Rate XD-Extended Large Firm Delivery Service customers did UGI Central Penn Gas, Inc. (UGI-CPG) have at 12-31-15? How many Rate XD customers are projected as of 12-31-16, 17 and 18?

### Objection:

The information sought in this interrogatory is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint as the number of Rate XD customers served has no impact of UGI CPG's contractual firm service commitment to Sapa.

### Reasons for Dismissal of Objection and Compelling Answer

This Interrogatory requests four numbers. There is no way it can be unreasonably burdensome. Sapa is willing to revise its Interrogatory to request only information at 12-31-2015 and projected for 12-31-2016. The information requested is relevant since it does impact on UGI-CPG's ability to meet its service obligations to Sapa and to address assertions made by UGI-CPG in Paragraphs 8, 9, 13 and 15 of its Answer and UGI-CPG's response to the Relief Requested by Sapa in its Complaint.

Sapa further notes that relevancy is to be interpreted broadly and liberally, and any doubts regarding the relevancy of the subject matter should be resolved in favor relevancy. *Koken*, 911 A.2d at 1025. The party contending discovery is not relevant has the burden of proving irrelevancy. *Id.* Here, UGI-CPG has failed to justify why the information sought is irrelevant.

**SAPA-I-3**

3. Please indicate the location of all city gates and regulator stations within the UGI-CPG system.

Objection:

The information requested is confidential security information and is generally unreasonably burdensome since it is not relevant to any claim in Sapa's complaint as the location of all city gates and regulator stations has no impact of CPG's contractual firm service commitment to Sapa. Nonetheless, UGI CPG is willing to provide information concerning the city gate and regulator stations used to provide service to Sapa subject to the execution of a protective agreement.

Revision of Interrogatory

Sapa is willing to revise this Interrogatory as proposed by UGI-CPG and to enter into a Protective Order.

**SAPA-I-13**

13. What was the original cost of the regulator station near Cressona? What is the current value of this regulator station near Cressona net of depreciation?

**Objection:**

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint. The costs of UGI CPG facilities are allocated in base rate proceedings on a class basis, and are available for service up to their physical limits. To the extent a customer seeks an upgrade of facilities to meet its needs, such upgrades are subject to the line extension provisions of UGI CPG's tariff which permits investments without customer contributions up to a level that is justified by incremental customer revenues.

**Reason for Dismissal of Objection and Compelling Answer**

The provision of this information would not be burdensome. It is specific to the settlement agreement Sapa entered into with UGI-CPG and does not concern UGI-CPG's line extension policy. As part of that settlement agreement, UGI-CPG agreed to upgrade its regulator station near Cressona and Sapa paid UGI-CPG a large sum of money in connection with the provision of firm service at a Daily Firm Requirement ("DFR") of 3,000 Mcf per day. The information requested is also relevant to address assertions made by UGI-CPG in Paragraphs 8, 13 and 15 of its Answer and UGI-CPG's response to the Relief Requested by Sapa in its Complaint.

**SAPA-I-14**

14. How many UGI-CPG customers received service from the regulator station near Cressona when it was first placed into service?

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint or the nature of Sapa's firm service.

Reasons for Dismissal of Objection and Compelling Answer

The Interrogatory requests the provision of one number. There is no way its provision would be unreasonably burdensome. The information is relevant to the issue of UGI-CPG not meeting its service obligations under Section 1501 of the Public Utility Code and to address assertions made by UGI-CPG in Paragraphs 8, 9, 13 and 15 of its Answer and UGI-CPG's response to the Relief Requested by Sapa in its Complaint.

## **SAPA-I-16**

16. Please quantify the cost of all capital improvements made to this regulator station near Cressona since August 2014. Please quantify the cost of all capital improvements placed into service or projected to be placed into service for the regulator station near Cressona for each of the years 2016, 2017 and 2018.

### Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint. The costs of UGI CPG facilities are allocated in base rate proceedings on a class basis, and are available for service up to their physical limits. To the extent a customer seeks an upgrade of facilities to meet its needs, such upgrades are subject to the line extension provisions of UGI CPG's tariff which permits investments without customer contributions up to a level that is justified by incremental customer revenues.

### Reasons for Dismissal of Objection and Compelling Answer

The provision of this information would not be burdensome and is indeed relevant. It is specific to the settlement agreement Sapa entered into with UGI-CPG and does not concern UGI-CPG's line extension policy. As part of the settlement agreement, UGI-CPG agreed to upgrade its regulator station and Sapa paid a large sum of money in connection with the provision of a DFR of 3,000 Mcf per day. Unless UGI-CPG continues and maintains the upgrades, Sapa's firm service may be in jeopardy and the physical limits of UGI-CPG's plant will be degraded. The information is also needed to test assertions made by UGI-CPG in Paragraphs 8, 9, 13 and 15 of its Answer and UGI-CPG's response to the Relief Requested by Sapa in its Complaint.

**SAPA-I-19**

19. What was the original cost of this main? What is the current value of this main net of depreciation?

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint. The costs of UGI CPG facilities are allocated in base rate proceedings on a class basis, and are available for service up to their physical limits. To the extent a customer seeks an upgrade of facilities to meet its needs, such upgrades are subject to the line extension provisions of UGI CPG's tariff which permits investments without customer contributions up to a level that is justified by incremental customer revenues.

Reasons for Dismissal of Objection and Compelling Answer

The provision of two numbers should not create undue burden. The information sought is relevant to UGI-CPG's ability to meet its service obligations under Section 1501 of the Public Utility Code and to test assertions made by UGI-CPG in Paragraphs 8, 9, 13 and 15 of its Answer and UGI-CPG's response to the Relief Requested by Sapa in its Complaint. It is also relevant to the issue of UGI-CPG's ability to provide Sapa with its contractual DFR and whether the physical limits of the main are being maintained.

### SAPA-I-23

23. Please quantify the cost of all capital improvements made to this main since its installation:

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint. The costs of UGI CPG facilities are allocated in base rate proceedings on a class basis, and are available for service up to their physical limits. To the extent a customer seeks an upgrade of facilities to meet its needs, such upgrades are subject to the line extension provisions of UGI CPG's tariff which permits investments without customer contributions up to a level that is justified by incremental customer revenues.

### Reasons for Dismissal of Objection and Compelling Answer

The information requested is relevant to the Complaint and to the issue of "physical limits" and whether they have been degraded in violation of Section 1501 of the Code due to UGI-CPG's failure to maintain its system. Sapa is concerned that UGI-CPG's additions of customers and load is putting existing load in jeopardy. UGI-CPG has an obligation to maintain its system. The information is also needed to test assertions made by UGI-CPG in Paragraphs 8, 9, 13 and 15 of its Answer and UGI-CPG's response to the Relief Requested by Sapa in its Complaint.

