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October 24, 2022

By Electronic Filing

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

RE: Leatherstocking Gas Company LLC 2022 General Base Rate Increase (Gas) Filing;
Docket No. R-2022-3032764; **JOINT STIPULATION FOR ADMISSION OF
TESTIMONY AND EXHIBITS INTO THE EVIDENTIARY RECORD**

Dear Secretary Chiavetta:

Pursuant to ordering paragraph number 3 of the Interim Order issued October 21, 2022, attached you will find the Joint Stipulation for Admission of Testimony and Exhibits into the Evidentiary Record in the above-captioned proceeding. A copy of the enclosed stipulation 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/ Whitney E. Snyder

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

WES/das
Enclosure

cc: Administrative Law Judge Jeffrey A. Watson (jeffwatson@pa.gov)
Nick Miskanic, Legal Assistant (nmiskanic@pa.gov)
Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**JOINT STIPULATION FOR ADMISSION
OF TESTIMONY AND EXHIBITS INTO THE EVIDENTIARY RECORD**

TO THE HONORABLE JEFFREY A. WATSON:

This Joint Stipulation for Admission of Testimony and Exhibits into the Evidentiary Record ("Joint Stipulation") is entered into by Leatherstocking Gas Company, LLC ("Leatherstocking" or "LGC"); the Bureau of Investigation & Enforcement ("I&E"); the Office of Consumer Advocate ("OCA"); and the Office of Small Business Advocate ("OSBA") (hereinafter collectively referred to as the "Joint Petitioners"), by their respective counsel, in connection with the above-captioned matter. The Joint Petitioners respectfully request that Administrative Law Judge Jeffrey A. Watson ("ALJ Watson") admit into the evidentiary record of this proceeding the previously distributed written testimony and exhibits prepared by Leatherstocking, I&E, the OCA, and OSBA and their witnesses as identified below. In support of this request, the Joint Petitioners aver and state as follows:

1. On July 1, 2022, Leatherstocking filed Supplement No. 17 to Tariff Gas – Pa. P.U.C. No. 1 ("Supplement No. 17") to become effective September 1, 2022. This filing contained proposed changes in rates, rules, and regulations calculated to produce \$701,200

(32.35%) in additional annual revenues.

2. Included with the initial filing on July 1, 2022, Leatherstocking provided the Direct Testimony and Exhibits as described below.

3. On July 19, 2022, I&E filed a Notice of Appearance for Carrie B. Wright.

4. On July 22, 2022, the OSBA filed a Formal Complaint, Public Statement, and Notice of Appearance, which was docketed at C-2022-3033978.

5. On August 4, 2022, the OCA filed a Formal Complaint, Public Statement, and Notice of Appearance, which was docketed at C-2022-3034235.

6. On August 4, 2022, the Pennsylvania Public Utility Commission (“Commission”) issued an Order suspending Supplement No. 17 by operation of law until April 1, 2023, unless permitted by Commission Order to become effective at an earlier date.

7. ALJ Watson was assigned to the instant matter and presided over a Prehearing Conference on August 16, 2022.

8. On August 17, 2022, ALJ Watson issued a Prehearing Order setting forth the litigation schedule for the proceeding, including dates for telephonic evidentiary hearings, as well as modifying the Commission’s discovery regulations.

9. On September 13, 2022, I&E, the OCA, and OSBA served their respective Direct Testimony and Exhibits as described below.

10. On September 19, 2022, a telephonic public input hearing was convened.

11. On October 5, 2022, Leatherstocking, OCA, and I&E served their respective Rebuttal Testimony and Exhibits as described below.

12. During the course of this proceeding, negotiations took place among the parties seeking to achieve a full settlement of the issues.

13. On October 17, 2022, Leatherstocking informed ALJ Watson that the Joint Petitioners had reached a settlement in principle. The parties requested that they submit the joint petition for settlement with statements in support by the previously assigned deadline of December 1, 2022.

14. In response, ALJ Watson directed the Joint Petitioners to file the Joint Stipulation, along with providing ALJ Watson a copy of all pre-marked testimony and evidence/exhibits, by Monday, October 24, 2022. Once received, ALJ Watson indicated that he would suspend the deadlines set forth in the October 4, 2022 Interim Order and cancel the evidentiary hearings scheduled for October 26-27, 2022.

