
Lindsay A. Berkstresser
Associate

lberkstresser@postschell.com
717-612-6021 Direct
717-731-1977 Direct Fax
File #: 190010

August 13, 2021

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Pennsylvania Public Utility Commission v. UGI Utilities, Inc. - Gas Division
Docket Nos. R-2021-3025652, et al.**

Dear Secretary Chiavetta:

Attached is the Joint Stipulation for Admission of Evidence filed by UGI Utilities, Inc. – Gas Division in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Lindsay A. Berkstresser

LAB/kl
Attachment

cc: Honorable Dennis J. Buckley (*w/attachment*)
Certificate of Service

CERTIFICATE OF SERVICE

(Docket Nos. R-2021-3025652, et al.)

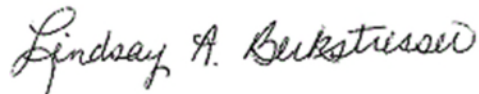
I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA E-MAIL

Scott B. Granger, Esquire
Bureau of Investigation & Enforcement
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17105-3265
sgranger@pa.gov

Aron Beatty, Esquire
Lauren Guerra, Esquire
Office of Consumer Advocate
555 Walnut Street, 5th Floor
Forum Place
Harrisburg, PA 17101
abeatty@paoca.org
lguerra@paoca.org

Steven C. Gray, Esquire
Office of Small Business Advocate
555 Walnut Street, 1st Floor
Forum Place
Harrisburg, PA 17101
sgray@pa.gov



Date: August 13, 2021

Lindsay A. Berkstresser

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	R-2021-3025652
Office of Consumer Advocate, And	:	C-2021-3025994
Office of Small Business Advocate	:	C-2021-3026377
	:	
v.	:	
	:	
UGI Utilities, Inc. – Gas Division	:	

JOINT STIPULATION FOR ADMISSION OF EVIDENCE

TO ADMINISTRATIVE LAW JUDGE DENNIS J. BUCKLEY:

UGI Utilities, Inc. - Gas Division (“UGI Gas” or the “Company”), the Bureau of Investigation and 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 referred to as the “Joint Petitioners” or “Parties”), hereby submit this *Joint 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:

1. On April 30, 2021, the Company made its 30-day pre-filing (“Book 1”) with the Commission (containing data related to the recovery of purchased gas costs) pursuant to Section 1307(f) of the Public Utility Code, 66 Pa. C.S. § 1307(f), and in accordance with the Commission’s regulations at 52 Pa. Code §§ 53.64 and 53.65.

2. On May 21, 2021, the OCA filed a Notice of Appearance, Formal Complaint, and Public Statement in the Company’s Purchase Gas Cost (“PGC”) proceeding.

3. On May 24, 2021, I&E filed a Notice of Appearance.
4. On June 1, 2021, the Company filed with the Commission its definitive PGC filing (“Book 2”), including supporting information required by the Commission’s regulations, the Company’s direct testimony and exhibits, and the *Pro Forma* Tariff Supplements reflecting actual and projected changes in natural gas costs.
5. On June 8, 2021, the OSBA filed a Notice of Appearance, Formal Complaint, Public Statement, and Verification in this proceeding.
6. On June 11, 2021, Administrative Law Judge Dennis J. Buckley (the “ALJ”) held a prehearing conference, at which time a procedural schedule was adopted.
7. On June 18, 2021, a Motion for Protective Order was filed by the Company, which was granted by ALJ Order dated June 18, 2021.
8. In accordance with the procedural schedule, OCA, OSBA and I&E submitted written direct testimony and exhibits on July 6, 2021.
9. On July 23, 2021, the Company and I&E submitted written rebuttal testimony and exhibits.
10. On July 29, 2021, the Company, OCA, OSBA and I&E served surrebuttal testimony and exhibits.
11. As a result of settlement discussions held in this proceeding, and the efforts of the Joint Petitioners to examine the issues raised, a full settlement in principle was achieved prior to the date for evidentiary hearings. On July 29, 2021, counsel for the Company advised the ALJ of the settlement in principle and requested that the scheduled evidentiary hearing be canceled and that the Joint Petitioners be permitted to admit their evidence by stipulation.

12. Thereafter, on July 29, 2021, the ALJ advised the Parties that the evidentiary hearing would be canceled, and that the Parties' written testimony and exhibits could be admitted into the record by stipulation. The ALJ also directed the Parties to file the *Joint Petition For Settlement Of Section 1307(f) Rate Investigation* and statements in support by the scheduled Reply Brief due date of August 25, 2021.

13. The Joint Petitioners request that the ALJ admit the testimony and the exhibits listed below into the record in the above-captioned proceeding:

I. Testimony and Exhibits of UGI Gas

14. UGI Gas Exhibit 1: Book 1, filed on April 30, 2021, containing the information submitted pursuant to 52 Pa. Code §§ 53.64(c) and 53.65 of the Commission's regulations and 66 Pa. C.S. 1317(c) in support of 66 Pa. C.S. § 1307(f) Purchased Gas Costs for 2021.