Sapa further notes that relevancy is to be interpreted broadly and liberally, and any doubts regarding the relevancy of the subject matter should be resolved in favor relevancy. *Koken*, 911 A.2d at 1025. The party contending discovery is not relevant has the burden of proving irrelevancy. *Id.* Here, UGI-CPG has failed to justify why the information sought is irrelevant.

**SAPA-I-24**

24. Please quantify the cost of all capital improvements made to this main since August 2014.

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint. The costs of UGI CPG facilities are allocated in base rate proceedings on a class basis, and are available for service up to their physical limits. To the extent a customer seeks an upgrade of facilities to meet its needs, such upgrades are subject to the line extension provisions of UGI CPG's tariff which permits investments without customer contributions up to a level that is justified by incremental customer revenues.

Reasons for Dismissal of Objection and Compelling Answer

The provision of this information would not be burdensome and is indeed relevant. It is specific to the settlement agreement Sapa entered into with UGI-CPG and does not concern UGI-CPG's line extension policy. As part of the settlement agreement, UGI-CPG agreed to upgrade its regulator station and Sapa paid a large sum of money in connection with the provision of a DFR of 3,000 Mcf per day. Unless UGI-CPG continues and maintains the upgrades, Sapa's firm service may be in jeopardy and the physical limits of UGI-CPG's plant will be degraded. The information is also needed to test assertions made by UGI-CPG in Paragraphs 8, 9, 13 and 15 of its Answer and UGI-CPG's response to the Relief Requested by Sapa in its Complaint.

**SAPA-I-25**

25. Please quantify the cost of all capital improvements made to this main projected for each of the years 2016, 2017 and 2018.

**Objection:**

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint. The costs of UGI CPG facilities are allocated in base rate proceedings on a class basis, and are available for service up to their physical limits. To the extent a customer seeks an upgrade of facilities to meet its needs, such upgrades are subject to the line extension provisions of UGI CPG's tariff which permits investments without customer contributions up to a level that is justified by incremental customer revenues.

**Reasons for Dismissal of Objection and Compelling Answer**

The provision of this information would not be burdensome and is indeed relevant. It is specific to the settlement agreement Sapa entered into with UGI-CPG and does not concern UGI-CPG's line extension policy. As part of the settlement agreement, UGI-CPG agreed to upgrade its regulator station and Sapa paid a large sum of money in connection with the provision of a DFR of 3,000 Mcf per day. Unless UGI-CPG continues and maintains the upgrades, Sapa's firm service may be in jeopardy and the physical limits of UGI-CPG's plant will be degraded. The information is also needed to test assertions made by UGI-CPG in Paragraphs 8, 9, 13 and 15 of its Answer and UGI-CPG's response to the Relief Requested by Sapa in its Complaint.

**SAPA-I-27**

27. Please quantify the purpose and cost of the capital improvements projected for the Leesport City Gate station for each of the years 2016, 2017 and 2018.

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint. The costs of UGI CPG facilities are allocated in base rate proceedings on a class basis, and are available for service up to their physical limits. To the extent a customer seeks an upgrade of facilities to meet its needs, such upgrades are subject to the line extension provisions of UGI CPG's tariff which permits investments without customer contributions up to a level that is justified by incremental customer revenues.

Reasons for Dismissal of Objection and Compelling Answer

The provision of this information would not be burdensome and is indeed relevant. It is relevant to Sapa's Complaint and to the issue of physical limits. In the settlement agreement, UGI-CPG agreed to upgrade the Leesport City Gate station facilities and if Sapa is to receive its DFR, those facilities must continue to be maintained, especially if UGI-CPG is adding customers and load.

Sapa further notes that relevancy is to be interpreted broadly and liberally, and any doubts regarding the relevancy of the subject matter should be resolved in favor relevancy. *Koken*, 911 A.2d at 1025. The party contending discovery is not relevant has the burden of proving irrelevancy. *Id.* Here, UGI-CPG has failed to justify why the information sought is irrelevant.

**SAPA-I-28**

28. Are the proceeds of financings by UGI Utilities, Inc. or its parent used for each of the operating subsidiaries of UGI Utilities, Inc.

Objection:

The information sought is unreasonably burdensome since it is irrelevant to the service UGI CPG provides to Sapa. To the extent Sapa seeks capital investment by UGI-CPG to increase its firm service levels, such capital investments are not constrained by lack of financing, but are instead constrained by the line extension provisions of UGI CPG's tariff and Sapa's unwillingness to provide necessary customer contributions to finance the uneconomic portion of associated capital investments.

Reasons for Dismissal of Objection and Compelling Answer

The information sought is not unreasonably burdensome. The question can be answered by a simple Yes or No. The requested information is relevant with respect to UGI-CPG's ability to meet its service obligations under the Settlement Agreement and Section 1501 of the Public Utility Code.

**SAPA-I-30**

30. Does UGI-CPG finance any of its own capital improvement projects?

Objection:

The information sought is unreasonably burdensome since it is irrelevant to the service UGI CPG provides to Sapa. To the extent Sapa seeks capital investment by UGI-CPG to increase its firm service levels, such capital investments are not constrained by lack of financing, but are instead constrained by the line extension provisions of UGI CPG's tariff and Sapa's unwillingness to provide necessary customer contributions to finance the uneconomic portion of associated capital investments.

Reasons for Dismissal of Objection and Compelling Answer

The information sought is not unreasonably burdensome. The Interrogatory can be answered by a simple Yes or No. The information requested is relevant with respect to UGI-CPG's ability to meet its obligations under the Settlement Agreement and Section 1501 of the Public Utility Code.

**SAPA-I-31**

31. Does UGI Utilities, Inc. finance capital improvement projects for its PaPUC jurisdictional subsidiaries?

Objection:

The information sought is unreasonably burdensome since it is irrelevant to the service UGI CPG provides to Sapa. To the extent Sapa seeks capital investment by UGI-CPG to increase its firm service levels, such capital investments are not constrained by lack of financing, but are instead constrained by the line extension provisions of UGI CPG's tariff and Sapa's unwillingness to provide necessary customer contributions to finance the uneconomic portion of associated capital investments.

Reasons for Dismissal of Objection and Compelling Answer

The information is especially relevant with respect to UGI-CPG's ability to meet its obligations under the Settlement Agreement and Section 1501 of the Public Utility Code. The information sought is not unreasonably burdensome. The Interrogatory can be answered by a simple Yes or No.

