

COMMONWEALTH OF PENNSYLVANIA



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May 26, 2021

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

Re: Pennsylvania Public Utility Commission
v.
Philadelphia Gas Works
1307(f) Proceeding
Docket No. R-2021-3023970

Dear Secretary Chiavetta:

Attached for electronic filing please find the Office of Consumer Advocate's Main Brief in the above-referenced proceeding.

Copies have been served per the attached Certificate of Service.

Respectfully submitted,

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Enclosure:

cc: The Honorable Darlene D. Heep (**email only**)
Office of Special Assistants (**email only**: ra-OSA@pa.gov)
Certificate of Service

*309608

CERTIFICATE OF SERVICE

Re: Pennsylvania Public Utility Commission :
v. : Docket No. R-2021-3023970
Philadelphia Gas Works :
1307(f) Proceeding :

I hereby certify that I have this day served a true copy of the following document, the Office of Consumer Advocate's Main Brief, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 26th day of May 2021.

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission :
v. : Docket No. R-2021-3023970
Philadelphia Gas Works :
1307(f) Proceeding :

MAIN BRIEF
OF THE
OFFICE OF CONSUMER ADVOCATE

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I. INTRODUCTION AND STATEMENT OF THE CASE

In its March 1, 2021 Purchased Gas Cost filing, Philadelphia Gas Works (PGW) proposed a pilot program to procure limited quantities of Renewable Natural Gas (RNG) as a part of the gas supplies used to meet the needs of Gas Cost Rate (GCR) customers and to include the costs in the GCR. PGW St. 3 at 1; OCA St. 1 at 10. According to PGW, the purpose of the pilot proposal was to gain experience in the developing RNG supply market which PGW claims could be an increasing source of gas supply in the future. PGW St. 3 at 3; OCA St. 1 at 11. PGW modified its original proposal included in its definitive filing in a Joint Stipulation with the Office of Consumer Advocate (OCA). Under the modified proposal included in the Joint Stipulation, PGW proposed a pilot program to procure \$500,000 of RNG in FY2022 and 2023. Joint Stipulation of PGW and OCA at 1 (Joint Stipulation). The Joint Stipulation also provided for reporting requirements to track: the daily quantities purchased; the prices paid and how those prices compared to other purchases; the impact of the RNG purchases on the GCR; the BTU content of the RNG purchases, to the extent available; and the location of the facility producing the RNG and the type of facility. Id. As a part of the reporting requirements, PGW will also identify whether the RNG purchase will result in the monetization of the environmental benefits of the RNG project and how the benefits will be reflected in the price of the RNG. Id. The OCA supports the proposed RNG pilot program. The Bureau of Investigation and Enforcement (I&E) and the Office of Small Business Advocate (OSBA) have opposed the proposal as inconsistent with a least cost fuel procurement requirement.

For the reasons set forth below, the OCA submits that the proposal is consistent with a least cost fuel procurement requirement under Section 1318 of the Public Utility Code, is in the public interest, and should be approved.

II. PROCEDURAL HISTORY

On February 1, 2021, PGW filed its pre-filing information required for its annual Gas Cost Rate (GCR) rate filing pursuant to Section 1307(f), 1317, 1318 and 2212 of the Public Utility Code, and Sections 53.64 and 53.65 of the Commission's Rules and Regulations. 66 Pa. C.S. §§ 1307(f), 1317, 1318, 2212; 52 Pa. Code §§ 53.64, 53.65. On March 1, 2021, PGW filed its definitive 1307(f) filing. Relative to the current rate of \$3.4687/Mcf, the Company's definitive filing anticipates an increase of \$0.6674/Mcf, to a rate of \$4.1361/Mcf, to be effective September 1, 2021.

On February 11, 2021, the OCA filed a Formal Complaint, Public Statement, and Notice of Appearance. On February 3, 2021, I&E filed a Notice of Appearance. On February 26, 2021, the OSBA filed a Formal Complaint, Public Statement, and Notice of Appearance. On February 17, 2020, the Philadelphia Industrial and Commercial Gas Users Group (PICGUG) filed its Petition to Intervene.

On March 3, 2021, Administrative Law Judge (ALJ) Darlene D. Heep issued a Prehearing Conference Order. A Call-In Telephonic Prehearing Conference was held on March 9, 2021 at 2 p.m. During the Conference, the parties, upon approval of ALJ Heep, established modified rules for discovery as well as a procedural schedule. A Prehearing Order was issued on March 15, 2021.

