



Dennis A. Whitaker
Office: 717 236-1300 x226
Direct: 717 703-0805
dawhitaker@hmslegal.com

Kevin J. McKeon
Office: 717 236-1300 x235
Direct: 717 703-0801
kjmckeon@hmslegal.com

Todd S. Stewart
Office: 717 236-1300 x242
Direct: 717 703-0806
tsstewart@hmslegal.com

100 North Tenth Street, Harrisburg, PA 17101 Phone: 717.236.1300 Fax: 717.236.4841 www.hmslegal.com

November 23, 2021

VIA ELECTRONIC FILING

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

RE: Grays Ferry Cogeneration Partnership and Vicinity Energy Philadelphia, Inc. v. Philadelphia Gas Works; Docket No. C-2021-3029259; **MOTION OF GRAYS FERRY COGENERATION PARTNERSHIP AND VICINITY ENERGY PHILADELPHIA, INC. TO DISMISS THE OBJECTIONS OF THE PHILADELPHIA GAS WORKS TO INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS (SET I) AND TO COMPEL ANSWERS THERETO**

Dear Secretary Chiavetta:

Please find enclosed the Motion of Grays Ferry Cogeneration Partnership and Vicinity Energy Philadelphia, Inc.'s (collectively "Vicinity") to Dismiss the Objections of the Philadelphia Gas Works to Interrogatories and Requests for Production of Documents, Set I, and to Compel Answers Thereto in the above-captioned matter. Copies of the Motion have been served in accordance with the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me

Very truly yours,

Dennis A. Whitaker
Kevin J. McKeon
Todd S. Stewart
*Counsel for Grays Ferry Cogeneration
Partnership and Vicinity Energy Philadelphia,
Inc.*

TSS/jld
Enclosure
cc: Per Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party)

VIA ELECTRONIC MAIL ONLY

Daniel Clearfield
Eckert Seamans Cherin & Mellott, LLC
213 Market Street, 8th Floor
Harrisburg, PA 17101
dclearfield@eckertseamans.com
Counsel for Philadelphia Gas Works

Gregory J. Stunder
Philadelphia Gas Works
800 West Montgomery Avenue
Philadelphia, PA 19122
Gregory.Stunder@pgworks.com



DATED: November 23, 2021

Todd S. Stewart

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Grays Ferry Cogeneration Partnership and	:	
Vicinity Energy Philadelphia, Inc.	:	
Complainants,	:	
	:	Docket No. C-2021-3029259
v.	:	
	:	
Philadelphia Gas Works,	:	
Respondent.	:	

**MOTION OF GRAYS FERRY COGENERATION PARTNERSHIP
AND VICINITY ENERGY PHILADELPHIA, INC.
TO DISMISS THE OBJECTIONS OF THE PHILADELPHIA GAS WORKS
TO INTERROGATORIES AND REQUESTS FOR PRODUCTION
OF DOCUMENTS (SET I) AND TO COMPEL ANSWERS THERETO**

Pursuant to Section 5.342(g) of the Commission’s Regulations, 52 Pa. Code § 5.342(g), Grays Ferry Cogeneration Partnership (“GFCP”) and Vicinity Energy Philadelphia, Inc. (“VEPI”)(collectively “Vicinity”) move to dismiss the Objections of the Philadelphia Gas Works (“PGW”) filed November 18, 2021 and to Compel PGW to answer those requests in Vicinity’s Set I Interrogatories and Requests for Production.¹ Vicinity served its Set I discovery on November 8, 2021, which requests are attached hereto as Exhibit 1.