Sapa further notes that relevancy is to be interpreted broadly and liberally, and any doubts regarding the relevancy of the subject matter should be resolved in favor relevancy. *Koken*, 911 A.2d at 1025. The party contending discovery is not relevant has the burden of proving irrelevancy. *Id.* Here, UGI-CPG has failed to justify why the information sought is irrelevant.

**SAPA-I-32**

32. Please provide the amounts spent for capital improvements for each of the PaPUC jurisdictional utility subsidiaries of UGI Utilities, Inc. in each of the past three years.

Objection:

The information sought is unreasonably burdensome since it is irrelevant to the service UGI CPG provides to Sapa. To the extent Sapa seeks capital investment by UGI-CPG to increase its firm service levels, such capital investments are not constrained by lack of financing, but are instead constrained by the line extension provisions of UGI CPG's tariff and Sapa's unwillingness to provide necessary customer contributions to finance the uneconomic portion of associated capital investments.

Reasons for Dismissal of Objection and Compelling Answer

The information is not unreasonably burdensome and is readily available. The information is relevant with respect to UGI-CPG's ability to meet its service obligations under the Settlement Agreement and Section 1501 of the Public Utility Code. The response will show whether a disproportionate amount of capital improvements are being expended in the service territories of other UGI Utilities, Inc. subsidiaries.

Sapa further notes that relevancy is to be interpreted broadly and liberally, and any doubts regarding the relevancy of the subject matter should be resolved in favor relevancy. *Koken*, 911 A.2d at 1025. The party contending discovery is not relevant has the burden of proving irrelevancy. *Id.* Here, UGI-CPG has failed to justify why the information sought is irrelevant.

**SAPA-I-33**

33. How does UGI-CPG determine capital improvement projects for its PaPUC jurisdictional service territory?

Objection:

The information sought is unreasonably burdensome since it is irrelevant to the service UGI CPG provides to Sapa. To the extent Sapa seeks capital investment by UGI-CPG to increase its firm service levels, such capital investments are not constrained by lack of financing, but are instead constrained by the line extension provisions of UGI CPG's tariff and Sapa's unwillingness to provide necessary customer contributions to finance the uneconomic portion of associated capital investments.

Reasons for Dismissal of Objection and Compelling Answer

The information is relevant to the service UGI-CPG is providing to Sapa and to UGI-CPG's ability to meet its service obligations under the Settlement Agreement and Section 1501 of the Public Utility Code, especially if UGI-CPG's adding customers and load.

Sapa further notes that relevancy is to be interpreted broadly and liberally, and any doubts regarding the relevancy of the subject matter should be resolved in favor relevancy. *Koken*, 911 A.2d at 1025. The party contending discovery is not relevant has the burden of proving irrelevancy. *Id.* Here, UGI-CPG has failed to justify why the information sought is irrelevant.

**SAPA-I-35**

35. Do any of the officers and directors of UGI-CPG also serve in similar positions for UGI Utilities, Inc. and/or its other PaPUC jurisdictional subsidiaries?

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's Complaint.

Reason for Dismissal of Objection and Compelling Answer

The information requested is not unreasonably burdensome. The Interrogatory can be answered by a simple Yes or No. The requested information is relevant to address matters of service territory priority within the UGI Utilities' family.

**SAPA-I-38**

38. Please provide the volumes in Mcfs of the natural gas provided by UGI-CPG for each class of service for each of the years 2011, 2012, 2013, 2014 and 2015.

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint or the service provided by UGI CPG to Sapa.

Reason for Dismissal of Objection and Compelling Answer

In combination with the information sought by Interrogatory 39, the information sought by Interrogatory 38 is especially relevant to the issue of whether UGI-CPG is meeting its service obligations under Section 1501 of the Public Utility Code in light of the load growth it has been experiencing. Unless UGI-CPG continues and maintains the upgrades, Sapa's firm service may be in jeopardy and the physical limits of UGI-CPG's plant will be degraded.

Sapa further notes that relevancy is to be interpreted broadly and liberally, and any doubts regarding the relevancy of the subject matter should be resolved in favor relevancy. *Koken*, 911 A.2d at 1025. The party contending discovery is not relevant has the burden of proving irrelevancy. *Id.* Here, UGI-CPG has failed to justify why the information sought is irrelevant.

**SAPA-I-39**

39. Please provide the number of customers receiving service from UGI-CPG for each class of service for each of the years 2011, 2012, 2013, 2014 and 2015.

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint or the service provided by UGI CPG to Sapa.

Reason for Objection and Compelling Answer

In combination with the information sought by Interrogatory 38, the information sought by Interrogatory 39 is especially relevant to the issue of whether UGI-CPG is meeting its service obligations under Section 1501 of the Public Utility Code. Unless UGI-CPG continues and maintains the upgrades, Sapa's firm service may be in jeopardy and the physical limits of UGI-CPG's plant will be degraded.

Sapa further notes that relevancy is to be interpreted broadly and liberally, and any doubts regarding the relevancy of the subject matter should be resolved in favor relevancy. *Koken*, 911 A.2d at 1025. The party contending discovery is not relevant has the burden of proving irrelevancy. *Id.* Here, UGI-CPG has failed to justify why the information sought is irrelevant.

**SAPA-I-31**

44. How many weather regions does UGI-CPG utilize in connection with the possible imposition of curtailments?

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint.

Reason for Objection and Compelling Answer

The information sought is not unreasonably burdensome. The response requires one number and is relevant to the issue of whether Sapa will receive the firm service it has contracted for.

**SAPA-I-45**

45. Are the same weather regions used for UGI Utilities, Inc.'s other PaPUC jurisdictional subsidiaries?

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint.

Reason for Objection and Compelling Answer

The information sought is not unreasonably burdensome. The response can be answered Yes or No and is relevant to the issue of whether Sapa will receive the firm service it has contracted for.

**SAPA-I-47**

47. Are the weather regions approximately the same with respect to geographic size?

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint.

**Reason for Objection and Compelling Answer**

The information sought is not unreasonably burdensome. The response can be answered Yes or No and is relevant to the issue of whether Sapa will receive the firm service it has contracted for.

**SAPA-I-48**

48. Are UGI-CPG's Tariff No. 4 customers entirely within one weather region?

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint.

Reason for Objection and Compelling Answer

The information sought is not unreasonably burdensome. The response can be answered Yes or No and is relevant to the issue of whether Sapa will receive the firm service it has contracted for.

**SAPA-I-60**

60. What organization is doing the forecasting for the various weather regions?

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint.

Reason for Objection and Compelling Answer

The information sought is not unreasonably burdensome. The Interrogatory only requires the name of an organization and is relevant to the issue of whether Sapa will receive the firm service it has contracted for.