On April 16, 2021, the OCA submitted the Direct Testimony of Jerome D. Mierzwa. On the same date, Direct Testimony was also submitted by I&E and OSBA. PGW submitted Rebuttal Testimony on May 4, 2021. On May 11, 2021, the OCA, I&E and OSBA submitted Surrebuttal Testimony. In lieu of Oral Rejoinder, the Company submitted written Rejoinder Testimony on May 12, 2021.

The parties informed the ALJ that a partial settlement had been reached on all issues except the RNG pilot program proposal. The RNG pilot program issue was reserved for litigation. Cross-examination was waived by all parties, and the hearings scheduled for May 12 and 13, 2021 were canceled. On May 13, 2021, PGW and the OCA filed a Joint Stipulation related to the RNG pilot program proposal. On May 17, 2021, PGW filed the Joint Stipulation for Admission of Testimony and Exhibits. On May 18, 2021, ALJ Heep issued an Order admitting the testimony and exhibits into the evidentiary record. A Joint Partial Settlement on all other issues will be filed on June 4, 2021.

The OCA has attached the following appendices to this brief: Appendix A- Proposed Findings of Fact; Appendix B- Proposed Conclusions of Law; and Appendix C- Proposed Ordering Paragraphs. In accordance with the procedural schedule, the OCA hereby submits this Main Brief in support of the Joint Stipulation.

III. BURDEN OF PROOF AND APPLICABLE LEGAL STANDARDS

A. Burden of Proof

In this case, PGW has the burden of proof with regard to the rates and modifications included in its definitive filing. *See*, 66 Pa.C.S. § 332(a). In this regard, Section 315(a) of the Public Utility Code, 66 Pa. C.S. § 315 (a), provides as follows:

Reasonableness of rates – In any proceeding upon the motion of the Commission, involving any proposed or existing rate of any public utility, or in any proceedings upon complaint involving any proposed increase in rates, the burden of proof to show that the rate involved is just and reasonable shall be upon the public utility.

66 Pa. C.S. § 315 (a).

The term ‘burden of proof’ is comprised of two distinct burdens, the burden of production and the burden of persuasion.”¹ The burden of production dictates which party has the duty to introduce enough evidence to support a cause of action.² The burden of persuasion determines which party has the duty to convince the finder-of-fact that a fact has been established.³ “The burden of persuasion never leaves the party on whom it is originally cast.”⁴

The Pennsylvania Supreme Court has stated that the party with the burden of proof has a formidable task to show that the Commission may lawfully adopt its position. Even where a party has established a prima facie case, the party with the burden must establish “the elements of that cause of action to prevail, precluding all reasonable inferences to the contrary.”⁵ Thus, a utility has an affirmative burden to establish the justness and reasonableness of every component of its rate request.

Therefore, the Company must affirmatively establish the reasonableness of every element of its claims and demonstrate that its proposed rates are just, reasonable, and in the public interest. The OCA submits that PGW has met its burden of proof with respect to the RNG pilot proposal.

B. Applicable Legal Standard

PGW filed its pre-filing information required for its annual GCR rate filing pursuant to Section 1307(f), 1317, 1318 and 2212 of the Public Utility Code, and Sections 53.64 and 53.65 of the Commission’s Rules and Regulations. 66 Pa. C.S. §§ 1307(f), 1317, 1318, 2212; 52 Pa. Code §§ 53.64, 53.65. The legal standard for evaluation of just and reasonable rates under Section

¹ Hurley v. Hurley, 754 A.2d 1283, 1285 (Pa. Super. 2000) (Hurley).

² Id., at 1286.

³ Id.

⁴ Hurley at 1286; see also Pa. Pub. Util. Comm’n v Equitable Gas Co., 1983 Pa. PUC LEXIS 33 at *126-127 (Pa. PUC Jul. 8, 1983) (Equitable Gas 1983).

⁵ Burleson v. Pa. Pub. Util. Comm’n, 461 A.2d 1234, 1236 (Pa. 1983) (Burleson).

1307(f) of the Public Code is set forth in Sections 1317 and 1318 of the Public Utility Code. 66 Pa. C.S. §§ 1317, 1318. Both Sections 1317 and 1318 require PGW to pursue a least cost fuel procurement policy. 66 Pa. C.S. §§ 1317, 1318.

