

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**  
**Harrisburg, PA 17120**

**PHILADELPHIA GAS WORKS**

**Public Meeting of April 30, 2020**  
**3018867-LAW**  
**Docket No. P-2020-3018867**

**STATEMENT OF CHAIRMAN GLADYS BROWN DUTRIEUILLE**

By Order entered on March 26, 2020, the Commission granted Philadelphia Gas Work's (PGW) Petition for Expedited Approval allowing PGW to modify its Customer Responsibility Program (CRP) consistent with the guidance offered in the Commission's November 5, 2019 Order which revised the Customer Assistance Program Policy Statement.

Before us for consideration are the Petitions for Reconsideration filed by the Office of Consumer Advocate (OCA) and the Office of Small Business Advocate opposing the Commission's March 26, 2020 Order. The Statutory Advocates argue that they were not afforded sufficient opportunity to evaluate the cost impacts of PGW's CRP modifications, and that PGW's modifications to the CRP are not a true pilot in that the changes apply to all, and not a subset, of CRP customers. Neither of these arguments is new or novel because they were raised by the OCA in its Answer to PGW's Petition below. A party may not raise the same questions in a petition for reconsideration that were raised in a prior pleading. *Duick et al. v. Pennsylvania Gas and Water Co.*, 56 PUC 553, 558 (1982).

Although the argument about cost is not new, I do wish to address it in the context of the pilot program. Program cost has been a central theme of comments filed in both our affordability proceeding,<sup>1</sup> which preceded our revisions to the energy burdens in the CAP Policy Statement, and the CAP Policy Statement docket itself.<sup>2</sup> Our March 26<sup>th</sup> Order approving PGW's Petition provided that the cost impacts of PGW's modifications to CRP will be addressed in its 2023-2027 Universal Service and Energy Conservation Program (USECP) Proceeding, after we have had an opportunity to review actual costs provided through the pilot. *March 26, 2020 Order* at 19. We approved these changes to the CRP as a pilot, for a limited duration, until the next USECP filing, specifically for the purpose of ascertaining otherwise speculative cost information. PGW is required to file intermittent cost data during the course of the pilot which the Commission can monitor. Because we addressed these issues in our March 26<sup>th</sup> Order, consistent with *Duick*, reconsideration is not merited.

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<sup>1</sup> Docket No. M-2017-2587711.

<sup>2</sup> Docket No. L-2019-3012600.

The Statutory Advocates raise variations of one new argument, that the COVID-19 pandemic will add additional costs to CRP therefore necessitating further review of PGW's CRP costs. I note that the pandemic was unfolding and Pennsylvania's businesses were already under the Governor's Emergency Proclamation when the Commission approved PGW's USECP modifications. Further, while the economic fallout from the pandemic thus far is undoubtedly negative, it is not possible to make an informed decision which incorporates the pandemic's economic effect on PGW's CRP costs at this time. I am not persuaded by these arguments that reconsideration of our March 26<sup>th</sup> Order is appropriate.

April 30, 2020  
Date

A handwritten signature in black ink that reads "Gladys Brown Dutrieuille". The signature is written in a cursive style and is positioned above a horizontal line.

**Gladys Brown Dutrieuille, Chairman**