**SAPA-I-61**

61. Sapa believes that UGI-CPG considers the average 24 hour temperature forecasted in connection with its setting of burn caps. Please explain this methodology. What happens if there are dips below 15° F but the forecasted 24 hours average is above 15° F?

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint.

Reason for Objection and Compelling Answer

The Interrogatory only seeks to understand the methodology by which UGI-CPG determines the hourly service restrictions and the tiers that have been stated to Sapa's Cressona Plant Manager by UGI-CPG personnel.

Sapa further notes that relevancy is to be interpreted broadly and liberally, and any doubts regarding the relevancy of the subject matter should be resolved in favor relevancy. *Koken*, 911 A.2d at 1025. The party contending discovery is not relevant has the burden of proving irrelevancy. *Id.* Here, UGI-CPG has failed to justify why the information sought is irrelevant.

### **III. CONCLUSION**

WHEREFORE, Sapa respectfully requests that UGI-CPG's Objections to Sapa's Set I Interrogatories, Nos. 2, 3, 13, 14, 16, 19, 23, 24, 25, 27, 28, 30, 31, 32, 33, 35, 38, 39, 44, 45, 47, 48, 60 and 61, be dismissed and that UGI-CPG be compelled to answer the same.

Respectfully submitted,



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*Attorneys for Complainant  
Sapa Extrusions, Inc.*

DATED: March 7, 2016

# **EXHIBIT A**



THOMAS, NIESEN & THOMAS, LLC

*Attorneys and Counsellors at Law*

Charles E. Thomas, Jr.  
Direct Dial: 717-255-7615  
cthomasjr@tntlawfirm.com

February 16, 2016

*Via Electronic and 1<sup>st</sup> Class Mail*

Mark Morrow, Chief Regulatory Counsel  
UGI Central Penn Gas, Inc.  
UGI Corporation  
460 North Gulph Road  
King of Prussia, PA 19406

Re: Sapa Extrusions, Inc. v. UGI Central Penn Gas, Inc.  
Docket No. C-2016-2525246

Dear Mr. Morrow:

Pursuant to the provisions of Section 333(d) of the Pennsylvania Public Utility Code (66 Pa. C.S. § 333(d)), and the Pennsylvania Public Utility Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code § 5.321, *et seq.*, which permit the propounding of Interrogatories in anticipation of litigation (§ 5.323), as well as for the preparation of pleadings and the case itself (§ 5.321(f)), Sapa Extrusions, Inc. ("Sapa"), Complainant in the above matter, by its attorneys, submits the following Set I Interrogatories and Document Requests to Respondent, UGI Central Penn Gas, Inc. (UGI-CPG). Sapa requests that Respondent, in compliance with 52 Pa. Code § 5.342, file and serve full and complete written answers to each interrogatory under oath and produce all documents requested herein, pursuant to the provisions of the Pennsylvania Public Utility Code and the Commission's Rules of Administrative Practice and Procedure, which require answers 20 days after service of the interrogatories or, with respect to Sapa's Set I, by March 7, 2016.

Any questions regarding these interrogatories should be directed to the undersigned.

Very truly yours,

THOMAS, NIESEN & THOMAS, LLC

By   
Charles E. Thomas, Jr.

cc: Rosemary Chiavetta, Secretary  
(Transmittal Letter, Certificate of Service Only)  
Jacqueline Belcastro  
Michael D. Hammer

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Sapa Extrusions, Inc. :  
 :  
 v. : Docket No. C-2016-2525246  
 :  
UGI Central Penn Gas, Inc. :

SET I  
INTERROGATORIES AND DOCUMENT REQUESTS  
OF COMPLAINANT SAPA EXTRUSIONS, INC.  
PROPOUNDED UPON UGI CENTRAL PENN GAS, INC.

**To: UGI Central Penn Gas, Inc.**

Pursuant to the provisions of Section 333(d) of the Pennsylvania Public Utility Code (66 Pa. C.S. § 333(d)), and the Pennsylvania Public Utility Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code § 5.321, *et seq.*, Sapa Extrusions, Inc., Complainant in the above matter, by its attorneys, submits the following Set I Interrogatories and Document Requests to Respondent, UGI Central Penn Gas, Inc. (UGI-CPG), and requests that Respondent file and serve full and complete written answers to each interrogatory under oath and produce all documents requested herein, pursuant to the provisions of the Pennsylvania Public Utility Code and the Commission's Rules of Administrative Practice and Procedure, which require answers 20 days after service of the interrogatories.

Dated: February 16, 2016

**INSTRUCTIONS AND DEFINITIONS FOR  
SAPA'S SET I INTERROGATORIES AND  
DOCUMENT REQUESTS TO UGI-CPG  
AT DOCKET NO. C-2016-2525246**

1. Each interrogatory or document request shall be restated before the answer is provided.
2. Each interrogatory and each answer shall be provided on a separate page from all other interrogatories and answers.
3. The person answering each interrogatory and the title of such person shall be identified clearly on the page on which the interrogatory and answer are provided.
4. Please attach written material to any answer for which written material is requested and/or available. If such written material is not available, state where it may be obtained. Label the written material with the number of the interrogatory to which it pertains.
5. Please provide all answers electronically in their original electronic format (i.e., spreadsheets provided in Excel format).
6. If you know of any document, communication or information but cannot give the specific information or the full information called for by a particular interrogatory or request, so state and give the best information you have on the subject and identify every person you believe to have the required information.
7. The singular form of a noun or pronoun shall be considered to include within its meaning the plural form of the noun or pronoun, and vice versa; the masculine form of a pronoun shall be considered to include also within its meaning the feminine and neuter forms of the pronoun, and vice versa; and the use of any tense of any verb shall be considered to include also within its meaning all other tenses of the verb. In each instance, the interrogatory or request shall be construed so as to require the most inclusive answer or production.
8. The conjunctions "and" and "or" shall be individually interpreted as meaning "and/or" and shall not be construed disjunctively so as to exclude any information otherwise within the scope of any specification in any interrogatory or request for documents.
9. The terms "identify" and "identity" when used with reference to a natural person mean to state his or her full name, present or last known address, present or last known telephone number, present or last known place of employment, position or business affiliation, his or her position or business affiliation at the time in question, and a general description of the business in which he or she is engaged.
10. The terms "identify" and "identity" when used with respect to any other entity mean to state its full name, the address of its principal place of business and the name of its chief executive officers.