15. Accordingly, the Joint Petitioners hereby stipulate to the admission of the following into the evidentiary record:

Leatherstocking Gas Company LLC Testimony and Exhibits:

Rate Case Filing and Direct Testimony

- A. Appendix A – Tariff Leaves;
- B. Appendix B – Impact of the Proposed Rate Change on Total Bill Revenues for the Twelve Months Ended March 31, 2023;
- C. Leatherstocking Statement No. 1 – Direct Testimony of Accounting and Rate Panel Charles Lenns and Richard A. Kane, including Exhibit Nos. G-1 through G-6;
- D. Data Responses to 52 Pa. Code Section 53.52;
- E. Proofs of Notice;
- F. Verification.

Rebuttal Testimony

- A. Leatherstocking Statement No. 1-R - Rebuttal Testimony of Accounting and Rate Panel Charles Lenns and Richard A. Kane, including Appendices A and B and Exhibits G-2 Oct. 2022 Update through G-4 Oct. 2022 Update.

Verifications

- A. Testimony Verification of Charles Lenns;
- B. Testimony Verification of Richard A. Kane.

Bureau of Investigation and Enforcement Testimony and Exhibits:

Direct Testimony

- A. I&E Statement No. 1 – Direct Testimony of Christine Wilson, including I&E Exhibit No. 1;
- B. I&E Statement No. 2 – Direct Testimony of Anthony Spadaccio, including I&E Exhibit No. 2;
- C. I&E Statement No. 3 - Direct Testimony of Esyan Sakaya, including I&E Exhibit No. 3.

Rebuttal Testimony

- A. I&E Statement No. 3-R – Rebuttal Testimony of Esyan Sakaya, including I&E Exhibit No. 3-R.

Verifications

- A. Testimony Verification of Christine Wilson;
- B. Testimony Verification of Anthony Spadaccio;
- C. Testimony Verification of Esyan Sakaya.

The Office of Consumer Advocate Testimony and Exhibits:

Direct Testimony

- A. OCA Statement No. 1 - Direct Testimony of Jennifer Rogers, including Schedules JLR-1 to JLR-12 and a verification.

Rebuttal Testimony

- A. OCA Statement No. 2-R – Rebuttal Testimony of Jerome D. Mierzwa, including a verification.

Office of Small Business Advocate Testimony and Exhibits:

Direct Testimony

- A. OSBA Statement No. 1 - Direct Testimony of Kevin Higgins, including an Appendix, Exhibits KCH-1 through KCH-5, and a verification.

16. Pursuant to Your Honor’s request, the parties have included the witness verifications and a proposed order, included as Appendix A, listing all of the previously identified testimony for admission into the record. Copies of the testimony and exhibits will be filed electronically with the Commission pursuant to Section 5.412a of the Commission’s regulations. See 52 Pa. Code § 5.412a.

NOW, THEREFORE, desiring to enter into this Joint Stipulation and intending to be bound hereby, the Joint Petitioners agree, stipulate to the following, and respectfully request:

A. That, upon the issuance of a separate Order by Administrative Law Judge Jeffrey A. Watson, the following Testimony and Exhibits, as described above, shall be deemed to be made a part of the official evidentiary record of this proceeding and may be used for all proper and legal purposes in support of the Settlement and Joint Petition as if hearings had been conducted in this matter.

B. That cross-examination is waived with respect to all of the witnesses of the Joint Petitioners, that the Joint Petitioners agree to the matters set forth above, and that evidentiary hearings scheduled for October 26-27, 2022, be cancelled. Copies of the testimony and exhibits will be filed electronically with the Commission pursuant to Section 5.412a of the Commission's regulations. See 52 Pa. Code § 5.412a.

C. The admission by stipulation of the foregoing testimony and exhibits is subject to the Commission's approval without modification of the Joint Petition for Settlement, which will be filed no later than December 1, 2022. The Joint Petitioners reserve their respective rights to submit additional testimony and to cross-examine witnesses in the event the Joint Petition for Settlement is not approved without modification.

By their signatures below, the Joint Petitioners agree to the terms of this Joint Stipulation and represent that they are authorized to execute this Joint Stipulation on behalf of their respective clients/offices.

Respectfully submitted,



(Dated) 10/24/22

Thomas J. Sniscak, Esq., I.D. #33891
Whitney E. Snyder, Esquire, I.D. #316625
Phillip D. Demanchick, Jr. Esquire, I.D. #324761
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*Counsel for
Leatherstocking Gas Company LLC*

(Dated) _____

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(Dated) 10/24/22

Carrie B. Wright
Pennsylvania Public Utility Commission
Bureau of Investigation & Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 1720
cawright@pa.gov


By their signatures below, the Joint Petitioners agree to the terms of this Joint Stipulation and represent that they are authorized to execute this Joint Stipulation on behalf of their respective clients/offices.

