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April 27, 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. Columbia Gas of Pennsylvania, Inc.;  
Docket No. R-2022-3031211; C-2022-3031957; **THE PENNSYLVANIA  
STATE UNIVERSITY'S PREHEARING CONFERENCE MEMORANDUM**

Dear Secretary Chiavetta:

Attached for filing with the Pennsylvania Public Utility Commission is the Prehearing Conference Memorandum of The Pennsylvania State University in connection with the above-captioned docket. Copies of this document have been served in accordance with the attached Certificate of Service.

If you have any questions with regard to this filing, please direct them to me. Thank you for your attention to this matter.

Very truly yours,

*/s/ Thomas J. Sniscak*

Thomas J. Sniscak  
Whitney E. Snyder  
Phillip D. Demanchick Jr.

*Counsel for The Pennsylvania State University*

TJS/PDD/das  
Enclosure

cc: Deputy Chief Administrative Law Judge Christopher P. Pell ([cpell@pa.gov](mailto:cpell@pa.gov))  
Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2022-3031211
	:	
Columbia Gas of Pennsylvania, Inc.	:	
	:	
The Pennsylvania State University	:	
	:	
v.	:	Docket No. C-2022-3031957
	:	
Columbia Gas of Pennsylvania, Inc.	:	

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**PREHEARING CONFERENCE MEMORANDUM  
OF THE PENNSYLVANIA STATE UNIVERSITY**

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**TO: DEPUTY CHIEF ADMINISTRATIVE LAW JUDGE CHRISTOPHER P. PELL:**

On March 18, 2022, Columbia Gas of Pennsylvania, Inc. (“Columbia Gas” or the “Company”) filed Supplement No. 337 to Tariff Gas – Pa. P.U.C. No. 9 (“Supplement No. 337”). Supplement No. 337 proposes to increase rates to produce additional annual operating revenues of approximately \$82.2 million, which is an increase of 10.09% over present revenue at the end of the Fully Projected Future Test Year (“FPFTY”), and removes, revises, and adds various tariff provisions to Columbia’s tariff. Columbia Gas proposed that the rate increase become effective on May 17, 2022.

By Order entered on April 14, 2022, the Pennsylvania Public Utility Commission (Commission) instituted an investigation into the lawfulness, justness, and reasonableness of the proposed rate increase. Pursuant to Section 1308(d) of the Public Utility Code, 66 Pa. C.S. § 1308(d), Supplement No. 337 was suspended by operation of law until December 17, 2022,

unless permitted by Commission Order to become effective at an earlier date. In addition, the Commission ordered that the investigation include consideration of the lawfulness, justness, and reasonableness of Columbia's existing rates, rules, and regulations. The matter was assigned to the Office of Administrative Law Judge and further assigned to Deputy Chief Administrative Law Judge Christopher P. Pell ("ALJ Pell").

On April 15, 2022, the Pennsylvania State University filed a formal Complaint to the proposed rate increase. PSU is a major sales and distribution customer of Columbia at its University Park Campus and at its Beaver, Fayette, Mont Alto, and York Campuses, as well as at the PSU Fruit Research and Extension Center in Biglerville, Pennsylvania.

On April 20, 2022, a Notice was issued by the Pennsylvania Public Utility Commission ("Commission") setting a Telephonic Prehearing Conference in the above-captioned proceeding for Friday, April 29, 2022, at 9:00 a.m. before ALJ Pell. On April 20, 2022, ALJ Pell issued a Prehearing Conference Order requiring each party to file a Prehearing Conference Memorandum on or before 12:00 p.m., April 27, 2022.

The Pennsylvania State University ("PSU"), by and through its attorneys in this matter, Hawke McKeon & Sniscak LLP, hereby submits its Prehearing Conference Memorandum.

