



COMMONWEALTH OF PENNSYLVANIA

April 6, 2016

E-FILED

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
PO Box 3265
Harrisburg, PA 17105-3265

**Re: Peoples TWP, LLC - Section 1307(f) – 2016 Proceeding
Docket No. R-2016-2528557**

Dear Secretary Chiavetta:

I am delivering for filing today the Prehearing Memorandum, on behalf of the Office of Small Business Advocate, in the above-captioned proceeding.

Copies have been served on Administrative Law Judge Jeffrey Watson, as well as on all known parties in this proceeding, as indicated on the attached Certificate of Service.

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

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth Rose Triscari".

Elizabeth Rose Triscari
Deputy Small Business Advocate
Attorney ID #306921

Enclosures

cc: The Honorable Jeffrey Watson
Brian Kalcic
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PENNSYLVANIA PUBLIC UTILITY COMMISSION	:	
	:	
v.	:	DOCKET NO. R-2016-2528557
	:	C-2016-2534582
	:	
PEOPLES TWP, LLC	:	

**PREHEARING MEMORANDUM
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

I. INTRODUCTION

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business customers of utility services before the Pennsylvania Public Utility Commission (“Commission”) pursuant to the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 – 399.50 (“the Act”). In order to discharge this statutory duty, the Small Business Advocate deems it necessary to participate as a party in the above-captioned proceeding. Representing the OSBA is Deputy Small Business Advocate Elizabeth Rose Triscari. Please address all correspondence in this matter as follows:

Elizabeth Rose Triscari, Esquire
Deputy Small Business Advocate
Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
etriscari@pa.gov

II. PROCEDURAL BACKGROUND

On March 2, 2016, pursuant to Section 1307(f) of the Public Utility Code, Peoples TWP LLC (“TWP” or “Company”) submitted pre-filed supporting information concerning its annual Purchased Gas Cost (“PGC”) Rate filing.

On March 15, 2016, the Commission’s Bureau of Investigation and Enforcement (“I&E”) entered a notice of appearance.

The OSBA filed a Complaint in the above-captioned proceedings on March 18, 2016, docketed at C-2016-2534582.

A Complaint was also filed by the Office of Consumer Advocate (“OCA”) on March 23, 2016.

On April 1, 2016, the Company made its annual PGC Rate filing.

On April 5, 2016, the Pennsylvania Independent Oil and Gas Association (“PIOGA”) filed a Petition to Intervene.

Administrative Law Judge (“ALJ”) Jeffrey A. Watson has been assigned to this proceeding and issued a Prehearing Conference Order on April 4, 2016, informing the parties that the initial Prehearing Conference on this case will be held on April 7, 2016. The OSBA submits this prehearing memorandum in accordance with that Order.

III. IDENTIFICATION OF WITNESSES

Assisting in the development and presentation of the OSBA's case in the above-captioned proceeding will be:

Mr. Brian Kalcic
Excel Consulting
Suite 720
225 S. Meramec Ave.
St. Louis, MO 63105
(314) 725-2511
excel.consulting@sbcglobal.net

The OSBA requests that all parties provide courtesy copies of all documents, including discovery, testimony and briefs, to Mr. Kalcic, simultaneously with service upon the OSBA.

IV. IDENTIFICATION OF ISSUES

The OSBA is participating in this case to ensure that the interests of small business customers of the Company are adequately represented and protected. Among other things, the OSBA will seek to assure that the Company's purchased gas cost rates are consistent with a least cost fuel procurement policy and do not result in rates and charges that are excessive, unjust or unreasonable, discriminatory or otherwise contrary to Commission regulation or policy.

At this time, after an initial review of the materials submitted by TWP, the OSBA is concentrating on the following issues:

1. Whether the Company's management of unaccounted-for gas is reasonable;
2. Whether the Company's proposed retainage rates are appropriate;
3. Whether the Company's method for allocating its claimed purchased gas demand costs to customer classes is reasonable; and

4. Any other issues that may arise during the course of OSBA's review of the Company's filing that affect small business customers.

V. DISCOVERY

Discovery is ongoing. The OSBA will cooperate with the ALJs and other parties to arrive at any mutually agreeable discovery modifications.

VI. SERVICE OF DOCUMENTS

The OSBA agrees to accept electronic mail delivery of documents on the due date as satisfying the in-hand requirement, *provided that such documents are followed by hard copy delivery to OSBA by first class mail*. Service by electronic mail *only* is not acceptable. The OSBA requests that such hard copies are also provided to its witness identified above.

In addition to hard copies of pleadings, briefs, and exceptions, the OSBA requests hard copies of responses to discovery propounded by the OSBA or any other party. The OSBA also requests that all parties serve an electronic copy of all interrogatory responses upon the OSBA and the OSBA witness identified above.

VII. SETTLEMENT

The OSBA notes its willingness to enter into settlement discussions at the appropriate phase of the proceeding.

VIII. PROCEDURAL SCHEDULE

The OSBA will work with the ALJs and the parties to arrive at a mutually agreeable schedule.

The OSBA respectfully requests that the evidentiary hearings take place in Harrisburg.

Respectfully submitted,



Elizabeth Rose Triscari
Deputy Small Business Advocate
Attorney ID #306921

For:

John R. Evans
Small Business Advocate

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Dated: April 6, 2016