Section 1318 provides:

In establishing just and reasonable rates for those natural gas distribution companies, as defined in section 2202 (relating to definitions), with gross intrastate operating revenues in excess of \$40,000,000 under section 1307(f) (relating to sliding scale of rates; adjustments) or 1308(d) (relating to voluntary changes in rates) or any other rate proceeding, the commission shall consider the materials provided by the utilities pursuant to section 1317 (relating to regulation of natural gas costs). No rates for a natural gas distribution utility shall be deemed just and reasonable unless the commission finds that the utility is pursuing a least cost fuel procurement policy, consistent with the utility's obligation to provide safe, adequate and reliable service to its customers. In making such a determination, the commission shall be required to make specific findings which shall include, but need not be limited to, findings that:

- (1) The utility has fully and vigorously represented the interests of its ratepayers in proceedings before the Federal Energy Regulatory Commission.
- (2) The utility has taken all prudent steps necessary to negotiate favorable gas supply contracts and to relieve the utility from terms in existing contracts with its gas suppliers which are or may be adverse to the interests of the utility's ratepayers.
- (3) The utility has taken all prudent steps necessary to obtain lower cost gas supplies on both short-term and long-term bases both within and outside the Commonwealth, including the use of gas transportation arrangements with pipelines and other distribution companies.
- (4) The utility has not withheld from the market or caused to be withheld from the market any gas supplies which should have been utilized as part of a least cost fuel procurement policy.

66 Pa. C.S. § 1318.

For the reasons set forth below, the OCA submits that the proposed RNG pilot program is consistent with the requirements under Section 1318 of the Public Utility Code. 66 Pa. C.S. § 1318.

IV. STATEMENT OF QUESTIONS PRESENTED

Does the RNG pilot program meet the requirements for least cost procurement under Sections 1317 and 1318 of the Public Utility Code?

Suggested Answer: Yes

Should the RNG pilot program be approved as in the public interest?

Suggested Answer: Yes

V. ARGUMENT

A. Introduction

In its filing, PGW proposed a pilot program to procure limited quantities of RNG as part of the gas supplies used to meet the needs of GCR customers.⁶ PGW St. 3 at 1; OCA St. 1 at 10. Under PGW's initial proposal, PGW proposed to purchase up to \$500,000 of RNG during Fiscal Year 2022 (September 2021-August 2022) which would be approximately 0.4 percent of its annual projected cost of gas collected through GCR rates. OCA St. 1 at 10. The Company proposed that during FY 2023, the Company could increase its RNG purchases to meet no more than 2 percent of its annual projected cost of gas. OCA St. 1 at 10. Based on the annual projected cost of gas reflected in PGW's original filing, RNG purchases could have increased to \$2.4 million in FY

⁶ OCA witness Mierzwa described RNG as:

RNG is gas that is recovered from a waste stream such as landfills, wastewater treatment plants, and animal waste, that is refined to a pipeline quality standard, and is introduced to a gas pipeline and ultimately delivered to customers. The gas from these sources, if not refined and distributed to customers as natural gas supply, would be emitted to the atmosphere as methane or flared and emitted as carbon dioxide. Therefore, RNG represents a low-carbon source of gas supply that can serve the natural gas needs of a natural gas distribution company ("NGDC") and reduce greenhouse gas ("GHG") emissions by reducing methane from waste streams that would otherwise be emitted into the atmosphere.

OCA St. 1 at 10-11.

2023. OCA St. 1 at 10. PGW indicated that the goal of the proposal was to gain experience in the developing RNG supply market which PGW claims could be an increasing source of gas supply in the future. PGW St. 3 at 3; OCA St. 1 at 11.

PGW proposed to prioritize purchases of RNG from Pennsylvania suppliers. PGW St. 3 at 3. If local supply is unavailable, PGW stated that it would look to suppliers outside of Pennsylvania. Id. PGW witness Stunder stated that “this focus on geographic proximity is intended to ensure that the environmental benefits of RNG stay as close to PGW’s service territory as possible, and to help further the development of RNG production in PGW’s immediate vicinity.” PGW St. 3 at 3. Mr. Stunder also stated that “local or regional sourcing could also provide supply adequacy benefits.” Id. PGW estimated that the price of the RNG, however, would be more expensive than conventional natural gas. PGW St. 3 at 3.

