**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission : R-2021-3030218

Office of Consumer Advocate : C-2022-3030735

Office of Small Business Advocate : C-2022-3030983

Paula Mercuri : C-2022-3030898

Francis Riviello : C-2022-3031238

Paul Forlennza : C-2022-3031285

Elisabeth Lynch : C-2022-3031232

:

v. :

:

UGI Utilities, Inc. – Gas Division :

**ORDER**

**GRANTING AMENDED MOTION FOR A PROTECTIVE ORDER**

On January 28, 2022, UGI Utilities, Inc. - Gas Division (“UGI Utilities”) filed

Supplement No. 32 to UGI Tariff Gas - Pa. P.U.C. Nos. 7 and 7S to become effective March 29, 2022, which proposed changes in rates, rules, and regulations calculated to produce $82.7 million (7.8%) in additional annualrevenues. UGI Utilities stated the requested increases are necessary to earn a fair return on investments, to support ongoing Commission approved infrastructure replacement programs, to enhance information technology systems, to increase training opportunities for personnel, to implement a Weather Normalization Adjustment tariff rider, and to recover higher levels of certain operating expenses which support the provision of safe and reliable gas distribution services.

On February 3, 2022, the Office of Consumer Advocate (“OCA”) filed a formal

complaint and public statement at docket number C-2022-3030735. Also on February 3, 2022, the Commission’s Bureau of Investigation and Enforcement (“I&E”) filed a notice of appearance. On February 7, 2022, a UGI Utilities gas customer, Paula Mercuri, filed a formal complaint at docket number C-2022-3030898.

On February 15, 2022, a petition to intervene and answer was filed by the

Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (“CAUSE-

PA”). On February 17, 2022, the Office of Small Business Advocate (“OSBA”) filed a formal complaint, public statement and verification. On February 23, 2022, a petition to intervene was filed by the Commission on Economic Opportunity (“CEO”).

On February 24, 2022, pursuant to Section 1308(d) of the Public Utility Code, 66 Pa.C.S. § 1308(d), the Commission suspended the filing by operation of law until October 29, 2022, unless permitted by the Commission to become effective at an earlier date. The Commission also instituted an investigation to determine the lawfulness, justness, and reasonableness of the rates, rules, and regulations contained in the proposed tariff filing, as well as a consideration of the lawfulness, justness and reasonableness of the exiting rates, rules, and regulations. The Commission assigned the case to the Office of Administrative Law Judge for the prompt scheduling of hearings as may be necessary culminating in the issuance of a Recommended Decision.

On February 24, 2022, a hearing notice was issued establishing a telephonic prehearing conference for this matter for March 2, 2022 at 10:00 a.m. and assigning us as the presiding officers.

The following additional formal complaints were filed by UGI Utilities gas customers: Paul Forlenza, docket number C-2022-3031285, on February 23, 2022; Francis Riviello, docket number C-2022-3031238, on February 24, 2022; Elisabeth Lynch, docket number C-2022-3031232, on February 25, 2022; Joseph Sohn, docket number C-2022-3031476 on March 8, 2022; Annette Miraglia, docket number C-2022-3031819 on March 29, 2022; and Sam Galdieri, docket number C-2022-3031822 on April 1, 2022.[[1]](#footnote-1)

On March 1, 2022, NRG Energy, Inc. (“NRG”) filed a petition to intervene.

The prehearing conference convened on March 2, 2022 as scheduled. The following parties were present: Devin T. Ryan, Esq., Michael S. Swerling, Esq., and Timothy K. McHugh, Esq., on behalf of UGI Utilities; Carrie B. Wright, Esq., on behalf of I&E; Darryl A. Lawrence, Esq., and Mackenzie Battle, Esq., on behalf of OCA; Steven C. Gray, Esq., on behalf of OSBA; John W. Sweet, Esq., on behalf of CAUSE-PA; Karen O. Moury, Esq., on behalf of NRG; Joseph L. Vullo, Esq., on behalf of CEO; and Paula Mercuri on behalf of herself.