PGW objects to answering the entire set of 15 requests and relies on three separate bases for its objections. See PGW objections attached as Exhibit 2. First, PGW asserts that it intends to

¹ Vicinity notes that PGW filed a Motion to Stay Discovery Pending the Ruling on Preliminary Objections on November 22, 2021. While Vicinity will respond to that Motion pursuant to 52 Pa. Code § 5.103 at a later date, the Commission’s regulations at 52 Pa. Code § 5.342(g) require Vicinity to file the instant Motion to Compel within 10 days of service of an objection, otherwise the objected to discovery is deemed withdrawn.

file preliminary objections (“PO’s”) to Vicinity’s Complaint,² which was served on PGW by the Commission on November 1, 2021, and that if it is successful in convincing the Commission to dismiss Vicinity’s Complaint, the discovery will have been for naught. Therefore, PGW asserts that it should not be required to respond to Vicinity’s requests until after there has been a ruling on the PO’s. However, this objection lacks a basis in, and is contradicted by, the plain language of the Commission’s regulations,

Second, PGW objects to answering Set I, Nos. 1, 2, 5, 6, 9, 10 and 14, asserting that they are “unreasonably burdensome, overbroad, and require unreasonable investigation.” While time period covered by the requests may, without reference to the Complaint appear to be broad, the question is whether such requests are unreasonably broad under the circumstances of this case and the claims asserted in the Complaint. Indeed, the time period covered by the requests is not unreasonable where the requested records cover the period of the contract at issue herein and are critical to this matter, where the information sought is the very basis of the claims raised in the Complaint. As to PGW’s alleged burden of production its contention that it might not “have such documents in electric format” will make searching “unduly burdensome,” rings hollow. PGW has not asserted that it has preliminarily reviewed the extent of its records or has made *any* investigation, from which we can infer that PGW simply does not want to even look for the documents before a ruling on its PO’s. This is not a viable objection, and Vicinity’s Motion to Compel therefore stands on solid ground. However, the lack of a viable basis for PGW’s objections notwithstanding, Vicinity is willing to limit the scope of its initial requests as described in Section 2 below.

² PGW filed Preliminary Objections to the Complaint on November 22, 2021.

Third, and finally, PGW objects to answering Set I, No. 15 on the basis that it seeks “privileged” information. This objection is specious at best as there is no “privilege” that attaches to customer specific information. Rather, the appropriate means of ensuring that such information is not used for purposes other than the litigation of this matter is to seek confidential treatment of the information through the existing process of a protective order, not to claim a nonexistent privilege.

1. There is no basis in the Commission’s Regulations for PGW’s request to impede Vicinity’s right to discovery.

PGW’s demand that it be allowed to postpone discovery until after a ruling on its PO’s will prejudice Vicinity by denying access to discoverable information that the Commission’s Regulations make clear Vicinity has a right to seek and receive upon the filing of the complaint. Moreover, the request runs contrary to the Commission’s requirement that discovery start as early in the proceeding as possible. Specifically, the Commission’s Regulations provide that “A party shall initiate discovery as early in the proceedings as reasonably possible. In a proceeding, the right of discovery commences when a complaint, protest or other adverse pleading is filed” 52 Pa. Code § 5.331(b). PGW’s request to delay discovery is contrary to the very letter of Section 5.331(b). There is no basis in the Commission’s Regulations or in practicality to delay discovery in this matter. The requirement that discovery start as early in a proceeding as possible recognizes that discovery can be time consuming and getting started early can reduce the overall time of litigation and thus the burden on the parties and on the Commission. Indeed, the prejudice to Vicinity is manifest where ALJs, the Commission, and the Commonwealth Court have affirmed

that delaying discovery in contrast to 52 Pa. Code § 5.331(b)'s requirements can lead to the denial of discovery all together.³

Delaying discovery until a decision on PO's will prejudice Vicinity as it slows the process and is a frontal attack on the certainty sought by the Complaint as to the extent of PGW's obligation to provide reasonable service at reasonable rates. Rather than increasing efficiency, PGW's obvious goal is to make this matter take longer and cost more for all parties involved. PGW's objection, which cites no legal precedent, is wholly without merit and must be rejected as contrary to the Commission's Regulations. The objection should be dismissed and PGW be compelled to answer the requests without further delay.

