



COMMONWEALTH OF PENNSYLVANIA

April 3, 2018

**E-FILED**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

**Re: Peoples Natural Gas Company, LLC 1307(f) & Peoples Natural Gas Company, LLC  
– Equitable Division / Docket Nos. R-2018-2645278 & R-2018-3000236**

Dear Secretary Chiavetta:

I am delivering for filing today my Prehearing Memorandum, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-captioned proceedings.

Copies will be served 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 blue ink that reads "Elizabeth Rose Triscari".

Elizabeth Rose Triscari  
Deputy Small Business Advocate  
Attorney ID No. 306921

*Enclosures*

cc: The Honorable Jeffrey Watson  
Brian Kalcic  
Parties of Record

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Pennsylvania Public Utility Commission</b>	:	
	:	
<b>v.</b>	:	<b>Docket No. R-2018-2645278</b>
	:	<b>Docket No. C-2018-3000567</b>
<b>Peoples Natural Gas Company, LLC</b>	:	
<b>1307(f)</b>	:	
	:	
	:	
<b>Pennsylvania Public Utility Commission</b>	:	
	:	
<b>v.</b>	:	<b>Docket No. R-2018-3000236</b>
	:	<b>Docket No. C-2018-3000573</b>
<b>Peoples Natural Gas Company, LLC –</b>	:	
<b>Equitable Division 1307(f)</b>	:	

**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](mailto:etriscari@pa.gov)

## **II. PROCEDURAL BACKGROUND**

On March 2, 2018, pursuant to Section 1307(f) of the Public Utility Code, Peoples Natural Gas Company, LLC (“Peoples” or “Company”) submitted pre-filed supporting information concerning its annual Purchased Gas Cost (“PGC”) Rate filing for its Peoples and Equitable Divisions.

On March 9, 2018, the Commission’s Bureau of Investigation and Enforcement (“I&E”) entered a notice of appearance.

A Complaint was filed by the Office of Consumer Advocate (“OCA”) on March 15, 2018.

The OSBA filed a Complaint in the above-captioned proceedings on March 20, 2018.

On April 2, 2018, the Pennsylvania Independent Oil and Gas Association (“PIOGA”) filed a Petition to Intervene.

Also on April 2, 2018, Peoples submitted its annual PGC rate filing.

Administrative Law Judge (“ALJ”) Jeffrey A. Watson has been assigned to this proceeding and issued a Prehearing Conference Order on March 29, 2018, informing the parties that the initial Prehearing Conference on this case will be held on April 5, 2018. 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](mailto: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.

Upon the conclusion of its initial review of Peoples’ annual PGC rate filing, the OSBA will supplement this memorandum with a list of the issues it intends to concentrate on.

**V. DISCOVERY**

Discovery is ongoing. The OSBA will cooperate with the ALJ 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 cooperate with the ALJ and other parties to arrive at a mutually agreeable procedural schedule. The OSBA respectfully requests that the evidentiary hearings take place in Harrisburg.

Respectfully submitted,



Elizabeth Rose Triscari  
Deputy Small Business Advocate  
Attorney ID No. 306921

**For:**

**John R. Evans  
Small Business Advocate**

**Office of Small Business Advocate  
300 North Second Street, Suite 202  
Harrisburg, PA 17101  
(717) 783-2525  
(717) 783-2831 (fax)**

**Dated: April 3, 2018**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Pennsylvania Public Utility Commission</b>	:	
	:	
<b>v.</b>	:	<b>Docket No. R-2018-2645278</b>
	:	<b>Docket No. C-2018-3000567</b>
<b>Peoples Natural Gas Company, LLC</b>	:	
<b>1307(f)</b>	:	
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<b>Pennsylvania Public Utility Commission</b>	:	
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<b>v.</b>	:	<b>Docket No. R-2018-3000236</b>
	:	<b>Docket No. C-2018-3000573</b>
<b>Peoples Natural Gas Company, LLC –</b>	:	
<b>Equitable Division 1307(f)</b>	:	

**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing have been served via email and/or First-Class mail (*unless other noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

The Honorable Jeffrey Watson  
Administrative Law Judge  
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Harrisburg, PA 17120  
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(Counsel for PIOGA)

DATE: April 3, 2018

  
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Deputy Small Business Advocate  
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