As an initial matter, no party objected that the formal complaints filed by OCA, OSBA and Ms. Mercuri be consolidated with the Commission’s investigation. Next, no party objected to the petitions to intervene filed by CAUSE-PA, CEO and NRG. Accordingly, the three aforesaid formals complaint were consolidated with this matter and the petitions to intervene were granted. The parties also agreed to a litigation schedule and the need for public input hearings and discussed the need to modify the Commission’s regulations regarding discovery. The parties were reminded that Commission policy promotes settlements. 52 Pa. Code §5.231(a). The parties were encouraged to commence settlement discussions as early as possible. To the extent there is no settlement, the parties will be required to attach to their briefs the standard uniform tables that conform the parties’ various positions on particular issues.

A discussion was also held regarding the need for a protective order to govern the treatment of material alleged to be proprietary. UGI Utilities indicated that it expected to file a motion for a protective order within the next few days.

A scheduling order was issued on March 3, 2022 consolidating the formal complaints with the Commission’s investigation, granting the petitions to intervene and otherwise memorializing the matters agreed to at the prehearing conference. The parties began exchanging pre-served written testimony pursuant to the schedule agreed upon and public input hearings were held on April 13, 2022 at 1:00 and 6:00 p.m.

On April 15, 2022, UGI Utilities filed a motion for a proposed protective order on behalf of the parties. In response to questions raised by the presiding officers to that motion, the parties filed an amended motion on May 19, 2022. In its amended motion, UGI Utilities noted that it consulted with the other parties and intervenors and, other than not hearing back from individual complainants, no party objects to the proposed protective order, as amended.

In its amended motion, UGI Utilities stated that proprietary information has been requested during the course of this proceeding which justifies the issuance of a protective order. UGI Utilities noted that information sought by the parties has customarily been treated as sensitive, proprietary or highly confidential and should appropriately be protected from public disclosure throughout the course of the proceeding. UGI Utilities added that unrestricted disclosure is not in the public interest. UGI Utilities then noted the Commission regulations that allow for protective treatment of certain information and the factors to be considered. UGI Utilities noted that the proposed protective order, as amended, is consistent with those regulations, including guarding against overly broad designations of protected information and applying the least restrictive means of limitation that will provide necessary protections from disclosure. UGI Utilities requested that the proposed protective order be issued as amended.

UGI Utilities’ amended motion for a protective order is ready for disposition. For the reasons discussed below, UGI Utilities’ amended motion will be granted.

As an initial matter, the Commission’s Rules of Practice and Procedure permit the Commission to issue protective orders limiting the availability of certain proprietary or confidential information. 52 Pa. Code §§ 5.362 and 5.365. The party seeking the protective order has the burden to establish that the potential harm to the party of providing the information would be substantial and the harm to the party if the information is disclosed without restriction outweighs the public’s interest in free and open access to the administrative hearing process. Petition for Protective order of GTE North Inc., 1996 Pa PUC LEXIS 95, Docket No. G-00940402 (Order entered August 8, 1996); ITT Communications Services’ Petition for a Protective Order, 1991 Pa PUC LEXIS 193, Docket No. R-912017 (Order entered November 5, 1991). If that burden is satisfied, the least restrictive means of limitation which will provide the necessary protection from disclosure will be applied. 52 Pa. Code § 5.365(a).

In considering whether to issue a protective order, the Commission, pursuant to Section 5.365(a), should consider the following factors:

(1)  The extent to which the disclosure would cause unfair economic or competitive damage.

(2)  The extent to which the information is known by others and used in similar activities.

(3)  The worth or value of the information to the party and to the party’s competitors.

(4)  The degree of difficulty and cost of developing the information.

(5)  Other statutes or regulations dealing specifically with disclosure of the information.

52 Pa. Code § 5.365(a). The Commission’s regulations further provide detail regarding restrictions placed on the proprietary material, access to proprietary material by representatives of parties, special restrictions and the return of proprietary information at the conclusion of the proceeding. 52 Pa. Code §§ 5.365(c)-(g).

Section 5.365, however, must be balanced against Commission regulations that also provide that the Commission’s records, including the record of this proceeding, may be accessed by the public pursuant to 52 Pa. Code §§ 1.71-1.77. In particular, Section 1.71 of the Commission’s regulations provides: “The Commission’s record maintenance system is intended to provide for the greatest degree of public access to Commission documents that is consistent with the exercise of the functions of the Commission under the act and other applicable laws.” 52 Pa. Code § 1.71. In addition, the interests of keeping material proprietary or confidential must be viewed in light of the Pennsylvania Right to Know Law, 65 P.S. § 67.102, and the Confidential Security Information Act, 35 P.S. § 2141.2, *et seq*. (CSI Act).