11. The terms “identify” and “identity” with respect to a document mean to state the name or title of the document, the type of document (e.g., letter, memorandum, telegram, computer input or output, chart, etc.), its date, the person(s) who authored it, the person(s) who signed it, the person(s) to whom it was addressed, the person(s) to whom it was sent, its general subject matter, its present location, and its present custodian. If any such document was but is no longer in your possession or subject to your control, state what disposition was made of it and explain the circumstances surrounding, and the authorization, for such disposition, and state the date or approximate date thereof.
12. The terms “identify” and “identity” with respect to any non-written communication mean to state the identity of the natural person(s) making and receiving the communication, their respective principals or employers at the time of the communication, the date, manner and place of the communication, and the topic or subject matter of the communication.
13. When used in any other context, “identify” shall mean to state your total knowledge and information concerning the subject matter involved.
14. “List”, “describe”, “explain”, “specify” or “state” shall mean to set forth fully, in detail, and unambiguously each and every fact of which you have knowledge which is relevant to the answer called for by the interrogatory.
15. The terms “document” or “documents” as used herein shall have the same meaning and scope as in Rule 4009 of the Pennsylvania Rules of Civil Procedure and shall include, without limitation, any writings and documentary material of any kind whatsoever, both originals and copies (regardless of origin and whether or not including additional writing thereon or attached thereto), and any and all drafts, preliminary versions, alterations, modifications, revisions, changes and written comments of and concerning such material, including but not limited to: correspondence, letters, memoranda, notes, reports, directions, studies, investigations, questionnaires and surveys, inspections, permits, citizen complaints, papers, files, books, manuals, instructions, records, pamphlets, forms, contracts, contract amendments or supplements, contract offers, tenders, acceptances, counteroffers or negotiating agreements, notices, confirmations, telegrams, communications sent or received, print-outs, diary entries, calendars, tables, compilations, tabulations, charts, graphs, maps, recommendations, ledgers, accounts, worksheets, photographs, tape recordings, movie pictures, videotapes, transcripts, logs, work papers, minutes, summaries, notations and records of any sort (printed, recorded or otherwise) of any oral communication whether sent or received or neither, and other written records or recordings, in whatever form, stored or contained in or on whatever medium including computerized or digital memory or magnetic media that:
  - (a) are now or were formerly in your possession, custody or control; or
  - (b) are known or believed to be responsive to these interrogatories, regardless of who has or formerly had custody, possession or control.

If at one time a "document" or "documents" was in existence, but no longer is in existence, please state: the contents of the "document" and a summary of those contents; contents of the "document"; the date it was destroyed; the reason it was destroyed; who destroyed it; and under whose direction the "document" was destroyed.

16. The term to "state the basis" for an allegation, contention, conclusion, position or answer means:
  - (a) to identify and specify the sources therefore;
  - (b) to identify and specify all facts on which you rely or intend to rely in support of the allegation, contention, conclusion, position or answer, and
  - (c) to set forth and explain the nature and application to the relevant facts of all pertinent legal theories upon which you rely for your knowledge, information and/or belief that there are good grounds to support such allegation, contention, conclusion, position or answer.
17. The terms "relates to" or "relating to" mean referring to, concerning, responding to, containing, regarding, discussing, describing, reflecting, analyzing, constituting, disclosing, embodying, defining, stating, explaining, summarizing, or in any way pertaining to.
18. "Commission" and PaPUC shall mean the Pennsylvania Public Utility Commission.
19. UGI-CPG shall mean UGI Central Penn Gas, Inc.
20. If you object to any part of an interrogatory or request, answer all parts of such interrogatories or requests to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.
21. If you claim any form of privilege or other protection from disclosure as a ground for withholding information responsive to an interrogatory or request for production or any part thereof, contained in a non-written communication, state the following with respect to the non-written communication:
  - (a) the date thereof;
  - (b) the identity of each of the participants in the non-written communication;
  - (c) the identity of each person present during all or any part of the non-written communication;
  - (d) a description of the non-written communication which is sufficient to identify the particular communication without revealing the information for which a privilege or protection from non-disclosure is claimed;
  - (e) the nature of your claim of non-discoverability (e.g. attorney-client privilege); and
  - (f) each and every fact on which you rest your claim of privilege or other protection from disclosure, stated with sufficient specificity to permit us to make a full determination as to whether your claim is valid.

22. If you claim any form of privilege or other protection from disclosure as a ground for withholding information responsive to an interrogatory or request or any part thereof, contained in a document, set forth with respect to the document:
- (a) the date and number of pages;
  - (b) the identity of the author(s) or preparer(s);
  - (c) the identity of the addressee, if any;
  - (d) the title;
  - (e) the type of tangible thing (e.g. letter, memorandum, telegram, chart, report, recording disc);
  - (f) the subject matter (without revealing the information as to which privilege or protection from non-disclosure is claimed);
  - (g) the identity of each person who has received the document or to whom knowledge of the contents of the document was communicated;
  - (h) the identity of the present custodian(s);
  - (i) the nature of your claim of non-discoverability (e.g. attorney-client privilege); and
  - (j) each and every fact on which you rest your claim of privilege or other protection from disclosure, stated with sufficient specificity to permit us to make a full determination as to whether your claim is valid.
23. If you claim any form of privilege or other protection from disclosure, otherwise than as set forth in Instructions 21 and 22 above as a ground for not answering any interrogatory or request or any part thereof, set forth:
- (a) the nature of your claim as to non-discoverability; and
  - (b) each and every fact on which you rest your claim or privilege or other protection from disclosure, stating such facts with sufficient specificity to permit Sapa Extrusions, Inc. to make a full determination as to whether your claim is valid.
24. The terms “affiliate,” “affiliates” or “affiliated” are defined at 66 Pa.C.S. § 2101 *et seq.*

**I. The Rate Filing at R-2015-2518438**

1. Does Sapa receive any service under any rates, terms and conditions which are the subject of the rate filing at Docket No. R-2015-2518438? If so, did UGI-CPG or any affiliate company provide any form of notice to Sapa?

**II. Sapa's Rate XD Service**

2. How many Rate XD-Extended Large Firm Delivery Service customers did UGI Central Penn Gas, Inc. (UGI-CPG) have at 12-31-15? How many Rate XD customers are projected as of 12-31-16, 17 and 18?
3. Please indicate the location of all city gates and regulator stations within the UGI-CPG system.
4. What is the operational function of a city gate?
5. What is the operational function of a regulator station?
6. Does the gas of all Rate XD-Extended Large Firm Delivery service customers enter the UGI-CPG system through the same city gate? If not, please identify the city gate through which Sapa's gas enters the UGI-CPG system. Hereafter, we will refer to this as the Leesport City Gate.
7. Is the Leesport City Gate in UGI-CPG's rate base?
8. Is Sapa the only Rate XD customer receiving natural gas entering the UGI-CPG system through the Leesport City Gate or any other city gate serving Sapa?
9. Is any natural gas credited to Sapa through displacement?
10. Please identify the regulator station providing service to Sapa. Hereafter, for ease of reference we will refer to this as the regulator station near Cressona.
11. When was the regulator station near Cressona first placed into service?
12. Is the regulator station near Cressona in UGI-CPG's rate base?
13. What was the original cost of the regulator station near Cressona? What is the current value of this regulator station near Cressona net of depreciation?
14. How many UGI-CPG customers received service from the regulator station near Cressona when it was first placed into service?
15. How many customers are currently receiving service from the regulator station near Cressona?

