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December 15, 2022

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

VIA ELECTRONIC FILING

**RE: Supplement No. 152 to Gas Service Tariff – Pa. P.U.C. of Philadelphia Gas Works;
Docket No. R-2022-3034229**

**Petition of Philadelphia Gas Works for Approval on Less than Statutory Notice of Tariff
Supplement Revising Weather Normalization Adjustment; Docket No. P-2022-3034264**

Dear Secretary Chiavetta:

Attached for filing with the Pennsylvania Public Utility Commission is the Late-Filed Petition to Intervene of the Philadelphia Industrial and Commercial Gas Users Group ("PICGUG"), in the above-referenced proceedings.

As evidenced by the attached Certificate of Service, all parties to this proceeding are being duly served with a copy of this document. Thank you.

Sincerely,

A handwritten signature in black ink that reads 'Charis Mincavage'.

Charis Mincavage
MCNEES WALLACE & NURICK LLC

c: Marta Guhl, Administrative Law Judge (via e-mail)
Athena DelVillar Legal Assistant (via e-mail)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant).

VIA E-MAIL

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Certificate of Service

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Charis Mincavage

Counsel to the Philadelphia Industrial and
Commercial Gas Users Group

Dated this 15th day of December, 2022, at Harrisburg, Pennsylvania

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	
	:	Docket No. R-2022-3034229
Supplement No. 152 to Gas Service Tariff –	:	
Pa. P.U.C. of Philadelphia Gas Works	:	
	:	
Petition of Philadelphia Gas Works for	:	Docket No. P-2022-3034264
Approval on Less than Statutory Notice of	:	
Tariff Supplement Revising Weather	:	
Normalization Adjustment	:	

**LATE-FILED PETITION TO INTERVENE OF THE
PHILADELPHIA INDUSTRIAL AND COMMERCIAL GAS USERS GROUP**

TO THE HONORABLE, THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to the provisions of 52 Pa. Code §§ 5.71-5.74, the Philadelphia Industrial and Commercial Gas Users Group ("PICGUG") hereby files this Petition to Intervene in the above-captioned proceeding. In support thereof, PICGUG states as follows:

1. Petitioner is PICGUG. The composition of PICGUG is attached hereto as Appendix A. PICGUG reserves the right to modify Appendix A throughout the course of this proceeding as necessary.

2. The names and address of Petitioner's attorneys are:

Charis Mincavage (Pa. I.D. 82039)
Adeolu A. Bakare (Pa. I.D. 208541)
Sarah Hibbert (Pa. I.D. 329068)
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3. PICGUG is an *ad hoc* group of large volume natural gas customers receiving service from PGW under Rate Interruptible Transportation ("IT"). PICGUG members use substantial volumes of natural gas in their businesses, and natural gas costs comprise a significant element of their respective costs of operation.

4. Philadelphia Gas Works ("PGW") filed Supplement No. 152 to its existing Gas Service Tariff on August 2, 2022. In its Tariff Supplement, PGW sought to add a cap of 25% of the total Customer Charge plus the Distribution Charge to its Weather Normalization Adjustment Clause ("WNA"). Simultaneously, PGW filed a Petition for Approval on Less than Statutory Notice ("Petition") for its proposed Tariff Supplement.

5. In addition to PGW, parties to this proceeding include the Office of Small Business Advocate ("OSBA"), Office of Consumer Advocate ("OCA"), the Bureau of Investigation & Enforcement ("I&E"), the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania ("CAUSE-PA"), and the Tenant Union Representative Network ("TURN"). In responding to PGW's request, the OCA asserted that not only the 25% cap but also the WNA itself as it currently exists should be reviewed to determine whether the rates it produces are just and

reasonable under Pennsylvania law. CAUSE-PA and TURN filed letter comments supporting the OCA's recommendations regarding the scope of this proceeding.

6. A Prehearing Conference was held in this proceeding on September 28, 2022, after which the procedural schedule was established with PGW's Direct Testimony due on November 30, 2022. On November 8, 2022, PGW filed a Petition to Withdraw its Gas Tariff Supplement, setting forth, among other things, concerns regarding the timing of the Company's Direct Testimony. PICGUG understands that the parties to the proceeding were able to agree to a revised procedural schedule, inclusive of PGW's Direct Testimony now due on February 14, 2023, thereby negating the Company's concerns raised in the aforementioned Petition to Withdraw.

7. As noted above, several parties have indicated the need for review of the WNA in its totality. Because changes to the WNA could impact all customers' rates, terms, and conditions of service customers, PICGUG submits that its intervention in this proceeding is warranted in order to ensure that its members' interests are adequately protected.

8. Consistent with 52 Pa. Code § 5.72(a), PICGUG has a significant interest in this proceeding that is not represented by any other party of record. *See* 52 Pa. Code § 5.72(a). Accordingly, the Commission should grant PICGUG intervenor status in this proceeding.

9. Moreover, according to 52 Pa. Code Section 5.74(a), a Petition to Intervene may be filed after the established date if good cause is shown. In this instance, PICGUG did not initially intervene this proceeding because it required time to determine the impact that this proceeding could have on its membership, as well as coalesce its membership for purposes of participation. Moreover, at approximately the same time that PICGUG confirmed member consensus with respect to participation in this proceeding, PICGUG learned that PGW had filed the aforementioned Petition to Withdraw, which, if granted, most likely would have resulted in the

closure of this proceeding. As such, PICGUG awaited further update regarding the status of the Company's Petition to Withdraw, and upon learning that PGW's Petition to Withdraw is now moot, PICGUG moved forward with filing its intervention.

10. PICGUG understands that this proceeding is already underway, and PICGUG accepts the procedural schedule as is. In other words, PICGUG is not requesting any modifications or accommodations to the procedural schedule to account for PICGUG's late filed intervention. As such, no party should be unfairly prejudiced or assume any additional burden as a result of the Commission's granting of this Petition. For these reasons, PICGUG posits that good cause has been shown, as required under 52 Pa. Code Section 5.74(a), and the Commission should grant this Late-Filed Petition to Intervene.

WHEREFORE, the Philadelphia Industrial and Commercial Gas Users Group respectfully requests that the Pennsylvania Public Utility Commission grant this Petition to Intervene and provide PICGUG with intervenor party status.

Respectfully submitted,
McNEES WALLACE & NURICK LLC

By 

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Counsel to the Philadelphia Industrial
and Commercial Gas Users Group

Dated: December 15, 2022

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :
 :
 : SS
COUNTY OF DAUPHIN :

Charis Mincavage, being duly sworn according to law, deposes and says that she is counsel to the Philadelphia Industrial and Commercial Gas Users Group, that in this capacity she is authorized to and does make this affidavit for them, and that the facts set forth in the foregoing Late Filed Petition to Intervene are true and correct to the best of her knowledge, information, and belief.

Charis Mincavage

Charis Mincavage

Date: December 15, 2022

APPENDIX A

PHILADELPHIA INDUSTRIAL AND COMMERCIAL GAS USERS GROUP

Einstein Healthcare Network

Newman & Company

Philadelphia College of
Osteopathic Medicine

Temple University

Thomas Jefferson University