In this case, UGI Utilities has stated that information within the Commission’s definition of proprietary information has already been exchanged with the parties through discovery and that such information is customarily treated as sensitive, proprietary or highly confidential. UGI Utilities further stated that the proposed protective order applies the least restrictive means of limitation that will provide the necessary protections from disclosure and balances the interests of the parties, the public and the Commission.

The proposed protective order addresses various issues that are common in most protective orders used in Commission proceedings. For example, although the proposed protective order allows a producing party to assert a claim of confidentiality, it allows parties to question or challenge the confidential nature or proprietary nature of particular material and to question the admissibility of such material. The party designating a document or information as proprietary retains the burden of demonstrating that the designation is appropriate. This is an essential element of the protective order that ensures that the appropriate protections are being provided while still maintaining the necessary public access to the Commission’s records. As discussed above, no party expressed any objection to the proposed protective order.

Furthermore, however, the proposed protective order as amended addresses issues raised by the presiding officers that were present in the first motion for a proposed protective order. In particular, the proposed protective order, as amended, reduces the levels of treatment from four to three in the original proposed protective order which is more consistent with governing statutes and regulations. The proposed protective order, as amended, also removes some party specific treatment that is not normally found in the standard protective order used in Commission proceedings. The parties are commended for their treatment of information claimed to be confidential security information under the CSI Act, as the CSI Act requires specific protocols and significant protection for such information which all parties and the Commission must adhere to.

As a result, the protective order proposed by UGI Utilities will be adopted for this proceeding. The proposed protective order is consistent with the Commission’s regulations regarding protective orders. This proceeding involves information that warrants protection and the proposed protective order provides the least restrictive means of limitation which will provide the necessary protection from disclosure.

The parties are advised, however, to minimize the amount of information alleged to be proprietary that is admitted into the record to increase the likelihood that the ultimate decision of the Commission in this matter provides the greatest degree of public access, consistent with the Commission’s regulations. This is especially true with regard to confidential security information which is governed by the CSI Act and provide additional layers of protection for such materials.

ORDER

THEREFORE,

IT IS ORDERED THAT:

1. The Motion is hereby granted with respect to all materials and information identified in Paragraphs 2 – 3 below.
2. The information subject to this Protective Order is all correspondence, documents, data, information, studies, methodologies and other materials, furnished in this proceeding, which are believed by the producing party to be of a proprietary or confidential nature and which are so designated by being marked “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL PROTECTED MATERIAL”, or “CONFIDENTIAL SECURITY INFORMATION.” Such materials will be referred to below as “Proprietary Information.” When a statement or exhibit is identified for the record, the portions thereof that constitute Proprietary Information shall be designated as such for the record.
3. The parties may designate as “CONFIDENTIAL” those materials, which customarily are treated by that party as sensitive or proprietary, which are not available to the public, and which, if disclosed freely, would subject that party or its clients to risk of competitive disadvantage or other business injury. The parties may designate as “HIGHLY CONFIDENTIAL PROTECTED MATERIAL” those materials that are of such a commercially sensitive nature among the parties or of such a private, personal nature that the producing party is able to justify a heightened level of confidential protection with respect to those materials. The parties shall endeavor to limit their designation of information as “HIGHLY CONFIDENTIAL PROTECTED MATERIAL.” The parties may designate as “CONFIDENTIAL SECURITY INFORMATION” those materials, as defined in Section 2 of Act 156 of 2006, P.L. 1425, No. 156, 35 P.S. § 2141.2 et seq. “The Public Utility Confidential Security Information Disclosure Protection Act,” the disclosure of which creates a reasonable likelihood of endangering the physical security of public utility resources, infrastructure, facility or information storage system; and information regarding computer hardware, software and networks, including administrative and technical records, which, if disclosed, would be reasonably likely to jeopardize computer security.
4. Proprietary Information shall be made available to counsel for a party, subject to the terms of this Protective Order. Such counsel shall use or disclose the Proprietary Information only for purposes of preparing or presenting evidence, cross examination, argument, or settlement in this proceeding. To the extent required for participation in this proceeding, counsel for a party may afford access to Proprietary Information subject to the conditions set forth in this Protective Order.
5. Information deemed as “CONFIDENTIAL” shall be made available to a “Reviewing Representative” who is a person that has signed a Non-Disclosure Certificate attached as Appendix A and who is:

(a) An attorney who has entered an appearance in this proceeding for a party or a statutory advocate pursuant to 52 Pa. Code § 1.8, if not an attorney;

(b) Attorneys, paralegals, and other employees associated for purposes of this case with an attorney described in subparagraph 5(a);

(c) An expert or an employee of an expert retained by a party for the purpose of advising, preparing for, or testifying in this proceeding; or

(d) Employees or other representatives of a party appearing in this proceeding with significant responsibility for this docket.