2. Simply because a request seeks older documents does not make the request overbroad or burdensome.

PGW has objected to Set I, Nos. 1, 2, 5, 6, 9, 10 and 14 on the grounds that they are "unreasonably burdensome, overbroad, and require unreasonable investigation." The major premise of the objection is that the requests seek documents that cover the 25-year span of operation of the dedicated pipeline through which PGW has provided service to Vicinity through a single contract. Both the construction and operation of that pipeline over the 25-year period have been placed at issue in the complaint. Rather than address the issue that the matter sought will be critical to the case, PGW makes unsupported claims that it might not have the records or that it

³ See e.g. *Diamond Energy, Inc. v. Pennsylvania Pub. Util. Commn.*, 653 A.2d 1360 (Pa. Cmwlth. 1995)(affirming the Commission's ruling under 52 Pa. Code § 5.331(b) that Diamond Energy "should have commenced discovery **around the time it filed its September 16, 1993 petition to intervene**" and that waiting three months until December 17, 1993 to serve discovery was untimely.)(emphasis added); *Vermeychuk v. PECO Energy Company*, Docket No. C-2013-2388323, Opinion and Order (Order entered Nov. 5, 2015)(holding "Section 5.331(b) of our Regulations, 52 Pa. Code § 5.331(b), provides that '[a] party shall initiate discovery as early in the proceedings as reasonably possible' and that 'the right to discovery commences when a complaint ... is filed.' In this case, the Complaint was filed on September 27, 2013, **and the Complainant could have started discovery as early as that time.**")(emphasis added).

might be difficult to find them. This argument is specious. The scope of discovery before the Commission is broad:

a party may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action, whether it relates to the claim or defense of the party seeking discovery or to the claim or defense of another party, including the existence, description, nature, content, custody, condition and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of a discoverable matter.

52 Pa. Code § 5.321(c). Given the breadth of material that is discoverable under the Commission's regulations, and the nature of the requests, it is certain that none could be said to be outside the scope of what materials are permitted to be requested.

Rather, the Commission can infer that PGW simply does not want to make the effort to determine what material it may have. That position does not make the requests burdensome. PGW makes no credible claim as to what investigation may even be required. The question that must be addressed is the harm that will be incurred by PGW by being forced to seek the requested documents versus the harm to Vicinity's ability to present a cogent case which, as pleaded in the Complaint, relies in part on the documents requested that address the costs associated with the dedicated pipeline through which it receives service. While PGW cannot be compelled to produce documents that it does not have, if it is permitted to not produce those it does have, it should not be permitted to introduce any evidence that encompasses facts that would have been included in such documents, had they been produced. In other words, if PGW's claims that it is too burdensome to retrieve records from 25 years past to produce in discovery, it should not be permitted to introduce any such evidence in support of its own case.

In the alternative, if Your Honor nonetheless believes that an initial request seeking 25 years' of otherwise relevant documents may be burdensome, Vicinity suggests that its initial request could be self-limited as follows, with the ability to request additional, older documents

after review of PGW's the first production. Of course, PGW must preserve any documents covered by the 25-year period for the duration of this litigation.

- No. 1 Provide the final engineering plan, cost documents, and construction schedule, related to the conversion of the liquids pipeline from the TETCO station 060 and the construction of the 16" line from Passyunk station to Grays Ferry. Collectively the two lines shall be referred to as the four-mile line.
- No. 2 Provide annual maintenance costs, including all documents detailing maintenance on the four-mile line, for the most recent 3-year period.
- No. 5 Provide the cost of construction of the metering station(s) at Grays Ferry.
- No. 6 Provide all documentation of annual maintenance undertaken by PGW or contractors at the Grays Ferry metering station for the most recent three years. Such records should include task, date, and cost.
- No. 9 Provide annual metering data for the past 10 years, for each meter connected to the four-mile line indicating gas into the four-mile line at TETCO station 060, and gas flowing out of the four-mile line.
- No. 10 For the most recent 10-year period, provide the monthly volumes metered at the Grays Ferry meter house, and the monthly volumes received from TETCO at station 73060.
- No. 14 Provide any documents describing PGW's contracted interstate pipeline capacity deliverable to PGW's Passyunk Ave. gate station, from PGW's 2001 Natural Gas Cost Reconciliation filing pursuant to 66 Pa. C.S. § 1307(f). Provide any documents describing PGW's contracted interstate pipeline capacity deliverable to PGW's Passyunk Ave. gate station from PGW's most recently approved Natural Gas Cost Reconciliation filing pursuant to 66 Pa. C.S. § 1307(f).

