

## Long, Mary

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**From:** Long, Mary  
**Sent:** Tuesday, July 10, 2018 2:59 PM  
**To:** 'Morrow, Mark'; Ryan, Devin; Charles E Thomas, III  
**Cc:** Charles Thomas Jr; Jouenne, Danielle; Jan D. Krafczek (Jan.Krafczek@readingpa.gov); MacGregor, David; Rich Raiders (rich@raiderslaw.com); Scott Hoh (scott@scotthohlaw.com)  
**Subject:** RE: Centre Park Historic District & City of Reading v. UGI Utilities, Inc. - Docket Nos. C-2015-2516051 & C-2016-2530475

Mr. Thomas –

Your request for an extension of time is granted in part. The Complainants' response to the motion to strike shall be filed no later than **noon on Tuesday, July 17, 2018**. Any voluminous attachments which cannot be emailed may be provided on DVD, but must be delivered to me and the parties **in-hand** by close of business on Tuesday, July 17, 2018.

Regards,

Mary D. Long  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
301 5th Avenue  
Suite 220  
Pittsburgh, Pennsylvania 15222

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**From:** Morrow, Mark <MorrowM@ugicorp.com>  
**Sent:** Tuesday, July 10, 2018 2:35 PM  
**To:** Ryan, Devin <DRyan@PostSchell.com>; Charles E Thomas, III <cet3@tntlawfirm.com>; Long, Mary <malong@pa.gov>  
**Cc:** Langan, A. JoLene <jlangan@postschell.com>; Charles Thomas Jr <cthomasjr@tntlawfirm.com>; Jouenne, Danielle <JouenneD@ugicorp.com>; Jan D. Krafczek (Jan.Krafczek@readingpa.gov) <Jan.Krafczek@readingpa.gov>; MacGregor, David <dmacgregor@postschell.com>; Rich Raiders (rich@raiderslaw.com) <rich@raiderslaw.com>; Scott Hoh (scott@scotthohlaw.com) <scott@scotthohlaw.com>  
**Subject:** RE: Centre Park Historic District & City of Reading v. UGI Utilities, Inc. - Docket Nos. C-2015-2516051 & C-2016-2530475

Dear Judge Long –

The City of Reading and Centre Park Historic District are the ones who decided to (a) try to challenge thousands of meter installations in the City of Reading and (b) support those allegations in discovery by the submission of thousands of pages of unverified pictures. Through a series of orders you have attempted to bring

some order to this proceeding by requiring the City, CPHD, and UGI to develop spreadsheets defining the universe of contested meter installations, to permit discovery concerning the service locations identified in the mutually developed spreadsheets, and to work, as the parties have done at considerable effort, to narrow the number of contested service addresses and issues through stipulations. This process has taken a considerable amount of time as reflected in the 2015 docket numbers associated with this case, and has placed UGI's operations under a lengthy cloud of uncertainty.

A ruling on the Motion to Strike is necessary before the Company submits its rebuttal testimony, given, among other things, the new issues and allegations raised in the City and CPHD's direct testimony that were never previously identified. Although the City and CPHD may want 20 days to respond to UGI's Motion and/or an extension of the litigation schedule to accommodate a full 20-day respond period, no such requests should be granted.

This case has been in litigation for three years come this November. While UGI has been prepared to litigate this case fully within the parameters set by Your Honor since December 2017, the City and CPHD are the ones who decided to (1) replace their counsel, (2) ignore the stipulations and procedures appropriately adopted to manage the presentation of evidence in this case in preparing and serving their written testimony and exhibits, and (3) not devote the resources necessary to present an adequate foundation for their allegations, despite the concerns previously expressed about the need to have an adequate foundation laid for pictorial evidence.

If the City and CPHD honestly want to prosecute challenges to thousands of meter installations, they have had years to prepare and devote the necessary resources to present a case within the established and well-known case management framework. If they elected not to do so, the answer is not to grant them the full 20-day response period and/or grant yet another extension to the procedural schedule. The answer is to require a prompt response so that the proper scope of this proceeding can be preserved in accordance with your prior rulings and UGI has adequate time to prepare its rebuttal testimony.

Mark C. Morrow  
Chief Regulatory Counsel  
UGI Corporation  
460 North Gulph Road  
King of Prussia, PA 19406  
610.768.3628

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**From:** Ryan, Devin [<mailto:DRyan@PostSchell.com>]  
**Sent:** Tuesday, July 10, 2018 1:41 PM  
**To:** Charles E Thomas, III; Long, Mary  
**Cc:** Langan, A. JoLene; Charles Thomas Jr; Jouenne, Danielle; Jan D. Krafczek ([Jan.Krafczek@readingpa.gov](mailto:Jan.Krafczek@readingpa.gov)); MacGregor, David; Morrow, Mark; Rich Raiders ([rich@raiderslaw.com](mailto:rich@raiderslaw.com)); Scott Hoh ([scott@scotthohlaw.com](mailto:scott@scotthohlaw.com))  
**Subject:** RE: Centre Park Historic District & City of Reading v. UGI Utilities, Inc. - Docket Nos. C-2015-2516051 & C-2016-2530475

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Your Honor,

I would like to clarify one point raised in counsel's email below. The Motion itself is only approximately 32 pages, while the "5,700 pages" of documents in the Appendices to which he refers are documents that the City and CPHD provided to

UGI in discovery. Indeed, most of the documents are the photographs referenced in the City and CPHD's Historic and Non-Historic Matrices. Accordingly, because these documents are their discovery responses, the City and CPHD should already have hard copies of them and be familiar with their contents.