16. Please quantify the cost of all capital improvements made to this regulator station near Cressona since August 2014. Please quantify the cost of all capital improvements placed into service or projected to be placed into service for the regulator station near Cressona for each of the years 2016, 2017 and 2018.
17. Please identify the natural gas main through which Sapa receives service. What is the size of this main? What is the capacity of this line? At what operating pressure? What are the normal operating pressures on this main?
18. When was this main first placed into service? What was the capacity of this line when originally placed into service? At what pressure was the line originally placed into service? Has the normal operating pressure on this main changed since it was placed into service?
19. What was the original cost of this main? What is the current value of this main net of depreciation?
20. What is the current loading on this line? What additional customers and loading is UGI-CPG projecting for this line in each of the next three years for Sapa's end of the system?
21. How many other UGI-CPG customers are presently served from this main?
22. How many customers other than Sapa or its predecessor were served from this main when it was first placed into service? How many customers are projected to be served from this main in each of the next three years?
23. Please quantify the cost of all capital improvements made to this main since its installation.
24. Please quantify the cost of all capital improvements made to this main since August 2014.
25. Please quantify the cost of all capital improvements made to this main projected for each of the years 2016, 2017 and 2018.
26. Please quantify the cost of all capital improvements made to the Leesport City Gate station since August 2014.
27. Please quantify the purpose and cost of the capital improvements projected for the Leesport City Gate station for each of the years 2016, 2017 and 2018.
28. Are the proceeds of financings by UGI Utilities, Inc. or its parent used for each of the operating subsidiaries of UGI Utilities, Inc.
29. How does UGI Utilities, Inc. determine the capital improvement projects for each of its subsidiaries regulated by the PaPUC and the priority of these projects for improvements?
30. Does UGI-CPG finance any of its own capital improvement projects?

31. Does UGI Utilities, Inc. finance capital improvement projects for its PaPUC jurisdictional subsidiaries?
32. Please provide the amounts spent for capital improvements for each of the PaPUC jurisdictional utility subsidiaries of UGI Utilities, Inc. in each of the past three years.
33. How does UGI-CPG determine capital improvement projects for its PaPUC jurisdictional service territory?

### **III. UGI-CPG**

34. Is UGI-CPG a Pennsylvania business corporation? If not, what form of entity is it and where is it domiciled?
35. Do any of the officers and directors of UGI-CPG also serve in similar positions for UGI Utilities, Inc. and/or its other PaPUC jurisdictional subsidiaries?
36. Is UGI-CPG a wholly-owned subsidiary of UGI Utilities, Inc.?
37. Please provide a copy of any PaPUC jurisdictional Affiliated Interest Agreement relating to UGI-CPG and its affiliates within the UGI system.
38. Please provide the volumes in Mcfs of the natural gas provided by UGI-CPG for each class of service for each of the years 2011, 2012, 2013, 2014 and 2015.
39. Please provide the number of customers receiving service from UGI-CPG for each class of service for each of the years 2011, 2012, 2013, 2014 and 2015.

### **IV. Interruptions/Curtailments by UGI-CPG**

40. Does UGI-CPG interrupt all interruptible customers before interrupting firm service customers?
41. When Sapa's service was curtailed in 2014, was service to all interruptible customers also curtailed?
42. Did each and every interruptible customer comply with UGI-CPG's curtailment requests during 2014?
43. Were penalties imposed on each and every interruptible customer which failed to interrupt its service? Did UGI-CPG waive any penalties pursuant to its tariff?
44. How many weather regions does UGI-CPG utilize in connection with the possible imposition of curtailments?

45. Are the same weather regions used for UGI Utilities, Inc.'s other PaPUC jurisdictional subsidiaries?
46. Is the determination of the need for an OFO/curtailment based solely on forecasted temperatures? If not, please explain any other bases for the curtailment.
47. Are the weather regions approximately the same with respect to geographic size?
48. Are UGI-CPG's Tariff No. 4 customers entirely within one weather region?
49. Does the Central Penn Southern Region cover customers receiving service under different tariffs?
50. Is an OFO/curtailment applicable to all customers within a weather region? If not, how does UGI-CPG determine which customers will be subject to an OFO or curtailment directive?
51. Is it UGI-CPG's position that it can pick and choose which customers are to be curtailed and which weather regions are to receive OFOs?
52. Will all interruptible customers within a region be curtailed?
53. Does UGI have affiliated marketers within the Central Penn Southern Region? Are all marketers being treated equally?
54. UGI-CPG, in discussions with Sapa personnel, has stated that it is imposing "burn caps." Please explain the concept of burn caps as UGI-CPG is using this term.
55. Is there anything in UGI-CPG's tariffs referring to burn caps?
56. For how long has UGI-CPG employed burn caps?
57. Are there burn caps for each and every UGI-CPG customer having a Daily Firm Requirement or DFR? If so, have all UGI-CPG DFR customers been apprised of this? When was this done?
58. Is there anything in UGI-CPG's tariff referring to temperature tiers?
59. For how long has UGI had temperature tiers?
60. What organization is doing the forecasting for the various weather regions?
61. Sapa believes that UGI-CPG considers the average 24 hour temperature forecasted in connection with its setting of burn caps. Please explain this methodology. What happens if there are dips below 15° F but the forecasted 24 hours average is above 15° F?
62. Are there volumetric constraints specific to Sapa Cressona?

63. Are the volumetric constraints based upon Sapa's DFR? Does the constraint protocol vary for individual customers?
64. Does UGI allocate the DFR into hourly volumes? How is this accomplished? Does either the tariff or the transportation agreement clearly outline how UGI calculates hourly volumes for DFR?
65. In order for Sapa to achieve its DFR for a given day, would it not have to receive the full maximum hourly burn cap each and every hour which, as a practical matter, would mean that it would never achieve its DFR?
66. If Sapa is curtailed, what happens to the excess gas delivered to the city gate on Sapa's behalf? Won't it be delivered to other customers, many of which are interruptible?
67. If Sapa is curtailed, what happens to the hourly gas that is not consumed by Sapa. Is that gas given to other customers, including interruptible customers and other lower priority customers?