3. The Commission has a long-standing process for addressing Confidential Information that does not include any newly invented privilege for Commercial Information.

PGW objects to Set 1, No. 15 on the grounds that it seeks "privileged commercial information" a contention which is contrary to the process established by the Commission's Regulations and thus wholly lacking in merit. The Commission has a longstanding and often-used procedure for addressing access to confidential information, even customer specific information – seeking a Protective Order. *See* 52 Pa. Code § 5.365. To the extent that PGW believes that the information requested in Set 1, No. 15 is confidential and requires such protection, its burden is to

not only request protection, but to also show that the harm from providing the information is greater than the harm from not providing it. Vicinity is not adverse to the entry of such an order to the extent that it would exclude only individuals who are involved in competitive activities from having access to such materials. Moreover, Vicinity agrees to treat the information as though it were covered by an order to limit access to proprietary information until such time as an Order addressing the issue is entered. Further, if PGW believes that certain information responsive to Set 1, No. 15 is confidential, PGW could redact specific confidential information including customer identifiable information and names which is commonly employed in discovery before the Commission until the time where the appropriate protective order is entered in this matter. However, there is no basis in the Commission's regulations to object or refuse to provide such information to be found in the Regulations and PGW's assertion must be rejected.

Respectfully submitted,



Dennis A. Whitaker, Attorney ID No. 53975
Kevin J. McKeon, Attorney ID No. 30428
Todd S. Stewart, Attorney ID No. 75556
Hawke McKeon & Sniscak LLP
100 N 10th Street
Harrisburg, PA 17101
(717) 236-1300
(717) 236-4841 (fax)
dawhitaker@hmslegal.com
kjmckeon@hmslegal.com
tsstewart@hmslegal.com

DATED: November 23, 2021

*Counsel for Grays Ferry Cogeneration
Partnership and Vicinity Energy
Philadelphia, Inc.*

EXHIBIT 1

**GRAYS FERRY COGENERATION PARTNERSHIP
AND VICINITY ENERGY PHILADLPHIA, INC.
INTERROGATORIES AND REQUESTS FOR PRODUCTION
OF DOCUMENTS, SET I, DIRECTED
TO PHILADELPHIA GAS WORKS**

DOCKET NO. C-2021-3029259

1. Provide all documents showing engineering design, costs, and the construction schedule related to the conversion of the liquids pipeline from the Tetco station 060 and the construction of the 16" line from Passyunk station to Grays Ferry. Collectively the two lines shall be referred to as the four-mile line.
2. Provide annual maintenance documents since the placement into service of the four-mile line. Indicate actual maintenance task, date, and cost.
3. Identify any and all previous or current customers of PGW served off of the converted liquids pipeline.
4. Identify any and all previous or current customers of PGW served off of the 16" line.
5. Provide the costs for the construction of the metering station at Grays Ferry. Provide all supporting engineering, design, construction, and cost documents.
6. Provide all documentation of annual maintenance undertaken by PGW or contractors at the Grays Ferry metering station. Such records should include task, date, and cost.
7. Provide the present book value of the four-mile line.
8. Provide a list of all interconnections to the four-mile line and identify all metering stations on the line. Indicate all connections on a map.
9. Provide annual metering data from 1996 to 2020 for each meter connected to the four-mile line indicating gas into the four-mile line at Tetco station 060, and gas flowing out of the four-mile line. Indicate causes of any discrepancies.
10. Provide a schedule that compares, during the period 2010-2020, the monthly volumes metered at the Grays Ferry meter house to the monthly volumes received from Tetco at station 73060. Identify any discrepancies and the cause.
11. Provide a copy of PGW's most recent Long Term Infrastructure Improvement Plan.
12. Regarding the recent base rate case R-2020-3017206, describe treatment of the capital cost of the four-mile line and associated metering stations.
13. Provide a detailed calculation of the current cost of service to Grays Ferry. Provide all documents that support the calculation.

