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July 1, 2022

VIA ELECTRONIC FILING

Honorable Christopher P. Pell
Honorable John Coogan
Deputy Chief Administrative Law Judge
801 Market Street
Suite 4063
Philadelphia, PA 19107
cpell@pa.gov
jcoogan@pa.gov

Re: Pennsylvania Public Utility Commission v. Columbia Gas of Pennsylvania, Inc.;
Docket Nos. R-2022-3032167 *et al*; **THE PENNSYLVANIA STATE
UNIVERSITY'S PREHEARING CONFERENCE MEMORANDUM**

Dear Judge Pell and Judge Coogan:

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/ Whitney E. Snyder

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

Counsel for The Pennsylvania State University

cc: Rosemary Chiavetta, Secretary (via e-filing)
Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2022-3032167
Office of Consumer Advocate	:	C-2022-3032404
Retail Energy Supply Association,	:	C-2022-3032550
Shiple Choice, LLC, and NRG Energy, Inc.	:	
	:	
v.	:	
	:	
Columbia Gas of Pennsylvania, Inc	:	

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

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

On April 26, 2022, Columbia Gas of Pennsylvania, Inc. (“Columbia Gas” or the “Company”) filed Supplement No. 343 to Tariff Gas – Pa. P.U.C. No. 9 (“Supplement No. 343”). Supplement No. 343 proposes the implementation of a 5-year pilot program, called the Green Path Rider, that would allow customers an option to reduce some or all of their emissions related to their natural gas usage. Also on April 26, 2022, Columbia Gas also filed a Motion to Consolidate Supplement No. 343 with its currently pending base rate case filed at Docket No. R-2022-3031211, so that both filings could be litigated as part of Columbia Gas’s base rate proceeding.

By Order entered May 12, 2022, Deputy Chief Administrative Law Judge Christopher P. Pell and Administrative Law Judge John Coogan issued an Order denying Columbia Gas’s Motion to Consolidate Supplement No. 343 with the currently pending base rate case at Docket No. R-2022-3031211 because it would not provide an adequate process for review of Columbia Gas’ proposed Green Path Rider.

By Order entered on June 16, 2022, the Pennsylvania Public Utility Commission (Commission) instituted an investigation into the lawfulness, justness, and reasonableness of the rates, rules, and regulations contained in the proposed Supplement No. 343 to Tariff Gas Pa. P.U.C. No. 9. Pursuant to Section 1308(b) of the Public Utility Code, 66 Pa. C.S.A. § 1308(b), Supplement No. 343 to Tariff Gas Pa.P.U.C. No. 9 was suspended by operation of law until July 1, 2023, 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 for the prompt scheduling of hearings culminating in the issuance of a Recommended Decision.

On June 14, 2022, the Pennsylvania State University (“PSU”) filed a Petition to Intervene in this matter. 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 June 22, 2022, a Notice was issued setting a Telephonic Prehearing Conference in the above-captioned proceeding for Wednesday July 6, 2022, at 9:00 a.m. before the ALJs. On June 22, 2022, ALJ Pell issued a Prehearing Conference Order requiring each party to file a Prehearing Conference Memorandum on or before 12:00 p.m., July 1, 2022.

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.

If called, Mr. Crist may present testimony regarding the proposed pilot program for renewable natural gas environmental attributes and carbon-offsets as well as allocation of costs for the program.

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 may address the proposed pilot program for renewable natural gas environmental attributes and carbon-offsets as well as allocation of costs for the program.

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/ Whitney E. Snyder

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

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Counsel for The Pennsylvania State University

Dated: July 1, 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).

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Dated this 1st day of July, 2022

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/s/ Whitney E. Snyder

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