

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	Docket No. R-2020-3015251
Office of Consumer Advocate	:	C-2020-3016657
Office of Small Business Advocate	:	C-2020-3016944
v.	:	
	:	
National Fuel Gas Distribution Corporation	:	

STIPULATION FOR ADMISSION OF EVIDENCE

TO ADMINISTRATIVE LAW JUDGE CONRAD A. JOHNSON:

1. National Fuel Gas Distribution Corporation (“Distribution”), the Bureau of Investigation & Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”), the Office of Consumer Advocate (“OCA”), and the Office of Small Business Advocate (“OSBA”), all parties in the above-captioned proceeding (hereinafter, collectively “Joint Petitioners”), file this Stipulation for Admission of Evidence in the above-captioned proceeding (the “Evidence Stipulation”). In support of the Evidence Stipulation, the Joint Petitioners represent as follows:

2. On December 30, 2019, Distribution filed data and exhibits supporting recovery of purchased gas costs in compliance with the Commission’s regulations at 52 Pa. Code §§ 53.64 — 53.65.

3. On January 14, 2020, I&E filed a Notice of Appearance.

4. On January 23, 2020, OCA filed a Notice of Appearance, Complaint and Public Statement.

5. On January 28, 2020, OSBA filed a Notice of Appearance, Complaint and Public Statement.

6. On January 31, 2020, Distribution filed additional supporting data and exhibits as well as the prepared, written testimony of the 9 witnesses listed below in support of Supplement No. 216 to Tariff Gas — Pa. P.U.C. No. 9, which was issued on January 31, 2020 to be effective for service rendered on and after August 1, 2020. Distribution also submitted a Tariff Addendum. The Tariff Supplement and the Addendum set forth the specific rates proposed by Distribution for recovery of purchased gas costs effective on August 1, 2020.

7. A Prehearing was held and a litigation schedule established.

8. On March 10, 2020, I&E, OCA and OSBA served Direct Testimony.

9. On March 23, 2020, OSBA served Rebuttal Testimony.

10. On March 24, 2020, Distribution served Rebuttal Testimony.

11. On March 30, 2020, OCA and OSBA served Surrebuttal Testimony.

12. On April 1, 2020, the Parties informed the ALJ that they had reached a settlement in principle of all issues in the proceeding.

13. The terms and conditions of the settlement agreement reached by the Joint Petitioners will be embodied in the “Settlement Petition” that will be filed with the Commission in the above-captioned proceeding and submitted to the ALJ by April 21, 2020. In conjunction with the Settlement Petition, the Joint Petitioners request that the ALJ admit the testimony and the exhibits listed below into the record in this proceeding:

A. Distribution Statements and Exhibits

1. Information Contained in Distribution’s Pre-Filing

Distribution Exhibit Nos. 1-27 (includes certain Confidential pages of PGC Exhibit Nos. 8, 9-A and 12)

Exhibit Nos. 2, 3, 13-A, 21, 21-B, 23, 24-A 26-A and 26-B were subsequently revised.

2. Information Contained in Distribution’s Definitive Filing

Distribution PGC Statement No. 1 – Direct Testimony of Christopher A. Cej, including Exhibit CAC-1

Distribution PGC Statement No. 2 – Direct Testimony of Evan M. Crahen

Distribution PGC Statement No. 3 – Direct Testimony of Sofia S. Cruz

Distribution PGC Statement No. 4 – Direct Testimony of Wasyl Darmograi

Distribution PGC Statement No. 5 – Direct Testimony of Caitlin A. DiGiore

Distribution PGC Statement No. 6 – Direct Testimony of Donald N. Koch including Exhibit DNK-1

Distribution PGC Statement No. 7 – Direct Testimony of Ken B. McAvoy including Exhibit KBM-1

Distribution PGC Statement No. 8 – Direct Testimony of Lisa A. Petko including Exhibit Nos. LAP-1 through LAP-4

Distribution PGC Statement No. 9 – Direct Testimony of Maryann Stankovski

Distribution PGC Exhibit Nos. 28-34

Exhibit Nos. 30 and 34 were subsequently revised.

Tariff Supplement No. 202, Addendum and Redline

3. Distribution’s Rebuttal Testimony

Distribution PGC Statement No. 6-R – Rebuttal Testimony of Donald N. Koch including Revised Exhibits 2, 3, 13-A, 21, 21-B, 23, 24-A, and 34 and Exhibits DNK-2, DNK-3, DNK-4, and DNK-5

Distribution PGC Statement No. 7-R – Rebuttal Testimony of Ken B. McAvoy

Distribution PGC Statement No. 8-R – Rebuttal Testimony of Lisa A. Petko including Revised Exhibit Nos. 26-B, 30, LAP-3 and LAP-4

B. I&E Statements and Exhibits

1. I&E Direct Testimony

I&E Statement No. 1 – Direct Testimony of Brenton Grab including I&E Exhibit No. 1.

C. OCA Statements and Exhibits

1. OCA Direct Testimony

OCA Statement No. 1 – Direct Testimony of Jerome D. Mierzwa including Schedule JDM – 1.

2. OCA Surrebuttal Testimony

OCA Statement No. 1-SR – Surrebuttal Testimony of Jerome D. Mierzwa.

D. OSBA Statements and Exhibits

1. OSBA Direct Testimony

OSBA Statement No. 1 – Direct Testimony of Robert D. Knecht including Exhibit Nos. IEC-1 through IEC-3.

2. OSBA Rebuttal Testimony

OSBA Statement No. 1-R – Rebuttal Testimony of Robert D. Knecht including Exhibit No. IEC-R1.

3. OSBA Surrebuttal Testimony

OSBA Statement No. 1-SR – Surrebuttal Testimony of Robert D. Knecht including Exhibit No. IEC-SR1.

14. The Parties stipulate to the authenticity of the foregoing testimony and exhibits and will provide verifications with the testimony and exhibits when they are filed with the Commission.

15. If the Settlement Petition and this Evidence Stipulation are approved, the parties waive cross-examination of all witnesses.

16. The admission by stipulation of the foregoing testimony and exhibits is subject to approval of the Settlement Petition by the Commission. As set forth in the Settlement Petition, the Joint Petitioners reserve their respective rights to submit additional testimony and to cross examine witnesses in the event the Settlement Petition is not approved.

WHEREFORE, the Joint Petitioners, by their respective counsel, respectfully request that Administrative Law Judge Conrad A. Johnson admit the foregoing testimony and exhibits into the record in this proceeding.

Respectfully submitted,



Anthony D. Kanagy, Esquire
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*Counsel for National Fuel Gas
Distribution Corporation*

Date: April 21, 2020

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*Counsel for Bureau of Investigation &
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Date: _____

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Date: 4/21/2020

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/s/ Steven C. Gray

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Harrisburg, PA 17101

*Counsel for Office of Small
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Date: _____

CERTIFICATE OF SERVICE

Docket No. R-2020-3015251

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

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Date: April 21, 2020



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