15. UGI Gas Exhibit 2: Book 2, filed on June 1, 2021, containing the computation of the annual purchased gas cost filing submitted pursuant to 52 Pa. Code §§ 53.61, et. seq., of the Commission's regulations and 66 Pa. C.S. § 1317(c) in support of 66 Pa. C.S. § 1307(f) Purchased Gas Costs for 2021. Book 2 includes the following direct testimony and exhibits:

- UGI Gas Statement No. 1 – Direct Testimony of Kimberly M. Bassininsky.
- UGI Gas Statement No. 2 – Direct Testimony of Jesse R. Tyahla, including UGI Gas Exhibits JRT-1 through JRT-10. Exhibits JRT-5, JRT-7, JRT-8 and JRT-9 are Confidential.

16. UGI Gas Statement No. 1-R – Rebuttal Testimony of Kimberly M. Bassininsky, including UGI Gas Exhibit KMB-1R.

17. UGI Gas Statement No. 2-R – Rebuttal Testimony of Jesse R. Tyahla, including UGI Gas Exhibits JRT-1R through JRT-5R. Exhibits JRT-1R, JRT-2R, JRT-3R and JRT 4-R are Confidential.

18. UGI Gas Statement No. 2-SR – Surrebuttal Testimony of Jesse R. Tyahla.

II. Testimony and Exhibits of I&E

19. I&E Statement No. 1 – Confidential Direct Testimony of Christopher Keller, including Confidential I&E Exhibit No. 1, and Appendix A.

20. I&E Statement No. 2 – Direct Testimony of Ethan H. Cline, including I&E Exhibit No. 2, and Appendix A.

21. I&E Statement No. 2-R – Rebuttal Testimony of Ethan H. Cline.

22. I&E Statement No. 1-SR – Surrebuttal Testimony of Christopher Keller, including I&E Exhibit No. 1-SR.

23. I&E Statement No. 2-SR – Surrebuttal Testimony of Ethan H. Cline.

III. Testimony and Exhibits of OCA

24. OCA Statement No. 1 – Direct Testimony of Jerome D. Mierzwa, which included a signed verification.

25. OCA Statement No. 1-SR – Surrebuttal Testimony of Jerome D. Mierzwa, which included a signed verification.

IV. Testimony and Exhibits of OSBA

26. OSBA Statement No. 1 – Direct Testimony of Robert D. Knecht, including Exhibit IEC-1 and a signed verification.

27. OSBA Statement No. 1-S – Surrebuttal Testimony of Robert D. Knecht, including Exhibit IEC-S1 and a signed verification.

V. Motion

28. The Joint Petitioners request that the above identified testimony and exhibits be moved into the record without a hearing. All Parties have agreed to waive cross-examination in light of the settlement and the agreement to stipulate evidence into the record.

29. Consistent with the Protective Order issued in this proceeding, the Parties request that all filings, statements, and exhibits designated as “Confidential” or “Highly Confidential” be placed in non-public folders by the Secretary’s Bureau of the Commission.

30. Verifications for the testimony and exhibits of UGI Gas and I&E are attached hereto as **Appendices A and B**, respectively, whereas OCA’s and OSBA’s verifications were attached to their pre-served testimony.

31. The admission by stipulation of the foregoing testimony and exhibits is subject to Commission approval of the *Joint Petition For Settlement Of Section 1307(f) Rate Investigation* that will be filed by August 25, 2021. The Joint Petitioners reserve their respective rights to submit additional testimony and to cross-examine witnesses in the event the *Joint Petition For Settlement Of Section 1307(f) Rate Investigation* is not approved or is otherwise approved with modification causing a Party(ies) to withdraw from the *Joint Petition For Settlement Of Section 1307(f) Rate Investigation* and proceed to litigation.

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

Respectfully submitted,



Date: August 13, 2021

Michael S. Swerling
UGI Corporation
460 North Gulph Road
King of Prussia, PA 19406-2807

Lindsay A. Berkstresser
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601

Attorneys for UGI Utilities Inc. – Gas Division

Scott B. Granger
Bureau of Investigation & Enforcement
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17105-3265

Date: _____

Attorney for Bureau of Investigation & Enforcement

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

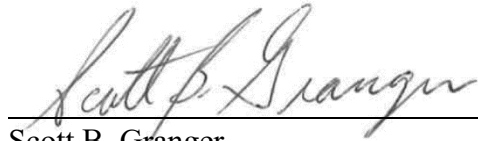
Respectfully submitted,

Date: _____

Michael S. Swerling
UGI Corporation
460 North Gulph Road
King of Prussia, PA 19406-2807

Lindsay A. Berkstresser
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601

Attorneys for UGI Utilities Inc. – Gas Division



Scott B. Granger
Bureau of Investigation & Enforcement
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17105-3265

Date: August 12, 2021

Attorney for Bureau of Investigation & Enforcement

/s/ Lauren E. Guerra

Date: August 12, 2021

Lauren Guerra, Esquire
Aron Beatty, Esquire
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Counsel for the Office of Consumer Advocate