1. Information deemed as “HIGHLY CONFIDENTIAL PROTECTED MATERIAL” may be provided to a “Reviewing Representative” who has signed a Non-Disclosure Certificate attached as Appendix A and who is:
2. An attorney who has entered an appearance in this proceeding for a party or a statutory advocate pursuant to 52 Pa. Code § 1.8, if not an attorney;

(b) An attorney, paralegal, or other employee associated for purposes of this case with an attorney described in subparagraph 6(a);

(c) An outside expert or an employee of an outside expert retained by a party for the purposes of advising, preparing for, or testifying in this proceeding; or

(d) A person designated as a Reviewing Representative for purposes of Highly Confidential PROTECTED MATERIAL information.

Provided, further, that in accordance with the provisions of Sections 5.362 and 5.365(e) of the Commission’s Rules of Practice and Procedure, 52 Pa. Code §§ 5.362, 5.365(e), any party may, by subsequent objection or motion, seek further protection with respect to HIGHLY CONFIDENTIAL PROTECTED MATERIAL documentation, including, but not limited to, total prohibition of disclosure or limitation of disclosure only to particular parties.

1. Information deemed as “CONFIDENTIAL SECURITY INFORMATION” may be provided to a “Reviewing Representative” who has signed a Non-Disclosure Certificate attached as Appendix A and who is:

(a) An attorney who has entered an appearance in this proceeding for a statutory advocate pursuant to 52 Pa. Code § 1.8, or a statutory advocate if not an attorney;

(b) An attorney, paralegal, or other employee associated for purposes of this case with an attorney described in subparagraph 7(a); or

(c) An outside expert or an employee of an outside expert retained by a statutory advocate for the purposes of advising, preparing for, or testifying in this proceeding.

CONFIDENTIAL SECURITY INFORMATION will only be provided for inspection via: (a) in-person review at the offices of Post & Schell, P.C., 17 N. Second Street, 12th Floor, Harrisburg, PA 1701; (b) in-person review, or upon request of a statutory advocate or an attorney for a statutory advocate, at another location in the Harrisburg-metro area of the Commonwealth, between the hours of 9 A.M. to 5 P.M., Monday through Friday; or (c) secure video-conference link that will be supplied by Post & Schell, P.C., upon request of a statutory advocate or any attorney for a statutory advocate that is subject to COVID-19 restrictions that would prohibit in-person review. Such review may be proctored, and the Reviewing Representatives are prohibited from reproducing such information in any form without the prior authorization of UGI Gas’s counsel (including taking detailed notes, making photocopies, or taking pictures). If a statutory advocate determines that it is necessary to use CONFIDENTIAL SECURITY INFORMATION as part of their presentation of evidence in this proceeding, such statutory advocate shall request a copy from counsel for UGI Gas, which permission shall not be unreasonably withheld and subject to that party confirming it understands and will abide by the terms of this Protective Order concerning use of such materials.

Provided, further, that in accordance with the provisions of Sections 5.362 and 5.365(e) of the Commission’s Rules of Practice and Procedure, 52 Pa. Code §§ 5.362, 5.365(e), any party may, by subsequent objection or motion, seek further protection with respect to CONFIDENTIAL SECURITY INFORMATION, including, but not limited to, total prohibition of disclosure or limitation of disclosure only to particular parties.

1. For purposes of this Protective Order, a Reviewing Representative may not be a “Restricted Person.”

(a) A “Restricted Person” shall mean: (i) an officer, director, stockholder, partner, or owner of any competitor of the parties or an employee of such an entity if the employee’s duties involve marketing or pricing of the competitor’s products or services; (ii) an officer, director, stockholder, partner, or owner of any affiliate of a competitor of the parties (including any association of competitors of the parties) or an employee of such an entity if the employee’s duties involve marketing or pricing of the competitor’s products or services; (iii) an officer, director, stockholder, owner or employee of a competitor of a customer of the parties if the Proprietary Information concerns a specific, identifiable customer of the parties; and (iv) an officer, director, stockholder, owner or employee of an affiliate of a competitor of a customer of the parties if the Proprietary Information concerns a specific, identifiable customer of the parties; provided, however, that no expert shall be disqualified on account of being a stockholder, partner, or owner unless that expert’s interest in the business would provide a significant motive for violation of the limitations of permissible use of the Proprietary Information. For purposes of this Protective Order, stocks, partnership, or other ownership interests valued at more than $10,000 or constituting more than a 1% interest in a business establishes a significant motive for violation.