Respectfully submitted,

(Dated) _____

Thomas J. Sniscak, Esq., I.D. #33891
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(Dated) 10/24/22

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(Dated) _____

Sharon E. Webb

Sharon E. Webb, Esquire
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555 Walnut Street
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(Dated) October 24, 2022

Appendix A

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**ORDER GRANTING JOINT STIPULATION
FOR ADMISSION OF EVIDENCE**

On October 24, 2022, a Joint Stipulation for Admission of Evidence (“Joint Stipulation”) was filed by Leatherstocking Gas Company, LLC (“Leatherstocking” or “LGC”), the Bureau of Investigation & Enforcement (“I&E”); the Office of Consumer Advocate (“OCA”); and the Office of Small Business Advocate (“OSBA”) (hereinafter collectively referred to as the "Joint Petitioners"), all Parties to the above-captioned proceeding. Each of the Joint Petitioners stipulated to the authenticity of the filings, statements, and exhibits listed in the Joint Stipulation and requested that they be admitted into the record of this proceeding on the terms and conditions set forth in the Joint Stipulation. The Stipulation is attached to this Order.

As this request is reasonable, it will be granted:

THEREFORE, IT IS ORDERED THAT:

1. The following testimony and exhibits are admitted into the record:

Leatherstocking Gas Company LLC Testimony and Exhibits:

Rate Case Filing and Direct Testimony

- A. Appendix A – Tariff Leaves;
- B. Appendix B – Impact of the Proposed Rate Change on Total Bill Revenues for the Twelve Months Ended March 31, 2023;
- C. Leatherstocking Statement No. 1 – Direct Testimony of Accounting and Rate Panel Charles Lenns and Richard A. Kane, including Exhibits No. G-1 through G-6;
- D. Data Responses to 52 Pa. Code Section 53.52;

- E. Proofs of Notice;
- F. Verification.

Rebuttal Testimony

- A. Leatherstocking Statement No. 1-R - Rebuttal Testimony of Accounting and Rate Panel Charles Lenns and Richard A. Kane, including Appendices A and B and Exhibits G-2 Oct. 2022 Update through G-4 Oct. 2022 Update.

Verifications

- A. Testimony Verification of Charles Lenns;
- B. Testimony Verification of Richard A. Kane.

Bureau of Investigation and Enforcement Testimony and Exhibits:

Direct Testimony

- A. I&E Statement No. 1 – Direct Testimony of Christine Wilson, including I&E Exhibit No. 1;
- B. I&E Statement No. 2 – Direct Testimony of Anthony Spadaccio, including I&E Exhibit No. 2;
- C. I&E Statement No. 3 - Direct Testimony of Esyan Sakaya, including I&E Exhibit No. 3.

Rebuttal Testimony

- A. I&E Statement No. 3-R – Rebuttal Testimony of Esyan Sakaya, including I&E Exhibit No. 3-R.

Verifications

- A. Testimony Verification of Christine Wilson;
- B. Testimony Verification of Anthony Spadaccio;
- C. Testimony Verification of Esyan Sakaya.

The Office of Consumer Advocate Testimony and Exhibits:

Direct Testimony

- A. OCA Statement No. 1 - Direct Testimony of Jennifer Rogers, including Schedules JLR-1 to JLR-12 and a verification.

Rebuttal Testimony

- A. OCA Statement No. 2-R – Rebuttal Testimony of Jerome D. Mierzwa, including a verification.

Office of Small Business Advocate Testimony and Exhibits:

Direct Testimony

- A. OSBA Statement No. 1 - Direct Testimony of Kevin Higgins, including an Appendix, Exhibits KCH-1 through KCH-5, and a verification.

2. The deadlines set forth in the October 4, 2022 Interim Order shall be suspended and that evidentiary hearings currently scheduled for October 26-27, 2022, shall be cancelled.

3. The Parties are directed to file copies of the testimony and exhibits, including the accompanying verifications, electronically with the Commission pursuant to Section 5.412a of the Commission's regulations. See 52 Pa. Code § 5.412a.

4. The Parties are directed to file the Joint Petition for Settlement by no later than December 1, 2022, including statements in support. Parties shall establish a common outline for purposes of the Joint Petition for Settlement, Statements in Support, and Briefs, if any.

Dated: _____

The Hon. Administrative Law Judge
Jeffrey A. Watson

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:

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/s/ Whitney E. Snyder

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

Dated: October 24, 2022