Thank you.

**Devin Ryan**  
**Associate**  
**Post & Schell, P.C.**  
17 North Second Street  
12th Floor  
Harrisburg, PA 17101

717-612-6052 (Phone)  
717-731-1981 (Fax)  
[DRyan@PostSchell.com](mailto:DRyan@PostSchell.com)  
[www.postschell.com](http://www.postschell.com)

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**From:** Charles E Thomas, III [<mailto:cet3@tntlawfirm.com>]  
**Sent:** Tuesday, July 10, 2018 1:13 PM  
**To:** Long, Mary  
**Cc:** Ryan, Devin; Langan, A. JoLene; Charles Thomas Jr; Danielle Jouenne ([JouenneD@ugicorp.com](mailto:JouenneD@ugicorp.com)); Jan D. Krafczek ([Jan.Krafczek@readingpa.gov](mailto:Jan.Krafczek@readingpa.gov)); MacGregor, David; Mark C. Morrow ([morrowm@ugicorp.com](mailto:morrowm@ugicorp.com)); Rich Raiders ([rich@raiderslaw.com](mailto:rich@raiderslaw.com)); Scott Hoh ([scott@scotthohlaw.com](mailto:scott@scotthohlaw.com))  
**Subject:** Re: Centre Park Historic District & City of Reading v. UGI Utilities, Inc. - Docket Nos. C-2015-2516051 & C-2016-2530475

Your Honor:

Counsel for the City of Reading is presently out of the office and will not return until Thursday (7/12), which is the first opportunity we will have to review the motion to strike. My assistant advises that the entire filing is approx. 5,700 pages. It also does not appear the City is being provided a complete hard copy of the entire motion. The City, therefore, will be required to send the job to an outside vendor to assemble and print for review, which likely means we will not have a complete copy available this week. We will also need time to discuss the contents of the motion with our client before preparing an appropriate response.

Accordingly, an expedited answer deadline is wholly inappropriate and unreasonable, and the City vehemently objects to any modification of the 20-day answer period set forth in the Commission's regulations at 52 Pa. Code Sections 5.61(a) and 5.103.

Respectfully,

Charles E. Thomas, III

Counsel for City of Reading

On Jul 10, 2018, at 11:51 AM, Long, Mary <[malong@pa.gov](mailto:malong@pa.gov)> wrote:

We have it. Thank you.

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**From:** Ryan, Devin <[DRyan@PostSchell.com](mailto:DRyan@PostSchell.com)>

**Sent:** Tuesday, July 10, 2018 11:46 AM

**To:** Long, Mary <[malong@pa.gov](mailto:malong@pa.gov)>; Langan, A. JoLene <[ilangan@postschell.com](mailto:ilangan@postschell.com)>; Charles E. Thomas III Esquire (<[cet3@tntlawfirm.com](mailto:cet3@tntlawfirm.com)> <[cet3@tntlawfirm.com](mailto:cet3@tntlawfirm.com)>); Charles E. Thomas Jr. Esquire (<[cthomasjr@tntlawfirm.com](mailto:cthomasjr@tntlawfirm.com)> <[cthomasjr@tntlawfirm.com](mailto:cthomasjr@tntlawfirm.com)>); Danielle Jouenne (<[JouenneD@ugicorp.com](mailto:JouenneD@ugicorp.com)> <[JouenneD@ugicorp.com](mailto:JouenneD@ugicorp.com)>); Jan D. Krafczek (<[Jan.Krafczek@readingpa.gov](mailto:Jan.Krafczek@readingpa.gov)> <[Jan.Krafczek@readingpa.gov](mailto:Jan.Krafczek@readingpa.gov)>); MacGregor, David <[dmacgregor@postschell.com](mailto:dmacgregor@postschell.com)>; Mark C. Morrow (<[morrowm@ugicorp.com](mailto:morrowm@ugicorp.com)> <[morrowm@ugicorp.com](mailto:morrowm@ugicorp.com)>); Rich Raiders (<[rich@raiderslaw.com](mailto:rich@raiderslaw.com)> <[rich@raiderslaw.com](mailto:rich@raiderslaw.com)>); Scott Hoh (<[scott@scotthohlaw.com](mailto:scott@scotthohlaw.com)> <[scott@scotthohlaw.com](mailto:scott@scotthohlaw.com)>)

**Subject:** RE: Centre Park Historic District & City of Reading v. UGI Utilities, Inc. - Docket Nos. C-2015-2516051 & C-2016-2530475

Your Honor,

DVDs with the documents referenced in Appendices B, C, and E were sent via overnight delivery yesterday, in case the Sharefile link did not work for all parties and Your Honor.