14. Provide a list of all capacity that PGW has contracted for to ship gas to the Passyunk Ave. gate station including the date of the first contract, the expiration date of the current contract, the daily volume and the rate paid for the capacity.
15. Provide a list of all customers that PGW has placed on an interruptible service rate within the past four years. Provide the form of proof that was provided by each customer to document that they are appropriately designated as an interruptible customer and the date and time and reason that any such customer's service was interrupted in the past four years.

EXHIBIT 2

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Grays Ferry Cogeneration Partnership, and	:	
Vicinity Energy Philadelphia, Inc.,	:	
Complainants,	:	Docket No. C-2021-3029259
	:	
v.	:	
	:	
Philadelphia Gas Works,	:	
Respondent.	:	

**OBJECTIONS OF PHILADELPHIA GAS WORKS
TO GRAYS FERRY COGENERATION PARTNERSHIP
AND VICINITY ENERGY PHILADELPHIA, INC.
INTERROGATORIES AND REQUESTS FOR PRODUCTION
OF DOCUMENTS, SET I**

Pursuant to Section 5.342(c) of the Commission’s regulations, 52 Pa. Code § 5.342(c), Philadelphia Gas Works (“PGW”) files these Objections to the Interrogatories and Requests for Production of Documents, Set I, served by Grays Ferry Cogeneration Partnership and Vicinity Energy Philadelphia, Inc. (“Complainants”) on November 8, 2021. The interrogatories that PGW is objecting to are set forth in Attachment A hereto. PGW objects to the Complainant’s Set I Interrogatories on the following grounds:

1. PGW Should Not Be Required to Respond to Complainants’ Set I Interrogatories Until An Order Is Issued On PGW’s Preliminary Objections.

PGW was served with the above-captioned Formal Complaint on November 1, 2021, and was subsequently served with the Complainant’s Set I Interrogatories on November 8, 2021. As a result, the deadline for filing these Objections to the Set I Interrogatories precedes the deadline

for PGW's Answer and any Preliminary Objections to the complaint.¹ Although PGW has not yet filed its Answer or Preliminary Objections, PGW anticipates filing Preliminary Objections that will argue that the Formal Complaint should be dismissed in its entirety for a number of reasons. PGW objects to the Set I Interrogatories at this time because it would be inappropriate and a waste of resources to require PGW to respond to discovery requests before a decision is issued on its potentially dispositive Preliminary Objections.

If PGW's Preliminary Objections are granted and the Formal Complaint is dismissed in its entirety, the discovery requests would be moot, and requiring PGW to respond to those requests would be a waste of resources. Further, if the Preliminary Objections are granted in part or denied, that decision will determine the proper scope of the issues to be addressed in this proceeding, and will directly affect the scope of permissible discovery requests. The parties and the Commission should not be required to expend resources addressing discovery disputes that may ultimately become moot or the scope of which may change depending on the ruling on PGW's Preliminary Objections. Further, there would be no prejudice to the Complainant caused by delaying discovery until after a ruling on PGW's Preliminary Objections, since this proceeding is in very early stages and, if the proceeding goes forward, there will be ample time to conduct discovery.

For these reasons, and in addition to those discussed below, PGW hereby objects to the Complainant's Set I Interrogatories and Requests for Production in their entirety at this time. PGW objects to responding to these requests prior to a ruling on its potentially dispositive Preliminary Objections as this would be unreasonably burdensome.