I&E witness Cline and OSBA witness Knecht opposed the Company’s proposal. I&E St. 1 at 2-11; I&E St. 1-SR at 2-10; OSBA St. 1 at 5-6; OSBA St. 1-SR (Revised) at 6. OCA witness Mierzwa also identified concerns with the proposal, but OCA witness Mierzwa also recognized the potential benefits of the pilot proposal. OCA St. 1 at 10-12. As Mr. Mierzwa noted in his Direct Testimony, the pilot program offers potential benefits due to the potentially changing environmental concerns related to the emissions of Greenhouse Gas emissions. See, OCA St. 1 at 11. The pilot will allow the Company to explore how to ensure reasonable and adequate gas supplies under potentially changing regulatory requirements, as well as to gain valuable information on receiving supplies from new and diverse locations less susceptible to pipeline and weather-related disruptions.

Mr. Mierzwa recommended that the pilot be approved with modifications and reporting requirements. OCA St. 1 at 11-12. OCA witness Mierzwa stated:

I recommend that PGW not increase its RNG purchases above \$500,000 per year until parties have had the opportunity to evaluate the pilot program in next year's GCR proceeding. In next year's proceeding, PGW should (1) report the daily quantities of RNG purchased; (2) report prices it paid for RNG; (3) identify how those prices compare to other purchases; (4) identify the GCR rate impact of its RNG purchases; (5) identify the BTU content of its RNG purchases and any impact of a change in BTU content from that of other purchases on usage; and (6) identify the location of the facility producing the RNG and the type of facility (i.e. landfill, wastewater treatment plant, municipal solid waste, agricultural product, etc.). PGW should also identify whether its purchase of RNG will result in the monetization of any of the environmental benefits of the RNG project and how those benefits will be reflected in the price of the RNG it purchases. Finally, PGW should identify the prices to be paid for incremental RNG if the purchases quantities are increased.

OCA St. 1 at 12.

On May 13, 2021, PGW and the OCA entered into a Joint Stipulation which, in large part, adopted OCA witness Mierzwa's recommendations.⁷ The Joint Stipulation modified the Company's proposal to maintain purchases at \$500,000 per year for two years. The Joint Stipulation provided:

(a) PGW will hold the purchases of RNG to \$500,000 for two years (FY 2022 and FY 2023), provided, however, that PGW reserves the right to propose an increase in its RNG purchases for FY 2023 in its next annual GCR proceeding. All parties reserve their right to challenge any such proposal.

Joint Stipulation at 1.

The Stipulation also incorporated important reporting requirements that will allow the Company and the parties to evaluate the benefits of the pilot. The reporting requirements in the Stipulation provide:

(b) In next year's GCR proceeding, PGW will:

- (1) Report the daily quantities of RNG purchased;
- (2) Report prices it paid for RNG;
- (3) Identify how those prices compare to other purchases;
- (4) Identify the GCR rate impact of its RNG purchases;

⁷ The Stipulation modified the OCA's recommended reporting requirements.

- (5) Identify the BTU content of its RNG purchases, to the extent such data is available; and
- (6) Identify the location of the facility producing the RNG and the type of facility (i.e. landfill, wastewater treatment plant, municipal solid waste, agricultural product, etc.).

PGW will also identify whether its purchase of RNG will result in the monetization of any of the environmental benefits of the RNG project and how those benefits will be reflected in the price of the RNG it purchases.

Joint Stipulation at 1.

For the reasons set forth below, the OCA submits that the Joint Stipulation is in the public interest and should be adopted.

B. The RNG Pilot Program Should be Adopted as in the Public Interest.

The OCA submits that the RNG pilot program will provide a public benefit, meet the statutory least cost procurement requirements, and should be approved. Sections 1317 and 1318 state that the utility must pursue a “least cost fuel procurement policy, consistent with the utility’s obligation to provide safe, adequate and reliable service to its customers.” 66 Pa. C.S. §§ 1317, 1318. Section 1318(3) of the Public Utility Code states that the utility must take “all prudent steps necessary to obtain lower cost gas supplies on both short-term and long-term bases both within and outside the Commonwealth...” 66 Pa. C.S. § 1318(3). The OCA submits that Section 1318(3) considers both the short-term and long-term bases in evaluation of a least cost fuel procurement policy. Id. Section 1318 does not require the purchase of the lowest cost resource available at any given time, but instead requires that the portfolio be the least cost consistent with the obligation to provide safe, adequate and reliable service over the foreseeable time horizon. The RNG pilot program will afford PGW an important opportunity to explore the renewable natural gas markets with limited risk to ratepayers in order to potentially protect the long-term interests of ratepayers.