**End of Set I**


BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Sapa Extrusions, Inc. :  
 :  
 v. : Docket No. C-2016-2525246  
 :  
 UGI Central Penn Gas, Inc. :

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 16<sup>th</sup> day of February, 2016, served a true and correct copy of the foregoing Set I Interrogatories and Document Requests of Complainant Sapa Extrusions, Inc. Propounded Upon UGI Central Penn Gas, Inc., upon the party listed below via electronic and first class mail, in accordance with the requirements of 52 Pa. Code § 1.54:

Mark Morrow, Chief Regulatory Counsel  
UGI Central Penn Gas, Inc.  
UGI Corporation  
460 North Gulph Road  
King of Prussia, PA 19406

  
\_\_\_\_\_  
Charles E. Thomas, Jr. (PA ID # 7262)

# **EXHIBIT B**



UGI Utilities, Inc.  
460 North Gulph Road  
King of Prussia, PA 19406  
Post Office Box 858  
Valley Forge, PA 19482-0858  
(610) 337-1000 Telephone  
(610) 992-3258 Fax

February 26, 2016

**VIA E-FILING**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, Pa 17105

**Re: Sapa Extrusions, Inc. v. UGI Central Penn Gas, Inc.,  
Docket No. C-2016-2525246**

Dear Secretary Chiavetta:

Enclosed pursuant to the provisions of 52 Pa. Code §5.342(e)(2) please find the Certificate of Service indicating UGI Central Penn Gas, Inc.'s objections to certain interrogatories of Sapa Extrusions, Inc. in the above-captioned matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mark C. Morrow".

Mark C. Morrow

Counsel for UGI Central Penn Gas, Inc.



Sapa Extrusions, Inc. v. UGI Central Penn Gas, Inc.  
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2. How many Rate XD-Extended Large Firm Delivery Service customers did UGI Central Penn Gas, Inc. (UGI-CPG) have at 12-31-15? How many Rate XD customers are projected as of 12-31-16, 17 and 18?

Objection:

The information sought in this interrogatory is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint as the number of Rate XD customers served has no impact of UGI CPG's contractual firm service commitment to Sapa.



Mark C. Morrow

Counsel for UGI Central Penn Gas, Inc.

Sapa Extrusions, Inc. v. UGI Central Penn Gas, Inc.  
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3. Please indicate the location of all city gates and regulator stations within the UGI-CPG system.

Objection:

The information requested is confidential security information and is generally unreasonably burdensome since it is not relevant to any claim in Sapa's complaint as the location of all city gates and regulator stations has no impact of CPG's contractual firm service commitment to Sapa. Nonetheless, UGI CPG is willing to provide information concerning the city gate and regulator stations used to provide service to Sapa subject to the execution of a protective agreement.



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Mark C. Morrow

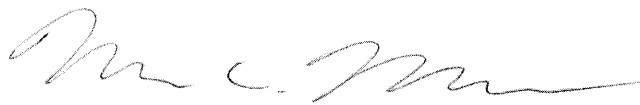
Counsel for UGI Central Penn Gas, Inc.

Sapa Extrusions, Inc. v. UGI Central Penn Gas, Inc.  
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February 26, 2016

13. What was the original cost of the regulator station near Cressona? What is the current value of this regulator station near Cressona net of depreciation?

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint. The costs of UGI CPG facilities are allocated in base rate proceedings on a class basis, and are available for service up to their physical limits. To the extent a customer seeks an upgrade of facilities to meet its needs, such upgrades are subject to the line extension provisions of UGI CPG's tariff which permits investments without customer contributions up to a level that is justified by incremental customer revenues.



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Mark C. Morrow

Counsel for UGI Central Penn Gas, Inc.

Sapa Extrusions, Inc. v. UGI Central Penn Gas, Inc.  
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February 26, 2016

14. How many UGI-CPG customers received service from the regulator station near Cressona when it was first placed into service?

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint or the nature of Sapa's firm service.



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Mark C. Morrow

Counsel for UGI Central Penn Gas, Inc.

Sapa Extrusions, Inc. v. UGI Central Penn Gas, Inc.  
Docket No. C-2016-2525246  
Objections to Sapa Set I Interrogatories  
February 26, 2016

16. Please quantify the cost of all capital improvements made to this regulator station near Cressona since August 2014. Please quantify the cost of all capital improvements placed into service or projected to be placed into service for the regulator station near Cressona for each of the years 2016, 2017 and 2018.

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint. The costs of UGI CPG facilities are allocated in base rate proceedings on a class basis, and are available for service up to their physical limits. To the extent a customer seeks an upgrade of facilities to meet its needs, such upgrades are subject to the line extension provisions of UGI CPG's tariff which permits investments without customer contributions up to a level that is justified by incremental customer revenues.



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Mark C. Morrow

Counsel for UGI Central Penn Gas, Inc.

Sapa Extrusions, Inc. v. UGI Central Penn Gas, Inc.  
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19. What was the original cost of this main? What is the current value of this main net of depreciation?

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint. The costs of UGI CPG facilities are allocated in base rate proceedings on a class basis, and are available for service up to their physical limits. To the extent a customer seeks an upgrade of facilities to meet its needs, such upgrades are subject to the line extension provisions of UGI CPG's tariff which permits investments without customer contributions up to a level that is justified by incremental customer revenues.



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Mark C. Morrow

Counsel for UGI Central Penn Gas, Inc.

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23. Please quantify the cost of all capital improvements made to this main since its installation.

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint. The costs of UGI CPG facilities are allocated in base rate proceedings on a class basis, and are available for service up to their physical limits. To the extent a customer seeks an upgrade of facilities to meet its needs, such upgrades are subject to the line extension provisions of UGI CPG's tariff which permits investments without customer contributions up to a level that is justified by incremental customer revenues.



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Mark C. Morrow

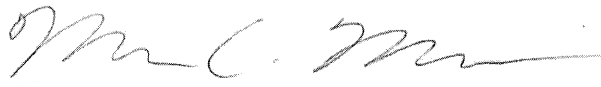
Counsel for UGI Central Penn Gas, Inc.

Sapa Extrusions, Inc. v. UGI Central Penn Gas, Inc.  
Docket No. C-2016-2525246  
Objections to Sapa Set I Interrogatories  
February 26, 2016

24. Please quantify the cost of all capital improvements made to this main since August 2014.

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint. The costs of UGI CPG facilities are allocated in base rate proceedings on a class basis, and are available for service up to their physical limits. To the extent a customer seeks an upgrade of facilities to meet its needs, such upgrades are subject to the line extension provisions of UGI CPG's tariff which permits investments without customer contributions up to a level that is justified by incremental customer revenues.