¹ Pursuant to 52 Pa. Code § 5.61(a), answers to formal complaints are due 20 days after the date of service of the complaint. Preliminary objections are similarly due 20 days after service of a complaint. 52 Pa. Code § 5.101(d). Objections to interrogatories must be served within 10 days of service of the interrogatories. 52 Pa. Code § 5.342(e).

2. Complainants' Set I, Nos. 1, 2, 5, 6, 9, 10 and 14 are Unreasonably Burdensome, Overbroad and Require Unreasonable Investigation. 52 Pa. Code § 5.361(a).

Complainants' Set I, Nos. 1, 2, 5, 6, 9, 10 and 14 state as follows:

1. Provide all documents showing engineering design, costs, and the construction schedule related to the conversion of the liquids pipeline from the Tetco station 060 and the construction of the 16" line from Passyunk station to Grays Ferry. Collectively the two lines shall be referred to as the four-mile line.
2. Provide annual maintenance documents since the placement into service of the four-mile line. Indicate actual maintenance task, date, and cost.
5. Provide the costs for the construction of the metering station at Grays Ferry. Provide all supporting engineering, design, construction, and cost documents.
6. Provide all documentation of annual maintenance undertaken by PGW or contractors at the Grays Ferry metering station. Such records should include task, date, and cost.
9. Provide annual metering data from 1996 to 2020 for each meter connected to the four-mile line indicating gas into the four-mile line at Tetco station 060, and gas flowing out of the four-mile line. Indicate causes of any discrepancies.
10. Provide a schedule that compares, during the period 2010-2020, the monthly volumes metered at the Grays Ferry meter house to the monthly volumes received from Tetco at station 73060. Identify any discrepancies and the cause.
14. Provide a list of all capacity that PGW has contracted for to ship gas to the Passyunk Ave. gate station including the date of the first contract, the expiration date of the current contract, the daily volume and the rate paid for the capacity.

The above-referenced questions are detailed questions that relate to pipeline and metering station construction and maintenance costs dating back to 1996. The requested information covers a timeframe of approximately 25 years and is overbroad given that the complaint is centered on prospective rates after December 31, 2022. Additionally, given the age of some of the requested materials, PGW likely does not have such information available in electronic format, if at all, and searching for these materials would be unduly burdensome. As such, these

requests are unreasonable, burdensome and requires unreasonable investigation. 52 Pa. Code § 5.361(a).

Specifically, Questions 1 and 5 ask PGW to provide detailed construction cost and design information from 1996. The requested information is over twenty-four years old and would require unreasonable investigation on PGW's part to locate and identify the requested information.

Similarly, Questions 2 and 6 ask PGW to provide annual maintenance related information covering the twenty-four years of the expiring contract. The time duration is overly broad and imposes a burden on PGW to locate and identify the requested information.

Question 9 asks PGW to identify the causes of any metering discrepancies between two metering stations for a twenty-four-year period. Given the extended passage of time this question would require burdensome and unreasonable investigation. Further, due to the lack of any limiting factor on the types of metering discrepancies covered by the question, such an investigation is unreasonably broad.

Question 10 calls for the data and information over a ten year period, for creation of a new document (a schedule) by PGW, and the performance of analysis (comparison and explanation of discrepancies) by PGW. This question is unreasonable and burdensome, since it would require unreasonable investigation by PGW. It is further unreasonable in that the question would require PGW to undertake a special study (i.e., the creation of a new document and the performance of analysis).

Question 14 is overbroad because it calls for data and information for an unlimited period of time. This question is unreasonable and burdensome, since it would require unreasonable investigation by PGW.

For the reasons explained above, PGW objects to Complainants' Set I, Nos. 1, 2 5, 6, 9, 10 and 14, as they are unreasonable, burdensome, and require unreasonable investigation.

3. Complainants' Set I, No. 15 Seek Privileged Commercial Information, 52 Pa. Code § 5.361(a).

Complainants' Set I, No. 15 states as follows:

15. Provide a list of all customers that PGW has placed on an interruptible service rate within the past four years. Provide the form of proof that was provided by each customer to document that they are appropriately designated as an interruptible customer and the date and time and reason that any such customer's service was interrupted in the past four years.