Accordingly, the DVDs should be received today. If any parties or Your Honor do not receive them today, please let me know.

**Devin Ryan**  
**Associate**  
**Post & Schell, P.C.**  
17 North Second Street  
12th Floor  
Harrisburg, PA 17101

717-612-6052 (Phone)  
717-731-1981 (Fax)  
[DRyan@PostSchell.com](mailto:DRyan@PostSchell.com)  
[www.postschell.com](http://www.postschell.com)

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**From:** Long, Mary [<mailto:malong@pa.gov>]

**Sent:** Tuesday, July 10, 2018 8:57 AM

**To:** Langan, A. JoLene; Charles E. Thomas III Esquire (<[cet3@tntlawfirm.com](mailto:cet3@tntlawfirm.com)>); Charles E. Thomas Jr. Esquire (<[cthomasjr@tntlawfirm.com](mailto:cthomasjr@tntlawfirm.com)>); Danielle Jouenne (<[JouenneD@ugicorp.com](mailto:JouenneD@ugicorp.com)>); Jan D. Krafczek (<[Jan.Krafczek@readingpa.gov](mailto:Jan.Krafczek@readingpa.gov)>); MacGregor, David; Mark C. Morrow (<[morrowm@ugicorp.com](mailto:morrowm@ugicorp.com)>); Rich Raiders (<[rich@raiderslaw.com](mailto:rich@raiderslaw.com)>); Ryan, Devin; Scott Hoh (<[scott@scotthohlaw.com](mailto:scott@scotthohlaw.com)>)

**Subject:** RE: Centre Park Historic District & City of Reading v. UGI Utilities, Inc. - Docket Nos. C-2015-2516051 & C-2016-2530475

Counsel –

The Complainants' response to UGI's motion to strike shall be filed no later than **3:30 p.m. on Friday, July 13, 2018**. Any attachments too voluminous to email shall be provided on DVD delivered by overnight delivery.

Apparently, the Commonwealth computer system does not like file sharing services. I was unable to open the exhibits to UGI's motion. If not already sent by overnight mail, please have the DVD or hard copy exhibits overnighted 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:** Langan, A. JoLene <[jlangan@postschell.com](mailto:jlangan@postschell.com)>  
**Sent:** Monday, July 09, 2018 4:18 PM  
**To:** Long, Mary <[malong@pa.gov](mailto:malong@pa.gov)>; Charles E. Thomas III Esquire ([cet3@tntlawfirm.com](mailto:cet3@tntlawfirm.com)) <[cet3@tntlawfirm.com](mailto:cet3@tntlawfirm.com)>; Charles E. Thomas Jr. Esquire ([cthomasjr@tntlawfirm.com](mailto:cthomasjr@tntlawfirm.com)) <[cthomasjr@tntlawfirm.com](mailto:cthomasjr@tntlawfirm.com)>; Danielle Jouenne ([JouenneD@ugicorp.com](mailto:JouenneD@ugicorp.com)) <[JouenneD@ugicorp.com](mailto:JouenneD@ugicorp.com)>; Jan D. Krafczek ([Jan.Krafczek@readingpa.gov](mailto:Jan.Krafczek@readingpa.gov)) <[Jan.Krafczek@readingpa.gov](mailto:Jan.Krafczek@readingpa.gov)>; MacGregor, David <[dmacgregor@postschell.com](mailto:dmacgregor@postschell.com)>; Mark C. Morrow ([morrowm@ugicorp.com](mailto:morrowm@ugicorp.com)) <[morrowm@ugicorp.com](mailto:morrowm@ugicorp.com)>; Rich Raiders ([rich@raiderslaw.com](mailto:rich@raiderslaw.com)) <[rich@raiderslaw.com](mailto:rich@raiderslaw.com)>; Ryan, Devin <[DRyan@PostSchell.com](mailto:DRyan@PostSchell.com)>; Scott Hoh ([scott@scotthohlaw.com](mailto:scott@scotthohlaw.com)) <[scott@scotthohlaw.com](mailto:scott@scotthohlaw.com)>  
**Subject:** Centre Park Historic District & City of Reading v. UGI Utilities, Inc. - Docket Nos. C-2015-2516051 & C-2016-2530475

Attached is the Motion of UGI Utilities, Inc. to Strike Certain Portions of the Complainants' Direct Testimony and Exhibits filed in the above-referenced proceeding.

The discovery documents referenced in Appendices B, C and E are quite large. Accordingly, these documents are being provided on DVDs and can be downloaded by the parties using the link provided by counsel in a separate e-mail.

**A. JoLene Langan**  
**Secretary**  
**Post & Schell, P.C.**  
17 North Second Street  
12th Floor  
Harrisburg, PA 17101

717-612-6044 (Phone)  
717-731-1985 (Fax)  
[jlangan@postschell.com](mailto:jlangan@postschell.com)  
[www.postschell.com](http://www.postschell.com)

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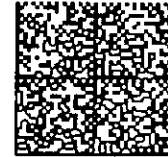
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Pittsburgh, PA 15222



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