## **I. ACCEPTANCE OF SERVICE**

In accordance with the Commission's Order entered March 10, 2021, at Docket No. M-2021-3028321, e-mail service is acceptable for PSU Counsel. Hard copy service is not required at this time. E-mail service of documents in this proceeding shall be accepted on behalf of PSU by the following:

Thomas J. Sniscak, Attorney I.D. No. 33891  
Whitney E. Snyder, Attorney I.D. No. 316625  
Phillip D. Demanchick Jr., I.D. No. 324761  
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Should hard copy service become necessary as this proceeding progresses, hard copy service can be sent to the attorneys at the address listed above. For purposes of the prehearing conference, Mr. Demanchick will be speaking on behalf of PSU.

## **II. SETTLEMENT**

There have been no settlement discussions to date, but PSU is willing to participate in settlement discussions with the other parties.

## **III. DISCOVERY**

PSU takes no position on modification of the discovery schedule at this time but is willing to work with the parties on mutually agreeable modifications.

## **IV. SCHEDULE**

PSU is working with the other parties to develop a mutually satisfactory schedule for consideration by Your Honor at the Prehearing Conference.

## V. WITNESSES

PSU reserves the right to offer the Direct Testimony of James L. Crist, P.E., in support of its positions. Mr. Crist's business address, telephone number and e-mail address are:

James L. Crist, P.E.  
Lumen Group, Inc.  
4226 Yarmouth Drive, Suite 101  
Allison Park, PA 15101  
(412) 487-9708  
JLCrist@aol.com

PSU requests that copies of all interrogatories, answers to interrogatories, testimony and exhibits submitted (other than Columbia's initial filing materials) be e-mailed directly to Mr. Crist at [JLCrist@aol.com](mailto:JLCrist@aol.com).

If called, Mr. Crist may present testimony regarding the requested revenue increase of Columbia Gas and the allocation of that revenue between customer classes, along with the rate design and operational requirements of specific rate schedules. Mr. Crist may also present testimony concerning the Company's Revenue Normalization Adjustment, Gas Procurement Charge, Cost of Service Studies, and potential changes in the requirements the Company imposes on customers that procure gas from alternative suppliers and Columbia's potential modification of its transportation regulations.

Mr. Crist reserves his right to also present testimony on any further issue that may arise as a result of further review of the filing, discovery or testimony or any position taken by any other party to this proceeding.

Additionally, PSU may offer the direct testimony of a member of its Office of Physical Plant - Energy and Sustainability Division ("OPP – Energy and Sustainability") regarding issues created or raised by the filing and its offered supporting information and the issues described. PSU

reserves the right to present additional witnesses should its discovery or its review of responses to the discovery of other parties raise additional issues.

PSU reserves the right to adopt any testimony of other witnesses, in whole or in part, and to offer additional witnesses and exhibits as may be necessary to address the testimony, exhibits, or evidence that may be presented by any party in this proceeding.

## **VI. ISSUES**

At this juncture, and subject to discovery and issues raised by PSU and by other parties, PSU intends to address the issue of whether the service PSU takes under certain rate categories may be burdened with a disproportionate share of the overall increase requested and whether the Company's cost allocations and multiple Cost of Service Studies appear to be unreasonable and discriminatory as is the proposed distribution of its recommended revenue requirement.

Furthermore, the Company's proposed Gas Procurement Charge must be examined to determine if the costs allocated are appropriate and to determine if it serves to place Columbia's own system supply gas in a more favorable position. Additionally, potential changes in the requirements the Company imposes on customers that procure gas from alternative suppliers and Columbia's potential modification of its transportation regulations must be monitored and potentially addressed in this proceeding.

PSU's position will be finalized in its evidence and briefs submitted under the schedule developed in this case.

## **VII. EVIDENCE**

PSU reserves the right to submit pre-filed direct testimony and associated exhibits addressing the issues identified in the preceding section. PSU may also present additional

testimony and exhibits after discovery or in response to testimony or exhibits introduced by any party or witness in this proceeding.

WHEREFORE, The Pennsylvania State University respectfully submits this Prehearing Conference Memorandum.

Respectfully submitted,

/s/ Thomas J. Sniscak

Thomas J. Sniscak, Attorney I.D. No. 33891

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*Counsel for The Pennsylvania State University*

Dated: April 27, 2022

## **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**

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Whitney E. Snyder  
Phillip D. Demanchick Jr.

Dated this 27<sup>th</sup> day of April, 2022