

COMMONWEALTH OF PENNSYLVANIA



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January 12, 2023

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

Re: Vicinity Energy Philadelphia, Inc. and
Grays Ferry Cogeneration Partnership
v.
Philadelphia Gas Works
Docket Nos. R-2022-3036472
C-2022-3036774
C-2022-3036783

Dear Secretary Chiavetta:

Attached for electronic filing please find the Office of Consumer Advocate's Prehearing Memorandum in the above-referenced proceedings.

Copies have been served on the parties as indicated on the enclosed Certificate of Service.

Respectfully submitted,

/s/ Harrison W. Breitman
Harrison W. Breitman
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Enclosures:

cc: The Honorable Marta Guhl (**email only**)
Athena Delvillar, ALJ's Legal Assistant (**email only**: sdelvillar@pa.gov)
Certificate of Service

*339531

CERTIFICATE OF SERVICE

Vicinity Energy Philadelphia, Inc. and : Docket Nos. R-2022-3036472
Grays Ferry Cogeneration Partnership : C-2022-3036774
v. : C-2022-3036783
Philadelphia Gas Works :

I hereby certify that I have this day served a true copy of the following document, the Office of Consumer Advocate's Prehearing Memorandum, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 12th day of January 2023.

SERVICE BY E-MAIL ONLY

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Dated: January 12, 2023
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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission	:	Docket Nos.
	:	R-2022-3036472
	:	C-2022-3036774
v.	:	C-2022-3036783
	:	
Philadelphia Gas Works	:	

PREHEARING MEMORANDUM
OF THE
OFFICE OF CONSUMER ADVOCATE

Pursuant to the Prehearing Conference Order of Administrative Law Judge Marta Guhl issued on January 5, 2023, and in anticipation of the telephonic Prehearing Conference scheduled for January 13, 2023, the Office of Consumer Advocate (OCA) provides the following information.

I. INTRODUCTION

On November 1, 2022 Philadelphia Gas Works (PGW) filed Supplement No. 156 to Gas Service Tariff Pa. P.U.C. No. 2 (Supplement No. 156) to become effective on January 1, 2023. Supplement No. 156 proposed to modify the date which Rate GTS-F would terminate by extending the date until the Commission issued its decision in the case docketed at C-2021-3029259, or until April 23, 2023 whichever occurred first. On November 9, 2022 Grays Ferry Cogeneration Partnership and Vicinity Energy Philadelphia (collectively Vicinity) filed a complaint Docketed at both C-2022-3036783 and C-2022-3036774. The Formal Complaint opposed PGW's Tariff filing. PGW filed Preliminary Objections to the Complaints on November 18, 2022 and Vicinity answered the Preliminary Objections on November 28, 2022.

At the public meeting held December 22, 2022, the Commission moved to temporarily approve Supplement No. 156, the order was entered December 27, 2022. On December 29, 2022, the OCA filed its Notice of Intervention in the above referenced dockets. On January 9, 2023, Counsel for Vicinity filed a Joint Petition for Leave to Withdraw the Formal Complaints of Grays Ferry Cogeneration Partnership and Vicinity Energy Philadelphia, Inc. in the above captioned complaint dockets.

II. ISSUES

The OCA is continuing investigate the matter and is intervening in this case to protect the interests of PGW consumers possibly impacted by this proceeding.

III. WITNESSES

The OCA reserves the right to call witnesses as necessary. As soon as the OCA has determined that a witness will be necessary for any portion of its case, the ALJ and all parties will be notified. At this time the OCA expects to make use of the following witness:

Revenue Allocation/Rate Design

Jerome Mierzwa

Exeter Associates, Inc.

10480 Little Patuxent Pkwy, Suite 300

Columbia, MD 21044

(410) 992-7500

IV. SERVICE ON THE OCA

The OCA will be represented in this case by Senior Assistant Consumer Advocate Aron J. Beatty and Assistant Consumer Advocates Harrison W. Breitman and Andrew J. Zerby. E-service may be accomplished at the following email addresses:

Aron J. Beatty	ABeatty@paoca.org
Harrison W. Breitman	HBreitman@paoca.org
Andrew J. Zerby	AZerby@paoca.org

V. PROCEDURAL SCHEDULE

It is the OCA's understanding that the parties have agreed to the below schedule.

Prehearing Conference	January 13, 2023
Direct Testimony - PGW	January 20, 2023
Rebuttal Testimony - Others	January 27, 2023
Surrebuttal Testimony - PGW and Others	February 3, 2023
Hearings (with Oral Rejoinder)	February 10, 2023
Main/Initial Briefs - All Parties	February 21, 2023
Reply Briefs - All Parties	March 3, 2023
Initial Decision	March 27, 2023
Exceptions	April 6, 2023
Reply Exceptions	April 11, 2023

VI. HEARING TIME

At this time, the OCA expects to require very little time at hearings. However, given the nature of the case, the OCA reserves the right to request more time at hearings if necessary to protect the interests of consumers.

VII. SETTLEMENT

The OCA will participate in settlement discussions with the parties.

Respectfully Submitted,

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DATE: January 12, 2023

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