



17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
717-731-1970 Main
717-731-1985 Main Fax
www.postschell.com

Devin Ryan

dryan@postschell.com
717-612-6052 Direct
717-731-1985 Direct Fax
File #: 165082

July 13, 2016

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Centre Park Historic District v. UGI Utilities, Inc.
Docket No. C-2015-2516051**

**City of Reading v. UGI Utilities, Inc.
Docket No. C-2016-2530475**

Dear Secretary Chiavetta:

Enclosed for filing is the Prehearing Conference Memorandum of UGI Utilities, Inc. for the above-referenced proceedings. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Devin Ryan

DTR/jl
Enclosures

cc: Honorable Mary D. Long
Certificate of Service

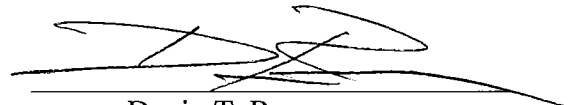
CERTIFICATE OF SERVICE
(Docket Nos. C-2015-2516051 and C-2016-2530475)

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA E-MAIL & FIRST CLASS MAIL

Michael J. Savona, Esquire
Michael E. Peters, Esquire
Zachary A. Sivertsen, Esquire
Eastburn and Gray, P.C.
PO Box 1389
Doylestown, PA 18901
msavona@eastburngray.com
mpeters@eastburngray.com
zsivertsen@eastburngray.com

Date: July 13, 2016


Devin T. Ryan

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Centre Park Historic District	:	
	:	
v.	:	Docket No. C-2015-2516051
	:	
UGI Utilities, Inc.	:	
	:	
City of Reading	:	
	:	
v.	:	Docket No. C-2016-2530475
	:	
UGI Utilities, Inc.	:	

**PREHEARING CONFERENCE MEMORANDUM OF
UGI UTILITIES, INC.**

TO ADMINISTRATIVE LAW JUDGE MARY D. LONG:

Pursuant to 52 Pa. Code § 5.222(d), UGI Utilities, Inc. (“UGI” or the “Company”) hereby submits this Prehearing Conference Memorandum.

I. BACKGROUND

On November 25, 2015, the Centre Park Historic District, Inc. (“CPHD”) filed a Formal Complaint at Docket No. C-2015-2516051 alleging that UGI’s meter location practices in the historic districts of Reading, PA violated the Commission’s regulations.

On December 15, 2015, UGI filed an Answer to CPHD’s Complaint denying that the Company committed any regulatory violation.

On February 11, 2016, a prehearing conference was held before the Honorable Mary D. Long (the “ALJ”) regarding CPHD’s Complaint and three other customer complaints about UGI’s meter placement decisions. At the prehearing conference, counsel for CPHD indicated that he would also be filing a complaint on behalf of the City of Reading (“City”) about UGI’s

meter location practices in Reading, PA and requested that CPHD's Complaint be consolidated with the City's forthcoming Complaint.

On February 16, 2016, the ALJ issued the First Prehearing Order that, among other things, scheduled a further telephonic prehearing conference for March 30, 2016.

On February 23, 2016, UGI received e-service of the City's Complaint. In its Complaint, the City generally alleged that UGI violated 52 Pa. Code § 59.18(d)(1) by failing to "consider" inside meter locations for historic buildings and for buildings in historic districts in Reading, PA. Moreover, the City contended that UGI's exterior meter location practices have created unsafe conditions.

On March 1, 2016, a Notice was issued scheduling the further telephonic prehearing conference for March 30, 2016.

On March 14, 2016, UGI filed an Answer denying the material allegations in the City's Complaint and averring that its meter location practices have been consistent with the Commission's regulations. Additionally, the Company filed Preliminary Objections, which argued that the City's Complaint should be dismissed in its entirety due to the legal insufficiency of the City's requested relief.

On March 24, 2016, the City filed an Answer to UGI's Preliminary Objections.

On March 29, 2016, the ALJ issued an Interim Order Dismissing Preliminary Objections.

On March 30, 2016, the prehearing conference was held, during which the parties agreed to attempt to settle the Complaints and hold a further prehearing conference in 60 days.

On April 5, 2016, a Notice was issued scheduling the further telephonic prehearing conference for June 30, 2016. Ultimately, the prehearing conference was rescheduled for July 14, 2016.