Date: _____

Steve C. Gray, Esquire
Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101

Counsel for the Office of Small Business Advocate

Lauren Guerra, Esquire
Aron Beatty, Esquire
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Date: _____

Counsel for the Office of Consumer Advocate

/s/ Steven C. Gray

Steven C. Gray, Esquire
Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101

Date: August 13, 2021

Counsel for the Office of Small Business Advocate

APPENDIX A

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	Docket Nos. R-2021-3025652
Office of Consumer Advocate, And	:	C-2021-3025994
Office of Small Business Advocate	:	C-2021-
	:	
v.	:	
	:	
UGI Utilities, Inc. – Gas Division	:	

VERIFICATION

I, Kimberly M. Bassininsky, a Senior Analyst – Rates for UGI Utilities, Inc., hereby state that the testimony set forth in UGI Gas Statement Nos. 1 and 1-R is true and correct to the best of my knowledge, information and belief, and that if asked orally at a hearing in this matter, my answers would be as set forth therein. I am also sponsoring UGI Gas Exhibit KMB-1R attached to my rebuttal testimony, and hereby state that it is true and correct to the best of my knowledge, information and belief. I further state that I am sponsoring certain portions of the Company’s 2021 1307(f) Purchased Gas Cost (“PGC”) filing filed on June 1, 2021 (Book 2) and the preliminary supporting information filed on April 30, 2021 (Book 1), as shown on the Table of Contents and Witness Index and described in UGI Gas Statement No. 1, and hereby state that those portions of the Company’s Books 1 and 2 are true and correct to the best of my knowledge, information and belief.

I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 8/13/2021

DocuSigned by:

Kim Bassininsky

5808FA0F32B941D...

Kimberly M. Bassininsky
Senior Analyst – Rates of UGI Utilities, Inc.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	Docket Nos. R-2021-3025652
Office of Consumer Advocate, And	:	C-2021-3025994
Office of Small Business Advocate	:	C-2021-
	:	
v.	:	
	:	
UGI Utilities, Inc. – Gas Division	:	


VERIFICATION

I, Jesse R. Tyahla, being the Director – Energy Supply and Planning for UGI Utilities, Inc., hereby state that the testimony set forth in UGI Statement Nos. 2, 2-R and 2-SR is true and correct to the best of my knowledge, information and belief, and that if asked orally at a hearing in this matter, my answers would be as set forth therein. I further state that I am sponsoring certain portions of the Company’s 2021 1307(f) Purchased Gas Cost (“PGC”) filing filed on June 1, 2021 (Book 2) and the preliminary supporting information filed on April 30, 2021 (Book 1), as shown on the Table of Contents and Witness Index and described in UGI Statement No. 2, and hereby state that those portions of the Company’s Books 1 and 2 are true and correct to the best of my knowledge, information and belief.

Further, I state that I am sponsoring UGI Gas Exhibits JRT-1 through JRT-10 that are attached to my direct testimony, as well as UGI Gas Exhibits JRT-1R through JRT-5R attached to my rebuttal testimony, and hereby state that they are true and correct to the best of my knowledge, information and belief.

I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 8/13/2021

DocuSigned by:

A7BCB5AA593F449...

Jesse R. Tyahla
*Director – Energy Supply and Planning for
UGI Utilities, Inc.*

APPENDIX B

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2021-3025652
	:	
UGI Utilities, Inc. – Gas Division	:	
1307(f) Purchased Gas Costs	:	

**WITNESS VERIFICATION
THE BUREAU OF INVESTIGATION AND ENFORCEMENT**

I, Ethan H. Cline, on behalf of the Bureau of Investigation and Enforcement, hereby verify that the documents preliminarily identified as:

- I&E Statement No. 2, and, I&E Exhibit No. 2.
- I&E Statement No. 2-R.
- I&E Statement No. 2-SR.

were prepared by me or under my direct supervision and control. Furthermore, the facts contained therein are true and correct to the best of my knowledge, information and belief and I expect to be able to prove the same at an Evidentiary Hearing in this matter. This Verification is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

/s/ Ethan H. Cline
Ethan H. Cline
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement

Dated: August 9, 2021

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2021-3025652
	:	
UGI Utilities, Inc. – Gas Division	:	
1307(f) Purchased Gas Costs	:	

**WITNESS VERIFICATION
THE BUREAU OF INVESTIGATION AND ENFORCEMENT**

I, Christopher Keller, on behalf of the Bureau of Investigation and Enforcement, hereby verify that the documents preliminarily identified as:

- I&E Statement No. 1 PROPRIETARY and Non-Proprietary; and I&E Exhibit No. 1 PROPRIETARY and Non-Proprietary.
- I&E Statement No. 1-SR, and, I&E Exhibit No. 1-SR.

were prepared by me or under my direct supervision and control. Furthermore, the facts contained therein are true and correct to the best of my knowledge, information and belief and I expect to be able to prove the same at an Evidentiary Hearing in this matter. This Verification is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

/s/ Christopher Keller
Christopher Keller
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement

Dated: August 6, 2021