The OCA agrees that the proposal is consistent with the Company's obligation to maintain safe, adequate and reliable service to customers. The least cost fuel procurement obligation required of all natural gas utilities must be consistent with that utility's obligation to provide safe, adequate and reliable service. The OCA submits that it is prudent to explore the burgeoning RNG market, with the consumer protections contained in the stipulation, to ensure that PGW's customers have a reliable, adequate and diversified gas supply that meets the needs of customers.

OCA witness Mierzwa noted the potential benefits of the program due to the potentially changing environmental concerns related to the emissions of Greenhouse Gas emissions. As Mr. Mierzwa testified:

The damage that may be caused by global warming, largely caused by GHG is a significant world-wide concern. To begin to address this concern states are adopting laws and policies that address carbon emissions associated with the energy delivered to customers. For example, Massachusetts has adopted legislation requiring net-zero GHG emissions by 2050. Should similar federal, state, or local legislation be adopted affecting PGW, the RNG pilot program may provide PGW and other Pennsylvania NGDCs with the experience and knowledge to minimize the costs associated with implementing GHG reduction strategies. **I would note that the City of Philadelphia has adopted initiatives to reduce GHG emissions from the generation of electricity. The goal of the City of Philadelphia's initiative is to achieve carbon neutrality by 2050.** Pennsylvania is also considering reducing GHG emissions from the generation of electricity through joining the Regional Greenhouse Gas Initiative and Pennsylvania has had an Alternative Energy Portfolio Standard Act that has, in part, supported renewable generation.

OCA St. 1 at 11 (footnotes omitted)(emphasis added).

The OCA submits that the purpose of the pilot is to explore how to ensure reasonable and adequate gas supplies under potentially changing regulatory requirements, as well as to gain valuable information on receiving supplies from new and diverse locations less susceptible to pipeline and weather-related disruptions. The impact for ratepayers of the pilot is limited and capped. The two-year pilot proposal provides for a two-year annual capped amount of \$500,000,

which is 0.4 percent of PGW's annual projected cost of gas collected through GCR rates. Joint Stipulation at 1; OCA St. 1 at 10. The purpose of the proposed cap is to allow the Company and the parties to evaluate the impact of the purchases of renewable natural gas supply on the GCR. See, OCA St. 1-SR at 3.

Another important component to the program is the reporting requirements. See, Joint Stipulation at 1-2. The reporting requirements will provide information related to: the daily quantities purchased; the prices paid and how those prices compared to other purchases; the impact of the RNG purchases on the GCR; the BTU content of the RNG purchases, to the extent available; and the location of the facility producing the RNG and the type of facility. Id. PGW will also identify whether the RNG purchase will result in the monetization of the environmental benefits of the RNG project and how the benefits will be reflected in the price of the RNG. Id. The reporting information will help the Commission to evaluate the costs of the pilot program and the effectiveness of the pilot program in achieving its goals.

The OCA submits that the Joint Stipulation adopts the OCA's recommendation, with minor modifications to the reporting requirements. The proposed RNG pilot proposal will allow the Company to explore renewable natural gas purchases at a limited, capped amount. The reporting requirements will evaluate the effectiveness of the pilot and the cost of the renewable natural gas supply purchased under the pilot. The OCA submits that the potential changing environmental and regulatory conditions, and the opportunity to diversify supply chains, support evaluation of the renewable natural gas market by PGW. For the reasons set forth above, the OCA submits that the proposal is consistent with a least cost fuel procurement obligation, PGW's requirement to ensure safe, adequate and reliable service, is in the public interest, and should be approved.

VI. CONCLUSION

For the reasons set forth, the Office of Consumer Advocate respectfully requests that the proposed RNG pilot program be approved as set forth in the Stipulation of Philadelphia Gas Works and the OCA.