(b) If an expert for a party, another member of the expert’s firm, or the expert’s firm generally also serves as an expert for, or as a consultant or advisor to, a Restricted Person, said expert must: (i) identify for the parties each Restricted Person and each expert or consultant; (ii) make reasonable attempts to segregate those personnel assisting in the expert’s participation in this proceeding from those personnel working on behalf of a Restricted Person; and (iii) if segregation of such personnel is impractical, the expert shall give to the producing party written assurances that the lack of segregation will in no way jeopardize the interests of the parties or their customers. The parties retain the right to challenge the adequacy of the written assurances that the parties’ or their customers’ interests will not be jeopardized. No other persons may have access to the Proprietary Information except as authorized by order of the Commission.

(c) The Office of Small Business Advocate’s (“OSBA”) consultant, Mr. Robert D. Knecht, will not be considered to be a Restricted Person, and Paragraphs 8(a) and 8(b) will not apply to Mr. Knecht, provided that Mr. Knecht does not share or discuss the Proprietary Information with any person except authorized OSBA representatives.

1. In the event that a party wishes to designate as a Reviewing Representative a person not described in Paragraphs 5(a) through 5(d), 6(a) through 6(c), or 7(a) through 7(c) above or a person that is a Restricted Person under Paragraph 8, the party shall seek agreement from the party providing the Proprietary Information. If an agreement is reached, that person shall be a Reviewing Representative with respect to those materials. If no agreement is reached, the party shall submit the disputed designation to the presiding Administrative Law Judges for resolution.
2. A qualified “Reviewing Representative” for “HIGHLY CONFIDENTIAL PROTECTED MATERIAL” may review and discuss the “HIGHLY CONFIDENTIAL PROTECTED MATERIAL” with their client or with the entity with which they are employed or associated, to the extent that the client or entity is not a “Restricted Person,” but may not share with or permit the client or entity to review the “HIGHLY CONFIDENTIAL PROTECTED MATERIAL.” Such discussions must be general in nature and not disclose specific “HIGHLY CONFIDENTIAL PROTECTED MATERIAL”; provided, however, that counsel for the Commission’s Bureau of Investigation and Enforcement (“I&E”), the Office of Consumer Advocate, and the OSBA may share proprietary information with the I&E Director, Consumer Advocate, and Small Business Advocate, respectively, without obtaining a Non-Disclosure Certificate from these individuals, so long as these individuals otherwise abide by the terms of the Protective Order.
3. Information deemed Proprietary Information shall not be used except as necessary for the conduct of this proceeding, nor shall it be disclosed in any manner to any person except a Reviewing Representative who is engaged in the conduct of this proceeding and who needs to know the information in order to carry out that person’s responsibilities in this proceeding. Reviewing Representatives may not use information contained in any Proprietary Information obtained through this proceeding to give any party or any competitor of any party a commercial advantage.
4. Reviewing Representatives shall execute a Non-Disclosure Certificate in order to obtain access to Proprietary Information, and will be subject to the following conditions:

(a) A Reviewing Representative shall not be permitted to inspect, participate in discussions regarding, or otherwise be permitted access to Proprietary Information pursuant to this Protective Order unless that Reviewing Representative has first executed a Non-Disclosure Certificate, provided that if an attorney qualified as a Reviewing Representative has executed such a certificate, the paralegals, secretarial personnel, and clerical personnel under the attorney’s instruction, supervision, or control need not do so. A copy of each Non-Disclosure Certificate shall be provided to counsel for the party asserting confidentiality prior to disclosure of any Proprietary Information to that Reviewing Representative.

(b) Attorneys and outside experts qualified as Reviewing Representatives are responsible for ensuring that persons under their supervision or control comply with the Protective Order.

