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August 12, 2022

***VIA ELECTRONIC FILING***

Administrative Law Judge Jeffrey A. Watson  
Pennsylvania Public Utility Commission  
301 Fifth Avenue, Suite 220  
Pittsburgh, PA 15222  
[jeffwatson@pa.gov](mailto:jeffwatson@pa.gov)

RE: Leatherstocking Gas Company LLC 2022 General Base Rate Increase (Gas) Filing;  
Docket No. R-2022-3032764; **LEATHERSTOCKING PREHEARING  
CONFERENCE MEMORANDUM**

Dear Judge Watson:

In accordance with Your Honor's August 4, 2022 Prehearing Conference Order, enclosed is Leatherstocking Gas Company, LLC's Prehearing Conference Memorandum in connection with the above-captioned matter. A copy of the enclosed memorandum has been served as indicated on the attached Certificate of Service.

If you should have any questions, please feel free to contact me at 717-236-1300.

Very truly yours,

*/s/ Phillip D. Demanchick*

Thomas J. Sniscak  
Whitney E. Snyder  
Phillip D. Demanchick  
*Counsel for Leatherstocking Gas Company LLC*

PDD/das  
Enclosure

cc: Rosemary Chiavetta, Secretary (via efileing)  
Nick Miskanic, Legal Assistant ([nmiskanic@pa.gov](mailto:nmiskanic@pa.gov))  
Per Certificate of Service



On August 2, 2022, the Office of Consumer Advocate (“OCA”) filed a Formal Complaint, Public Statement, and Notice of Appearance, which was docketed at Docket No. C-2022-3034235.

On August 4, 2022, the Commission, pursuant to the Public Utility Code, 66 Pa. C.S. § 1308(d), suspended Supplement No. 17 by operation of law until April 1, 2023, unless permitted by Commission Order to become effective at an earlier date. The Commission also ordered an investigation to determine the lawfulness, justness, and reasonableness of the rates, rules, and regulations contained in Leatherstocking’s proposed Supplement No. 17.

Also on August 4, 2022, an E-serve Notice was issued by the Commission setting a Prehearing Conference in the above-captioned proceedings for August 16, 2022, before the Honorable Jeffrey A. Watson (“ALJ Watson”). By Prehearing Conference Order dated August 4, 2022, ALJ Watson directed the parties to file Prehearing Conference Memoranda by August 12, 2022.

## **II. ACCEPTANCE OF SERVICE**

Leatherstocking requests that each of the below attorneys be served documents in this proceeding on its behalf:

Thomas J. Sniscak, Attorney I.D. No. 33891  
Whitney E. Snyder, Attorney I.D. No. 316625  
Phillip D. Demanchick Jr., Attorney I.D. No. 324761  
Hawke McKeon & Sniscak LLP  
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In accordance with the Commission’s Order entered March 10, 2022, at Docket No. M-2021-3028321, e-mail service is acceptable to Leatherstocking. Leatherstocking also proposes the parties agree to accept service of all documents by email by 4:30 pm as satisfying in-hand delivery.

Should hard copy service become necessary as this proceeding progresses, hard copy service can be sent to the attorneys at the address listed above.

**III. ISSUES AND SUB-ISSUES**

The adjustments and reasons for the revenue, expense, rate base, and return are listed or appear in the Company’s filing. Leatherstocking intends to address issues involving: (1) the reasonableness of the revenue increase it is seeking in this proceeding; (2) the reasonableness of the proposed allocation of the requested increase among the various customer classes; (3) the reasonableness of the rates of return proposed by Leatherstocking; and (4) general natural gas operations of the Company.

Leatherstocking reserves the right to present additional testimony and exhibits on any other issues that may arise during this proceeding.

**IV. WITNESSES**

Below is a list of the witnesses and the areas of their testimony that comprises Leatherstocking’s direct case in this proceeding. The subject matters listed below represent as complete a statement of issues that Leatherstocking can provide at this stage of the proceeding. Further definition of contested issues by the parties will develop within the scope of the subject matter listed below during the proceeding.

