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February 13, 2023

Via Electronic Filing

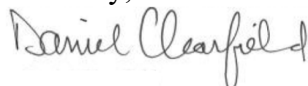
Rosemary Chiavetta, Secretary
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: *SBG Management Services, Inc. et al., v. PGW*; Docket Nos. C-2012-2304183; C-2012-2304324; C-2015-2486618; C-2015-2486642; C-2015-2486648; C-2015-2486655; C-2015-2486664; C-2015-2486670; C-2015-2486674;
and C-2015-2486677

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Joint Motion for a 60-day Continuance by SBG Management Services, Inc. *et al* ("SBG") and Philadelphia Gas Works' ("PGW") with regard to the above-referenced matters. Counsel for PGW is serving the Joint Motion on behalf of both SBG and PGW. Copies to be served in accordance with the attached Certificate of Service.

Sincerely,



Daniel Clearfield, Esq.

DC/lww
Enclosure

cc: Hon. Eranda Vero w/enc.
Cert. of Service w/enc.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

SBG Management Services, Inc. <i>et al.</i>	:	C-2012-2304183
	:	C-2012-2304324
	:	C-2015-2486618
	:	C-2015-2486642
	:	C-2015-2486648
	:	C-2015-2486655
v.	:	C-2015-2486664
	:	C-2015-2486670
	:	C-2015-2486674
Philadelphia Gas Works	:	C-2015-2486677

**JOINT MOTION FOR A 60-DAY CONTINUANCE BY
SBG MANAGEMENT SERVICES, INC. *ET AL.* AND
PHILADELPHIA GAS WORKS**

Pursuant to 52 Pa. Code §§ 5.103 and 5.202, and Your Honor’s January 18, 2023 Prehearing Order, Complainants SBG Management Services, Inc. *et al* (“SBG”) and Respondent Philadelphia Gas Works (“PGW”) (collectively “the Parties”) hereby file this Motion for a 60-Day Continuance (“Motion”) requesting that the litigation schedule in this proceeding be continued for 60-days¹ to allow the parties to further pursue global settlement discussions which the parties have recently initiated in order to resolve the instant matter and the active matter before the Court of Common Pleas. In support of this Motion, the Parties aver as follows:

I. INTRODUCTION

1. On October 31, 2022, PGW submitted the written remand direct testimony of its witness, Bernard L. Cummings.

¹ The 60-day continuance from the end of the presently scheduled evidentiary hearings would end on April 24, 2023.

2. On January 24, 2023, SBG submitted the written remand direct testimony of its witness, Christopher E. Hanson.

3. On February 7, 2023, PGW submitted the written remand rebuttal testimony of its witness, Bernard L. Cummings.

4. The current litigation schedule establishes the following upcoming dates:

(a) Tuesday, February 14, 2023 – Submission of Written Remand Surrebuttal Testimony

(b) Tuesday, February 21, 2023 and Wednesday, February 22, 2023 – Evidentiary Hearings.

II. THE PARTIES HAVE INITIATED SETTLEMENT NEGOTIATIONS TO RESOLVE THE INSTANT MATTER AND THE MATTER BEFORE THE COURT OF COMMON PLEAS.

5. In light of the written testimony developed thus far in this proceeding, the parties recently initiated settlement negotiations in order to resolve the instant complaints, as well as litigation between the parties in the Court of Common Pleas.

6. The Parties have been engaging in settlement negotiations, and believe it is in the interests of the Parties to focus on those settlement negotiations without simultaneously having to prepare additional written testimony and to prepare for hearings presently scheduled for February 21 and 22, 2023 under the current litigation in this matter.

7. In light of the Commission's policy to encourage settlements,² the Parties believe that good cause exists for granting a 60-day continuance of the procedural schedule, and such a continuance is appropriate to allow the parties to focus critical resources on pursuit of settlement.

² 52 Pa. Code § 5.231(a)

III. 30-DAY STATUS REPORT TO ADMINISTRATIVE LAW JUDGE ERANDA VERO

7. The parties agree to submit a joint status report regarding the settlement efforts 30-days from the currently scheduled hearing dates. The Parties will submit the status report to Your Honor on March 24, 2023.

8. The Parties also propose to include in the March 24, 2023 status report a mutually agreed to proposed schedule for restarting the litigation schedule after the 60-day continuance period should settlement negotiations ultimately prove unsuccessful. The proposed schedule will include the following dates to begin after April 24, 2023:

- (a) SBG's Responses to PGW Set II Interrogatories, which was served by PGW on February 1, 2023;
- (b) Date for the service of any written remand surrebuttal testimony that will be provided; and
- (c) Proposed hearing dates, subject to Your Honor's availability, to convene for evidentiary hearings in this matter.

IV. CONCLUSION

Pursuant to the Commission's policy to encourage settlement, SBG Management Services, Inc. *et al.* and Philadelphia Gas Works hereby jointly request that Your Honor:

- 1) Suspend the current litigation schedule for a period of 60-days and cancel the hearings presently scheduled for February 21 and 22, 2023, to allow the parties to further pursue settlement negotiations to resolve both the instant matter and the matter between the Parties at the Court of Common Pleas; and,
- 2) Order that the Parties shall submit a joint status report to Your Honor regarding the status of settlement negotiations on March 24, 2023 which shall include a mutually agreed to proposed procedural schedule beginning after April 24, 2023 in the event that the Parties cannot come to global settlement.

Respectfully submitted,



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Date: February 13, 2023

Attorneys for SBG Management Services, Inc. et al

CERTIFICATE OF SERVICE

I hereby certify that this date I served a copy of the Joint Motion for A 60-Day Continuance upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

VIA EMAIL ONLY

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Dated: February 13, 2023



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