Mark C. Morrow

Counsel for UGI Central Penn Gas, Inc.

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February 26, 2016

25. Please quantify the cost of all capital improvements made to this main projected for each of the years 2016, 2017 and 2018.

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint. The costs of UGI CPG facilities are allocated in base rate proceedings on a class basis, and are available for service up to their physical limits. To the extent a customer seeks an upgrade of facilities to meet its needs, such upgrades are subject to the line extension provisions of UGI CPG's tariff which permits investments without customer contributions up to a level that is justified by incremental customer revenues.



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Mark C. Morrow

Counsel for UGI Central Penn Gas, Inc.

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27. Please quantify the purpose and cost of the capital improvements projected for the Leesport City Gate station for each of the years 2016, 2017 and 2018.

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint. The costs of UGI CPG facilities are allocated in base rate proceedings on a class basis, and are available for service up to their physical limits. To the extent a customer seeks an upgrade of facilities to meet its needs, such upgrades are subject to the line extension provisions of UGI CPG's tariff which permits investments without customer contributions up to a level that is justified by incremental customer revenues.



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Mark C. Morrow

Counsel for UGI Central Penn Gas, Inc.

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February 26, 2016

28. Are the proceeds of financings by UGI Utilities, Inc. or its parent used for each of the operating subsidiaries of UGI Utilities, Inc.

Objection:

The information sought is unreasonably burdensome since it is irrelevant to the service UGI CPG provides to Sapa. To the extent Sapa seeks capital investment by UGI CPG to increase its firm service levels, such capital investments are not constrained by lack of financing, but are instead constrained by the line extension provisions of UGI CPG's tariff and Sapa's unwillingness to provide necessary customer contributions to finance the uneconomic portion of associated capital investments.



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Mark C. Morrow

Counsel for UGI Central Penn Gas, Inc.

Sapa Extrusions, Inc. v. UGI Central Penn Gas, Inc.  
Docket No. C-2016-2525246  
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February 26, 2016

30. Does UGI-CPG finance any of its own capital improvement projects?

Objection:

The information sought is unreasonably burdensome since it is irrelevant to the service UGI CPG provides to Sapa. To the extent Sapa seeks capital investment by UGI CPG to increase its firm service levels, such capital investments are not constrained by lack of financing, but are instead constrained by the line extension provisions of UGI CPG's tariff and Sapa's unwillingness to provide necessary customer contributions to finance the uneconomic portion of associated capital investments.



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31. Does UGI Utilities, Inc. finance capital improvement projects for its PaPUC jurisdictional subsidiaries?

Objection:

The information sought is unreasonably burdensome since it is irrelevant to the service UGI CPG provides to Sapa. To the extent Sapa seeks capital investment by UGI CPG to increase its firm service levels, such capital investments are not constrained by lack of financing, but are instead constrained by the line extension provisions of UGI CPG's tariff and Sapa's unwillingness to provide necessary customer contributions to finance the uneconomic portion of associated capital investments.



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32. Please provide the amounts spent for capital improvements for each of the PaPUC jurisdictional utility subsidiaries of UGI Utilities, Inc. in each of the past three years.

Objection:

The information sought is unreasonably burdensome since it is irrelevant to the service UGI CPG provides to Sapa. To the extent Sapa seeks capital investment by UGI CPG to increase its firm service levels, such capital investments are not constrained by lack of financing, but are instead constrained by the line extension provisions of UGI CPG's tariff and Sapa's unwillingness to provide necessary customer contributions to finance the uneconomic portion of associated capital investments.



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33. How does UGI-CPG determine capital improvement projects for its PaPUC jurisdictional service territory?

Objection:

The information sought is unreasonably burdensome since it is irrelevant to the service UGI CPG provides to Sapa. To the extent Sapa seeks capital investment by UGI CPG to increase its firm service levels, such capital investments are not constrained by lack of financing, but are instead constrained by the line extension provisions of UGI CPG's tariff and Sapa's unwillingness to provide necessary customer contributions to finance the uneconomic portion of associated capital investments.



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35. Do any of the officers and directors of UGI-CPG also serve in similar positions for UGI Utilities, Inc. and/or its other PaPUC jurisdictional subsidiaries?

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint.



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38. Please provide the volumes in Mcfs of the natural gas provided by UGI-CPG for each class of service for each of the years 2011, 2012, 2013, 2014 and 2015.

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint or the service provided by UGI CPG to Sapa.



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Counsel for UGI Central Penn Gas, Inc.

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39. Please provide the number of customers receiving service from UGI-CPG for each class of service for each of the years 2011, 2012, 2013, 2014 and 2015.

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint or the service provided by UGI CPG to Sapa.



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44. How many weather regions does UGI-CPG utilize in connection with the possible imposition of curtailments?

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint.



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45. Are the same weather regions used for UGI Utilities, Inc.'s other PaPUC jurisdictional subsidiaries?

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint.



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47. Are the weather regions approximately the same with respect to geographic size?

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint.



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48. Are UGI-CPG's Tariff No. 4 customers entirely within one weather region?

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint.



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60. What organization is doing the forecasting for the various weather regions?

Objection:

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint.



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61. Sapa believes that UGI-CPG considers the average 24 hour temperature forecasted in connection with its setting of burn caps. Please explain this methodology. What happens if there are dips below 15° F but the forecasted 24 hours average is above 15° F?

*Objection:*

The information sought is unreasonably burdensome since it is not relevant to any claim in Sapa's complaint.



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Mark C. Morrow

Counsel for UGI Central Penn Gas, Inc.

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Sapa Extrusions, Inc. :  
 :  
 v. : Docket No. C-2016-2525246  
 :  
 UGI Central Penn Gas, Inc. :

**CERTIFICATE OF SERVICE**

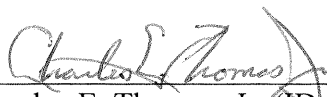
I hereby certify that I have this 7<sup>th</sup> day of March, 2016, served a true and correct copy of the foregoing Motion of Sapa Extrusions, Inc. to Dismiss Objections and Compel Answers to Set I Interrogatories, upon the office and person listed below, in accordance with the requirements of 52 Pa. Code § 1.54:

**Via First Class Mail**

Office of Administrative Law Judge  
Pennsylvania Public Utility Commission  
Post Office Box 3265  
Harrisburg, PA 17105-3265

**Via Electronic and First Class Mail**

Mark Morrow, Chief Regulatory Counsel  
UGI Central Penn Gas, Inc.  
UGI Corporation  
460 North Gulph Road  
King of Prussia, PA 19406  
MorrowM@ugicorp.com

  
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Charles E. Thomas, Jr. (ID # 07262)