Leatherstocking currently intends to offer the following witnesses to testify in the base rate proceeding on the following subject matters:

<b>Testimony</b>	<b>Witness</b>	<b>Issues Covered</b>
LGC Statement No. 1	Accounting and Rate Panel  Charles Lenns Vice President and Chief Financial Officer Corning Natural Gas Holding Corporation 330 West William Street Corning, New York 14830	A) Historic Financial Data and Intercompany Cost Allocations B) Capital Structure C) Rate of Return D) Rate Base E) Cost of Service

	<a href="mailto:clenns@corninggas.com">clenns@corninggas.com</a> Richard Kane Rate Case Consultant 77 Leland Avenue Pleasantville, New York 10570 <a href="mailto:snorunner1@msn.com">snorunner1@msn.com</a>	F) Sales and Revenue G) Rate Design, Construction Build-Out CIAC Fee, Rate Allocation, and Bill Impact Analysis
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Leatherstocking reserves the right 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.

**V. PROPOSED LITIGATION SCHEDULE**

Leatherstocking proposes the following litigation schedule in this proceeding for Your Honor’s consideration.

Prehearing Conference	August 16, 2022
Other Parties’ Direct Testimony	September 13, 2022
In-Person Public Input Hearings	Week of September 19, 2022
Rebuttal Testimony	October 5, 2022
Surrebuttal Testimony	October 18, 2022
Written Rejoinder	October 24, 2022
Evidentiary Hearings	October 26 – 27, 2022
Receipt of Transcripts	October 31, 2022
Main Briefs	November 18, 2022
Reply Briefs	December 1, 2022
Recommended Decision	January 10, 2023
Public Meeting	March 16, 2023

As the proposed litigation schedule contemplates public input hearings convening after the filing of the other parties’ direct testimony, Leatherstocking proposes that parties respond to the public input hearing testimony in rebuttal testimony. Parties would then have the opportunity to respond to that rebuttal testimony at the surrebuttal stage of the proceeding.

## **VI. DISCOVERY**

On July 1, 2022, Leatherstocking filed its direct case in this matter, which included all supporting documentation and direct testimony. To date, Leatherstocking has responded and is responding to discovery requests received from I&E. In an effort to expedite the discovery process, Leatherstocking proposes the following discovery modifications:

### **Proposed Discovery Modifications:**

- (1) Answers to written interrogatories shall be served in-hand within ten (10) calendar days of service.
- (2) Objections to interrogatories shall be communicated orally within three (3) calendar days of service of the interrogatories; unresolved objections shall be served upon the ALJ within five (5) calendar days of service of the interrogatories.
- (3) Motions to dismiss objections and/or direct the answering of interrogatories shall be filed within three (3) calendar days of service of such motions.
- (4) Answers to motions to dismiss objections and/or answering of interrogatories shall be filed within three (3) calendar days of service of such motions.
- (5) Responses to requests for document production, entry for inspection, or other purposes must be served in-hand within ten (10) calendar days of service.
- (6) Requests for admission will be deemed admitted unless answered within ten (10) calendar days or objected to within five (5) calendar days of service.
- (7) Answers to on-the-record data requests shall be served in-hand within seven (7) calendar days of the requests.
- (8) Discovery and all discovery-related pleadings, such as objections, motions, or answers, served after 12:00 noon on a Friday or after 12:00 noon the day before a holiday recognized by the Commission will be deemed to have been served on the following business day for purposes of tracking due dates.

## **VII. SETTLEMENT**

Leatherstocking will actively seek to participate in settlement discussions with the other parties. Leatherstocking will not be utilizing the Commission's mediation process.

WHEREFORE, Leatherstocking Gas Company, LLC respectfully submits this Prehearing Conference Memorandum.

Respectfully submitted,

/s/ Phillip D. Demanchick

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

Whitney E. Snyder, Attorney I.D. No. 316625

Phillip D. Demanchick Jr., Attorney I.D. No. 324761

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Dated: August 12, 2022

*Counsel for Leatherstocking Gas Company, LLC*

**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).

**SERVICE BY EMAIL ONLY:**

Aron J. Beatty, Esquire  
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/s/ Phillip D. Demanchick

Thomas J. Sniscak, Esq.  
Whitney E. Snyder, Esq.  
Phillip D. Demanchick, Esq.

Dated: August 12, 2022