Respectfully Submitted,

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DATE: May 26, 2021

APPENDIX A- PROPOSED FINDINGS OF FACT

1. PGW will hold the purchases of RNG to \$500,000 for two years (FY 2022 and FY 2023), provided, however, that PGW reserves the right to propose an increase in its RNG purchases for FY 2023 in its next annual GCR proceeding. Joint Stipulation at 1.
2. PGW proposed to prioritize purchases of RNG from Pennsylvania suppliers. PGW St. 3 at 3.
3. If local supply is unavailable, PGW stated that it would look to suppliers outside of Pennsylvania. PGW St. 3 at 3.
4. PGW estimated that the price of the RNG, however, would be more expensive than conventional natural gas. PGW St. 3 at 3.
5. The reporting requirements will provide information related to: the daily quantities purchased; the prices paid and how those prices compared to other purchases; the impact of the RNG purchases on the GCR; the BTU content of the RNG purchases, to the extent available; and the location of the facility producing the RNG and the type of facility. Joint Stipulation at 1.
6. PGW will also identify whether the RNG purchase will result in the monetization of the environmental benefits of the RNG project and how the benefits will be reflected in the price of the RNG. Joint Stipulation at 2.
7. Renewable Natural Gas (RNG) is gas that is recovered from a waste stream such as landfills, wastewater treatment plants, and animal waste, that is refined to a pipeline quality standard, and is introduced to a gas pipeline and ultimately delivered to customers. OCA St. 1 at 10.
8. The gas from these sources, if not refined and distributed to customers as natural gas supply, would be emitted to the atmosphere as methane or flared and emitted as carbon dioxide. OCA St. 1 at 10.
9. RNG represents a low-carbon source of gas supply that can serve the natural gas needs of a natural gas distribution company (“NGDC”) and reduce greenhouse gas (“GHG”) emissions by reducing methane from waste streams that would otherwise be emitted into the atmosphere. OCA St. 1 at 11.
10. The damage that may be caused by global warming, largely caused by GHG is a significant world-wide concern. OCA St. 1 at 11.
11. To begin to address global warming concerns, states are adopting laws and policies that address carbon emissions associated with the energy delivered to customers. OCA St. 1 at 11.
12. For example, Massachusetts has adopted legislation requiring net-zero GHG emissions by 2050. OCA St. 1 at 11.

13. Should similar federal, state, or local legislation be adopted affecting PGW, the RNG pilot program may provide PGW and other Pennsylvania NGDCs with the experience and knowledge to minimize the costs associated with implementing GHG reduction strategies. OCA St. 1 at 11.

14. The City of Philadelphia has adopted initiatives to reduce GHG emissions from the generation of electricity. OCA St. 1 at 11.

15. The goal of the City of Philadelphia's initiative is to achieve carbon neutrality by 2050. OCA St. 1 at 11.

16. Pennsylvania is also considering reducing GHG emissions from the generation of electricity through joining the Regional Greenhouse Gas Initiative and Pennsylvania has had an Alternative Energy Portfolio Standard Act that has, in part, supported renewable generation. OCA St. 1 at 11.

APPENDIX B- PROPOSED CONCLUSIONS OF LAW

1. The Public Utility Commission has jurisdiction over the parties and the subject matter of this proceeding by virtue of the Public Utility Code, 66 Pa. C.S. § 101, *et seq.*
2. PGW has the burden of proof with regard to the rates and modifications included in its definitive filing. *See*, 66 Pa.C.S. § 332(a).
3. The standard of proof, which a public utility must meet, in any proceeding involving a proposed or existing rate is to show that the rate involved is just and reasonable by substantial evidence. 66 Pa. C.S. § 315(a).
4. PGW may satisfy its burden of proof by a preponderance of the evidence. Samuel J. Lansberry, Inc. v. Pa. Pub. Util. Comm'n, 578 A.2d 600, 601-02 (Pa. Commw. Ct. 1989).
5. The RNG pilot program meets the standards of Sections 1317 and 1318 of the Public Utility Code, 66 Pa. C.S. §§ 1317, 1318, as required by Section 1307(f)(5) of the Public Utility Code, 66 Pa.C.S. §§ 1307(f)(5); 1317; 1318.

APPENDIX C- PROPOSED ORDERING PARAGRAPHS

IT IS HEREBY ORDERED:

1. The RNG pilot program is consistent with the requirements under Sections 1317, 1318, and 1307(f) of the Public Utility Code.
2. The Joint Stipulation of Philadelphia Gas Works and the Office of Consumer Advocate is approved.
3. PGW shall be permitted to implement an RNG pilot program as set forth in the Joint Stipulation of Philadelphia Gas Works and the Office of Consumer Advocate.
4. The Complaints filed by the various parties to this proceeding at Docket Number R-2021-3023970 are granted in part and denied in part, to the extent consistent with this Commission's Opinion and Order.

DATE: _____

Administrative Law Judge Darlene D. Heep