1. None of the parties waive their right to pursue any other legal or equitable remedies that may be available in the event of actual or anticipated disclosure of Proprietary Information.
2. The parties shall designate data or documents as constituting or containing Proprietary Information by marking the documents “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL PROTECTED MATERIAL,” or “CONFIDENTIAL SECURITY INFORMATION.” Where only part of data compilations or multi-page documents constitutes or contains Proprietary Information, the parties, insofar as reasonably practicable within discovery and other time constraints imposed in this proceeding, shall designate only the specific data or pages of documents that constitute or contain Proprietary Information. The Proprietary Information shall be served upon the parties hereto only, and the materials shall be separate from the nonproprietary materials and conspicuously marked “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL PROTECTED MATERIAL,” or “CONFIDENTIAL SECURITY INFORMATION.” For filing purposes, Proprietary Information shall be filed separately from the nonproprietary materials and conspicuously marked “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL PROTECTED MATERIAL,” or “CONFIDENTIAL SECURITY INFORMATION.”
3. The parties will consider and treat the Proprietary Information as within the exemptions from disclosure provided in Section 335(d) of the Public Utility Code, 66 Pa. C.S. § 335(d), and the Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101 *et seq.*, until such time as the information is found to be non-proprietary. In the event that any person or entity seeks to compel the disclosure of Proprietary Information, the non-producing party shall promptly notify the producing party in order to provide the producing party an opportunity to oppose or limit such disclosure.
4. Any public reference to Proprietary Information by a party or its Reviewing Representatives shall be to the title or exhibit reference in sufficient detail to permit persons with access to the Proprietary Information to understand fully the reference and not more. The Proprietary Information shall remain a part of the record, to the extent admitted, for all purposes of administrative or judicial review.
5. Part of any record of this proceeding containing Proprietary Information, including but not limited to all exhibits, writings, testimony, cross examination, argument, and responses to discovery, and including reference thereto as mentioned in Paragraph 16 above, shall be sealed for all purposes, including administrative and judicial review, unless such Proprietary Information is released from the restrictions of this Protective Order, either through the agreement of the parties to this proceeding or pursuant to an order of the Commission.
6. The parties shall retain the right to question or challenge the confidential or proprietary nature of Proprietary Information and to question or challenge the admissibility of Proprietary Information. If a party challenges the designation of a document or information as proprietary, the party providing the information retains the burden of demonstrating that the designation is appropriate.
7. The parties shall retain the right to question or challenge the admissibility of Proprietary Information; to object to the production of Proprietary Information on any proper ground; and to refuse to produce Proprietary Information pending the adjudication of the objection.
8. Within 30 days after a Commission final order is entered in the above-captioned proceeding, or in the event of appeals, within 30 days after appeals are finally decided, the parties, upon request, shall either destroy or return to the parties all copies of all documents and other materials not entered into the record, including notes, which contain any Proprietary Information. In the event that a party elects to destroy all copies of documents and other materials containing Proprietary Information instead of returning the copies of documents and other materials containing Proprietary Information to the parties, the party shall certify in writing to the producing party that the Proprietary Information has been destroyed.

Dated: May 24, 2022 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/s/\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Joel H. Cheskis

Deputy Chief Administrative Law Judge

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/s/\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Gail M. Chiodo

Administrative Law Judge

**APPENDIX A**

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| Pennsylvania Public Utility Commission  v.  UGI Utilities, Inc. – Gas Division | :  :  :  :  : | Docket Nos. R-2021-3030218, et al. |

**NON-DISCLOSURE CERTIFICATE FOR**

**PROPRIETARY INFORMATION**

TO WHOM IT MAY CONCERN:

The undersigned is the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (the retaining party). The undersigned has read and understands the Protective Order and the required treatment of Proprietary Information. The undersigned agrees to be bound by and comply with the terms and conditions of said Protective Order.

\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DATE SIGNATURE

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ADDRESS

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EMPLOYER

**R-2021-3030218 et al. - PA PUC v. UGI UTILITIES INC - GAS DIVISION**

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PAUL FORLENZA128 SADDLE RIDGE DRIVEDALLAS PA 18612**570.498.4711**PRF2324@COMCAST.NET

ELISABETH L LYNCH210 POPLAR LANEMILL HALL PA 17751**570.726.3511**Accepts EService

1. The complaints filed by Mr. Sohn, Ms. Miraglia and Mr. Galdieri have not been formally consolidated with this proceeding. [↑](#footnote-ref-1)