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March 8, 2022

VIA ELECTRONIC FILING

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

RE: Pennsylvania Public Utility Commission v. Philadelphia Gas Works;  
Docket No. R-2022-3030686; **PREHEARING CONFERENCE MEMORANDUM  
OF GRAYS FERRY COGENERATION PARTNERSHIP AND VICINITY  
ENERGY PHILADELPHIA, INC.**

Dear Secretary Chiavetta:

Enclosed for filing with The Pennsylvania Public Utility Commission is the Grays Ferry Cogeneration Partnership and Vicinity Energy Philadelphia, Inc.'s Prehearing Conference Memorandum in the above-captioned matter. Copies of the Prehearing Conference Memorandum have been served in accordance with the Certificate of Service.

Thank you for your attention to this matter. If you have any questions, please feel free to contact me at (717) 236-1300.

Very truly yours,

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

BRB/jld  
Enclosure

cc: Deputy Chief Administrative Law Judge Christopher P. Pell (via email [cpell@pa.gov](mailto:cpell@pa.gov))  
Honorable Arlene Ashton (via email [aashton@pa.gov](mailto:aashton@pa.gov))  
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).

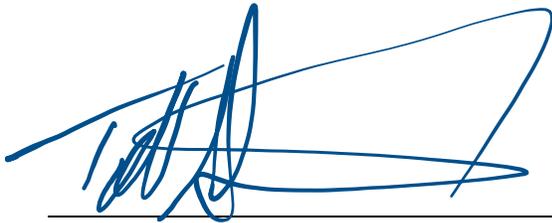
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*Counsel for Philadelphia Industrial  
and Commercial Gas Users Group*



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Dennis A. Whitaker  
Kevin J. McKeon  
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Bryce R. Beard

DATED: March 8, 2022

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
Office of Consumer Advocate	:	
Office of Small Business Advocate	:	Docket Nos. R-2022-3030686
	:	C-2022-3030978
v.	:	C-2022-3030971
	:	
Philadelphia Gas Works	:	

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**PREHEARING CONFERENCE MEMORANDUM  
OF GRAYS FERRY COGENERATION PARTNERSHIP  
AND VICINITY ENERGY PHILADELPHIA, INC.**

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**TO THE DEPUTY CHIEF ADMINISTRATIVE LAW JUDGE CHRISTOPHER PELL  
AND HONORABLE ARLENE ASHTON:**

NOW COMES, Grays Ferry Cogeneration Partnership (“GFCP”) and Vicinity Energy Philadelphia, Inc. (“VEPI”) (collectively “Vicinity”), pursuant to the Prehearing Conference Order issued on March 2, 2022, in the above-captioned matter, and in anticipation of the Prehearing Conference scheduled for March 10, 2022, hereby submits the following Prehearing Conference Memorandum.

**I. PROCEDURAL HISTORY**

1. On February 1, 2022, Philadelphia Gas Works (PGW or Company) filed its prefiling information required for its 2022-2023 Gas Cost Rate (GCR) Filing. PGW indicated that it would submit its annual GCR filing on or before March 1, 2022.

2. On February 17, 2022, the Office of Consumer Advocate (OCA) filed a Complaint, Public Statement and Notice of Appearance on behalf of Christy M. Appleby, Esq. and Aron J. Beatty, Esq. The Complaint was docketed at C-2022-3030978.

3. Also on February 17, 2022, the Office of Small Business Advocate (OSBA) filed a Verification, Public Statement, a Notice of Appearance on behalf of Sharon E. Webb, Esq., and a formal Complaint. The Complaint was docketed at C-2022-3030971.

4. Also on February 17, 2022, Gina L. Miller, Esq., and Scott B. Granger, Esq., entered a Notice of Appearance on behalf of the Commission's Bureau of Investigation and Enforcement (I&E).

5. On February 24, 2022, the Philadelphia Industrial and Commercial Users Group (PICGUG) filed a Petition to Intervene in this proceeding.

6. On March 1, 2022, PGW filed its Section 1307(f) Gas Cost Rate Filing with the Commission, containing tariff supplements, supporting information, and testimony.

7. On March 2, 2022, the presiding officers issued a Prehearing Conference Order, establishing a litigation schedule and matters to proceed for a prehearing conference on March 10, 2022.

8. On March 8, 2022, Vicinity filed a Petition to Intervene in the above referenced matter.

## **II. COUNSEL**

9. Grays Ferry Cogeneration Partnership and Vicinity Energy Philadelphia, Inc. are represented in this matter by:

Dennis A. Whitaker, Attorney ID No. 53975  
Kevin J. McKeon, Attorney ID No. 30428  
Todd S. Stewart, Attorney ID No. 75556  
Bryce R. Beard, Attorney ID No. 325837  
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10. Additionally, in compliance with Your Honors' Prehearing Order, Todd S. Stewart will speak as the lead attorney for the purposes of the prehearing conference.

11. Vicinity requests that the above-listed counsel be included on the electronic service list for this matter.

### **III. A PROPOSED PLAN AND SCHEDULE OF DISCOVERY**

12. Vicinity does not have any proposed plan or schedule of discovery and will abide by a plan and schedule agreed to by the other parties.

### **IV. POSSIBILITY OF SETTLEMENT**

13. Vicinity is open to settlement discussions to resolve any or all issues in this proceeding.

### **V. STATEMENT OF THE ISSUES**

14. Vicinity is presently reviewing the filing and will notify Your Honor of any specific issues that it intends to address in advance of any testimony in this matter. As a large customer, Vicinity seeks to ensure that there are no discriminatory rates or unwarranted subsidies.

**VI. AMOUNT OF HEARING TIME**

15. Vicinity believes that Your Honor's prehearing order establishing hearings on April 20-21, 2022, is sufficient.

**VII. WITNESSES**

16. Vicinity has not yet determined the scope of its participation and testimony in this matter. Should the need for Vicinity to provide witness testimony, Vicinity will abide by the established schedule in this proceeding and notify the parties as soon as possible that Vicinity will provide a witness. Therefore, Vicinity reserves the right to call additional witnesses to address additional matter as needed.

**VIII. PROPOSED LITIGATION SCHEDULE**

17. Vicinity does not have a proposed schedule for this proceeding and will abide by the schedule stated in the Prehearing Conference Order.

**IX. CONCLUSION**

**WHEREFORE**, Grays Ferry Cogeneration Partnership and Vicinity Energy Philadelphia, Inc. hereby submits its Prehearing Conference Memorandum for consideration by the Presiding Administrative Law Judges at the Prehearing Conference currently scheduled to be held telephonically on March 10, 2022, at 9:00 a.m.

Respectfully submitted,



Dennis A. Whitaker, Attorney ID No. 53975  
Kevin J. McKeon, Attorney ID No. 30428  
Todd S. Stewart, Attorney ID No. 75556  
Bryce R. Beard, Attorney ID No. 325837  
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*Counsel for Grays Ferry Cogeneration  
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Philadelphia, Inc.*

DATED: March 8, 2022