

Long, Mary

From: Charles E Thomas, III <cet3@tntlawfirm.com>
Sent: Thursday, April 12, 2018 3:01 PM
To: Long, Mary; Charles Thomas Jr
Cc: Mark Morrow (morrowm@ugicorp.com); Ryan, Devin; Jan Krafczek; Osmer Deming; David MacGregor; Danielle Jouenne
Subject: RE: City of Reading v UGI Utilities, Inc., Docket No. C-2016-2530475; Centre Park Historic District v UGI Utilities, Inc., Docket No. C-2015-2516051

Judge Long:

The City of Reading has no objection to proceeding in the manner set forth in your email below. We expect to file a formal Motion for Continuance with the Secretary's Bureau in the coming days after conferring with counsel for UGI about the telephonic status conference dates.

Respectfully,

Charles E. Thomas, III
THOMAS, NIESEN & THOMAS, LLC
212 Locust Street, Suite 302 | Harrisburg, PA 17101
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From: Long, Mary [mailto:malong@pa.gov]
Sent: Thursday, April 12, 2018 10:51 AM
To: Charles Thomas Jr
Cc: Mark Morrow (morrowm@ugicorp.com); Ryan, Devin; Jan Krafczek; Osmer Deming; Charles E Thomas, III; David MacGregor; Danielle Jouenne
Subject: RE: City of Reading v UGI Utilities, Inc., Docket No. C-2016-2530475; Centre Park Historic District v UGI Utilities, Inc., Docket No. C-2015-2516051

Mr. Thomas –

Please reduce your request for a continuance to a motion and file it with the Secretary's Bureau. Upon receipt of your motion, I am willing to suspend the requirement of written testimony on April 23, 2018. I would also like you to confer with counsel for UGI and present at least 3 alternative dates and times for a telephonic status conference to discuss your motion. I would like to speak to the parties sooner than May 22, 2018.

If there is any objection to proceeding in this matter, please notify me by the close of business today.

Regards,

Mary D. Long
Administrative Law Judge
Pennsylvania Public Utility Commission

301 5th Avenue
Suite 220
Pittsburgh, Pennsylvania 15222

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From: Charles Thomas Jr <cthomasjr@tntlawfirm.com>
Sent: Tuesday, April 10, 2018 10:40 AM
To: Long, Mary <malong@pa.gov>
Cc: Mark Morrow (morrowm@ugicorp.com) <morrowm@ugicorp.com>; Ryan, Devin <DRyan@PostSchell.com>; Jan Krafczek <Jan.Krafczek@readingpa.gov>; Osmer Deming <Osmer.Deming@readingpa.gov>; Charles E Thomas, III <cet3@tntlawfirm.com>
Subject: RE: City of Reading v UGI Utilities, Inc., Docket No. C-2016-2530475; Centre Park Historic District v UGI Utilities, Inc., Docket No. C-2015-2516051

Judge Long,

Yesterday we sent an email regarding our engagement and Notice of Appearance on behalf of the City of Reading in the above matters, along with proposed revisions to the procedural schedule. With respect to the proposed schedule we wish to clarify two points. Matters 5 and 7 concerning additional discovery should be eliminated. After further discussions and in view of the extensive discovery which has occurred to date, there would be no discovery relating to the testimony which will be served by the City in June and by UGI in July. In all other respects, the proposed schedule would remain the same.

Thank you for consideration of the schedule revisions.

Respectfully,

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From: Charles Thomas Jr
Sent: Monday, April 09, 2018 3:48 PM
To: ALJ Mary D. Long (malong@pa.gov)
Cc: Mark Morrow (morrowm@ugicorp.com); Ryan, Devin; Jan Krafczek; 'Osmer Deming'; Charles E Thomas, III
Subject: City of Reading v UGI Utilities, Inc., Docket No. C-2016-2530475; Centre Park Historic District v UGI Utilities, Inc., Docket No. C-2015-2516051

Judge Long,

We have been engaged to represent the City of Reading in the above complaint proceedings along with City Solicitor J.D. Krafczek, Esquire, and the First Assistant City Solicitor Osmer Deming, Esquire. Our Notice of Appearance was filed with the Secretary's Office on April 4, 2018.

We have begun reviewing the file and find it to be quite extensive. We believe a continuance of testimony and hearing dates is advisable, not only to allow us time for file review and hearing preparation, but also to afford the parties an opportunity to possibly settle the matter.

With this in mind, we contacted counsel for UGI and engaged in discussions on Thursday and Friday of last week for the purpose of seeking an agreement on a revised procedural schedule to propose to Your Honor and to explore the matter of a possible settlement of the proceeding. We are encouraged and, with the agreement of counsel for UGI, propose that the procedural schedule be revised as follows:

1. Previously scheduled Testimony and hearing dates would be continued.
2. In addition to settlement discussions to be held telephonically and possibly in person, a formal settlement conference would be scheduled for City Hall in Reading on May 16, 2018, with the parties expected to have in attendance persons who have the ability to make substantive decisions.
3. If necessary, a telephonic status conference could be held during the week of May 22, 2018 for the parties to report to Your Honor on the progress made at the settlement conference and whether a full or partial settlement appeared to be likely.
4. If the case were not settled by the further prehearing conference, the parties would continue to try and resolve the matter by settlement. However, the City of Reading's Direct Testimony would be scheduled for service on June 29, 2018.
5. Any discovery related to the City's Direct Testimony would be served by July 10, 2018.
6. UGI's responsive testimony would be scheduled for service on July 27, 2018.
7. Any discovery related to UGI's testimony would be served by August 7, 2018.
8. Evidentiary hearings would be scheduled at the convenience of Your Honor during the final two weeks of August, with briefing schedules to be agreed upon.

We were encouraged by the willingness of the parties to engage in substantive discussions and would appreciate Your Honor's consideration of the schedule revisions agreed to by the parties.

Respectfully,

Charles E. Thomas, Jr., Esquire
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Commonwealth of Pennsylvania
Office of Administrative Law Judge
301 Fifth Ave., Suite 220, Piatt Place
Pittsburgh, PA 15222

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