

July 22, 2022

E-FILED

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

Re: Pennsylvania Public Utility Commission v. Leatherstocking Gas Company, LLC / Docket No.: R-2022-3032764

Dear Secretary Chiavetta:

Enclosed please find the Complaint, Public Statement, and Verification, on behalf of the Office of Small Business Advocate ("OSBA"), in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

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

Sincerely,

/s/ Sharon E. Webb

Sharon E. Webb Assistant Small Business Advocate Attorney ID No. 73995

Enclosures

cc: Parties of Record

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission:

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v. : Docket Nos. R-2022-3032764

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Leatherstocking Gas Company LLC:

COMPLAINT OF THE SMALL BUSINESS ADVOCATE

1. The Complainant is:

NazAarah Sabree Small Business Advocate 555 Walnut Street Forum Place, 1st Floor Harrisburg, PA 17101 (717) 783-2525

2. The name and address of the attorney for the Office of Small Business Advocate ("OSBA") is:

Sharon E. Webb Assistant Small Business Advocate Office of Small Business Advocate 555 Walnut Street Forum Place, 1st Floor Harrisburg, PA 17101 (717) 783-2525 (717) 783-2831 (fax) swebb@pa.gov

3. The respondent utility is:

Leatherstocking Gas Company LLC 498 South Main St., Suite C Montrose, PA 18801

- 4. The Complainant is authorized and directed by the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 399.50, to represent the interests of small business consumers of utility services in matters before the Pennsylvania Public Utility Commission ("Commission").
- 5. This Complaint is filed against the rates, terms, and other provisions of Supplement No. 17 to Leatherstocking Gas Company LLC's Gas Service Tariff—Pa. P.U.C. No. 1 ("Supplement No. 17"), which was filed on July 1, 2022. The proposed Tariff, if approved by the Commission, would increase the retail distribution rates of ("Leatherstocking" or the "Company") by \$701,000. After preliminary review of the materials filed by the Company in support of the proposed Tariff, Complainant believes, and therefore avers, that those materials may be insufficient to justify the rate increase requested and that the Company's present and proposed rates, rules, and conditions of service may be unjust, unreasonable, unduly discriminatory, and otherwise contrary to law, particularly as they pertain to small business customers.
- 6. Complainant believes, and therefore avers, that Leatherstocking's proposed rates, rate design, and cost and revenue allocation are or may be unjust, unreasonable, and unlawfully discriminatory in violation of, *inter alia*, Sections 1301 and 1304 of the Public Utility Code, 66 Pa.C.S. §§1301 and 1304, and contrary to appropriate public policy and sound ratemaking considerations, and may not be supported by the materials filed by Leatherstocking.
- 7. In view of the foregoing, the Small Business Advocate respectfully requests that the Pennsylvania Public Utility Commission:

- A. Suspend and investigate the operation of Supplement No. 17 to Leatherstocking's Gas Service Tariff—Pa. P.U.C. No. 1;
- B. At the conclusion of such investigation, reject the proposed new rates and other tariff changes in Supplement No. 17 to

 Leatherstocking's Gas Service Tariff—Pa. P.U.C. No. 17 to the extent required to insure that Leatherstocking's rates are lawful, just, reasonable, and not unduly discriminatory; and
- C. Grant such other relief as may be necessary or appropriate.

Respectfully submitted,

/s/ Sharon E. Webb

Sharon E. Webb

Assistant Small Business Advocate Attorney ID No. 73995

For: NazAarah Sabree

Small Business Advocate

Office of Small Business Advocate 555 Walnut Street Forum Place, 1st Floor Harrisburg, PA 17101 (717) 783-2525 (717) 783-2831 (fax)

Dated: July 22, 2022

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission:

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v. : Docket Nos. R-2022-3032764

:

Leatherstocking Gas Company LLC

PUBLIC STATEMENT OF THE OFFICE OF SMALL BUSINESS ADVOCATE

The Small Business Advocate is authorized and directed to represent the interests of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 – 399.50 ("the Act"). The Act further provides that the Small Business Advocate issue publicly a written statement setting forth concisely the specific interest of small business consumers to be protected by the initiation of, or intervention in, any proceeding involving those interests before the Pennsylvania Public Utility Commission ("Commission") or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of a Complaint in the above-captioned proceeding.

This proceeding involves a request by Leatherstocking Gas Company LLC ("Leatherstocking") for the approval of Supplement No. 17 to Leatherstocking's Gas Service Tariff No. 1 (Supplement No. 17) which provide for an annual \$701,000 base rate increase.

The Small Business Advocate has filed a formal Complaint against

Leatherstocking's proposed rate increase in order to protect the interests of

Leatherstocking's small business customers. A preliminary review of the data filed by

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the Company in support of its request for a rate increase indicates that the costs claimed by the utility for ratemaking purposes may be excessive. A thorough inquiry by the

Commission into all elements of Leatherstocking's request for a rate increase is necessary

to ensure that Leatherstockings's rates, including any new rates that may result from this

proceeding, are just, reasonable, and non-discriminatory.

In view of the foregoing, the Small Business Advocate will participate in

proceedings before the Commission to investigate the reasonableness of the proposed

rates in Leatherstocking's Tariff No. 1 ("Supplement No. 17"). The Small Business

Advocate will ask the Commission to deny any proposed rate increase or other changes in

Leatherstocking's present tariffs that apply to small business customers that are not

proven by the Company to be lawful, just, reasonable and non-discriminatory.

Dated: July 22, 2022

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VERIFICATION

I, NazAarah Sabree, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: _ July 22, 2022

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission:

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v. : Docket Nos. R-2022-3032764

:

Leatherstocking Gas Company LLC

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email (*unless other noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

The Honorable Charles E. Rainey Jr. Chief Administrative Law Judge Pennsylvania Public Utility Commission 400 North Street Commonwealth Keystone Building Harrisburg, PA 17120 crainey@pa.gov

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/s/ Sharon E. Webb

DATE: July 22, 2022

Sharon E. Webb

Assistant Small Business Advocate

Attorney ID No. 73995