II. SERVICE OF DOCUMENTS

UGI's attorneys in this proceeding are Mark C. Morrow, Esquire, Danielle Jouenne, Esquire, David B. MacGregor, Esquire, and Devin T. Ryan, Esquire. UGI requests that Devin T. Ryan be listed as the recipient for service. Mr. Ryan's contact information is provided below:

Devin T. Ryan (ID # 316602)
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601
Phone: 717-612-6052
Fax: 717-731-1985
E-mail: dryan@postschell.com

UGI also requests that Mr. Morrow, Ms. Jouenne, and Mr. MacGregor be added to any informal e-mail distribution lists in this proceeding. Mr. Morrow's e-mail address is morrowm@ugicorp.com, Ms. Jouenne's e-mail address is jouenned@ugicorp.com, and Mr. MacGregor's e-mail address is dmacgregor@postschell.com. In addition, UGI agrees to receive service of documents electronically in this proceeding.

III. ISSUES

UGI believes the presently identified issues are:

1. Whether UGI has failed to "consider" inside meter locations for historic buildings and for buildings in historic districts in violation of 52 Pa. Code 59.18(d)(1).
2. When selecting outside meter locations, whether the Company "consider[ed] potential damage by outside forces," located gas meters in "protected location[s] adjacent to the building served," and protected those meters from "vehicular damage that may be anticipated." *See* 52 Pa. Code § 59.18(a)(5),(b)(1); 49 C.F.R. § 192.353 (adopted by the Commission in 52 Pa. Code § 59.33(b)).

3. Whether the City's requested relief is beyond the scope of this proceeding and, if not, whether it is reasonable.

IV. WITNESS AND AREA OF TESTIMONY

UGI believes it is necessary for the parties and the ALJ to clarify the scope of the Complaints and the evidentiary record that will need to be developed in this case. It is unclear whether the City and CPHD will contest every exterior meter placement in the City's historic districts or specific exterior meter placements. If the City and CPHD seek to contest each exterior meter placement, multiple days of hearings will need to be held, and the evidentiary record will be voluminous. In such a scenario, the Company believes that written testimony would lessen the burden on the parties and the ALJ and would produce a clearer, more concise record. If the City and CPHD only want to contest specific meter placements, UGI would request that they identify those particular locations so that the Company can gain a better understanding of how many days need to be scheduled for hearings and whether written testimony may be appropriate.

Notwithstanding, UGI's intended witness and a description of his testimony is provided below:

Witness

Hans G. Bell
Vice President – Engineering &
Operations Support
UGI Utilities, Inc.
2525 N. 12th Street, Suite 360
Reading, PA 19612
610-796-3450

General Subject Matter

Meter Location Decisions in
Reading, PA; Safety
Considerations in UGI's Meter
Location Practices

Mr. Bell's testimony will fully support the Company's meter location decisions in Reading, PA and demonstrate that UGI has complied with the Commission's regulations. UGI

reserves the right to call additional witnesses, as necessary, to address other issues that may arise during the course of this proceeding.

V. PROCEDURAL SCHEDULE

As stated in Section IV, *supra*, depending on the scope and size of this case, UGI maintains that written testimony would be beneficial and appropriate. However, if written testimony is not used in this case, the Company will need sufficient time to conduct discovery and depositions of the City and CPHD's witnesses. To that end, while reserving the right to request additional hearing days based on discovery and depositions, UGI proposes the following procedural schedule:

December 6-9, 2016 Evidentiary Hearings

VI. DISCOVERY

UGI proposes no modifications to the Commission's discovery rules. The Company is willing to work with the parties, through informal discovery, to expedite any additional discovery.

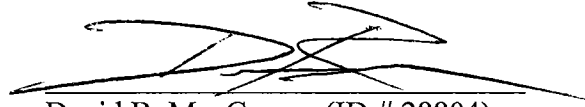
VII. PROTECTION OF CONFIDENTIAL INFORMATION

If necessary and should the case proceed to hearing, UGI will timely submit an appropriate Motion for Protective Order.

VIII. SETTLEMENT

UGI is willing to work with the parties to resolve this proceeding through settlement. Further, UGI would be willing to enter into a partial settlement, stipulate to certain facts, or both, in order to narrow the issues in this proceeding.

Respectfully submitted,



David B. MacGregor (ID # 28804)
Post & Schell, P.C.
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, PA 19103-2808
Phone: 215-587-1197
Fax: 215-587-1444
E-mail: dmacgregor@postschell.com

Devin T. Ryan (ID # 316602)
17 North Second Street
12th Floor
Harrisburg PA 17101-1601
Phone: 717-731-1970
Fax 717-731-1985
E-mail: dryan@postschell.com

Mark C. Morrow (ID # 33590)
Chief Regulatory Counsel
Danielle Jouenne (ID # 306829)
UGI Corporation
460 North Gulph Road
King of Prussia, PA 19406
Phone: 610-768-3628
E-mail: morrowm@ugicorp.com
jouenned@ugicorp.com

Date: July 13, 2016

Attorneys for UGI Utilities, Inc.