The above-referenced questions asks for a list of "all customers that PGW has placed on an interruptible service rate within the past four years." This customer-specific information constitutes privileged commercial information. 52 Pa. Code § 5.361(a). The Complaint is premised in part on the idea that Vicinity Energy Philadelphia, Inc. (steam utility) and PGW are in competition to provide the heating needs of certain buildings in central Philadelphia. Accordingly, the Complainants have a clear interest in such information for their own commercial purposes. As such PGW objects to Complainants' Set I, No. 15, as it seeks information constituting privileged commercial information.

Respectfully submitted,

/s/ *Lauren M. Burge*

Daniel Clearfield, Esq.
PA Attorney I.D. # 26183
Carl R. Shultz, Esq.
PA Attorney I.D. # 70328
Eckert Seamans Cherin & Mellott, LLC
213 Market St., 8th Fl.
Harrisburg, PA 17101
717.237.7173 (direct dial)
717.255.3742 (direct dial)
717-237-6019 (fax)
dclearfield@eckertseamans.com
cshultz@eckertseamans.com

Craig W. Berry, Esq. (I.D. No. 328527)
Senior Attorney
Philadelphia Gas Works
800 W. Montgomery Ave.
Philadelphia, PA 19122
215.684.6049
215.684.6798 (fax)
Craig.berry@pgworks.com

Lauren M. Burge, Esquire (I.D. No. 311570)
Eckert Seamans Cherin & Mellott, LLC
600 Grant Street, 44th Floor
Pittsburgh, PA 15219
412.566.2146 (direct dial)
412.566.6099 (fax)
lburge@eckertseamans.com

Dated: November 18, 2021

Attachment A

Set I Interrogatories and Requests for Production of Documents of Grays Ferry Cogeneration Partnership and Vicinity Energy Philadelphia Inc.

1. Provide all documents showing engineering design, costs, and the construction schedule related to the conversion of the liquids pipeline from the Tetco station 060 and the construction of the 16" line from Passyunk station to Grays Ferry. Collectively the two lines shall be referred to as the four-mile line.
2. Provide annual maintenance documents since the placement into service of the four-mile line. Indicate actual maintenance task, date, and cost.
3. Identify any and all previous or current customers of PGW served off of the converted liquids pipeline.
4. Identify any and all previous or current customers of PGW served off of the 16" line.
5. Provide the costs for the construction of the metering station at Grays Ferry. Provide all supporting engineering, design, construction, and cost documents.
6. Provide all documentation of annual maintenance undertaken by PGW or contractors at the Grays Ferry metering station. Such records should include task, date, and cost.
7. Provide the present book value of the four-mile line.
8. Provide a list of all interconnections to the four-mile line and identify all metering stations on the line. Indicate all connections on a map.
9. Provide annual metering data from 1996 to 2020 for each meter connected to the four-mile line indicating gas into the four-mile line at Tetco station 060, and gas flowing out of the four-mile line. Indicate causes of any discrepancies.
10. Provide a schedule that compares, during the period 2010-2020, the monthly volumes metered at the Grays Ferry meter house to the monthly volumes received from Tetco at station 73060. Identify any discrepancies and the cause.
11. Provide a copy of PGW's most recent Long Term Infrastructure Improvement Plan.
12. Regarding the recent base rate case R-2020-3017206, describe treatment of the capital cost of the four-mile line and associated metering stations.
13. Provide a detailed calculation of the current cost of service to Grays Ferry. Provide all documents that support the calculation.

14. Provide a list of all capacity that PGW has contracted for to ship gas to the Passyunk Ave. gate station including the date of the first contract, the expiration date of the current contract, the daily volume and the rate paid for the capacity.
15. Provide a list of all customers that PGW has placed on an interruptible service rate within the past four years. Provide the form of proof that was provided by each customer to document that they are appropriately designated as an interruptible customer and the date and time and reason that any such customer's service was interrupted in the past four years.