



COMMONWEALTH OF PENNSYLVANIA

March 10, 2023

**E-FILED**

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

**Re: Pennsylvania Public Utility Commission v. Peoples Natural Gas Company LLC  
(1307 (f) / Docket No. R-2023-3037928**

Dear Secretary Chiavetta:

Enclosed please find the Complaint, Public Statement, and Verification, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

*/s/ Nakea S. Hurdle*

Nakea S. Hurdle  
Assistant Small Business Advocate  
Attorney ID No. 203633

*Enclosures*

cc: Brian Kalcic  
Steven C. Gray  
Parties of Record



of utility services in matters before the Pennsylvania Public Utility Commission (hereinafter referred to as “Commission”).

5. On March 1, 2023, Peoples Natural Gas Company, LLC (hereinafter referred to as “PNG” or the “Company”) submitted its pre-filing pursuant to 52 Pa. Code §§ 53.64 (c) and 53.65 in anticipation of PNG’s annual Purchased Gas Cost (“PGC”) rate filing pursuant to 66 Pa. C.S. § 1307(f).

6. Section 1318 of the Public Utility Code, 66 Pa. C.S. § 1318, provides that no rates of a natural gas distribution utility shall be deemed just and reasonable unless the Commission finds that the utility is pursuing a least cost fuel procurement policy, consistent with the Company’s obligation to provide safe, adequate and reliable service to the Company’s small business customers. In making such a determination, the Commission must find, among other things, that the Company has (1) fully and vigorously represented ratepayers’ interests before the Federal Energy Regulatory Commission; (2) taken all prudent steps to negotiate favorable gas supply contracts and to relieve the Company of its obligations under the existing contracts that are or may be adverse to ratepayers’ interests; (3) taken all reasonable steps to obtain lower cost gas supplies on a long-term or short-term basis regardless of whether it is within or outside of the Commonwealth Pennsylvania; and (4) not withheld or caused to be withheld any gas supplies that should have been utilized as part of a least cost fuel procurement policy. 66 Pa. C.S. § 1318(a)(1-4).

7. The OSBA files this Formal Complaint to ensure that PNG’s PGC rates are consistent with the requirements of the law which provide that the Company takes all reasonable steps to follow the least cost fuel procurement policy and to ensure that their rates and charges are not excessive, unjust, unreasonable, discriminatory or otherwise contrary to Commission regulations or policies.

8. In view of the foregoing, the Small Business Advocate respectfully requests that the Commission:

- a. Hold evidentiary hearings in accordance with Section 1307(f) of the Public Utility Code;
- b. Deny any proposed rate changes which are not the result of a least cost fuel procurement policy as defined by the standards set forth in Section 1318 of the Public Utility Code, and as defined by other applicable ratemaking standards;
- c. Ensure that PNG's small business customers are not allocated any costs that should not be borne by the small business customers;
- d. Deny any rate change that is unjust, unreasonable, unduly discriminatory or contrary to sound ratemaking principles; and
- e. Grant such other relief as the Commission may deem necessary or appropriate.

Respectfully submitted,

*/s/ Nakea S. Hurdle*

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Nakea Hurdle  
Assistant Small Business Advocate  
Attorney ID No. 20363

Office of Small Business Advocate  
555 Walnut Street  
Forum Place 1<sup>st</sup> Floor  
Harrisburg, PA 17101  
(717) 783-2525  
(717) 783-2831 (fax)

Dated: March 10, 2023

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Pennsylvania Public Utility Commission</b>	:	
	:	
v.	:	<b>Docket No. R-2023-3037928</b>
	:	
<b>Peoples Natural Gas Company, LLC 1307(f)</b>	:	

**PUBLIC STATEMENT OF  
THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (the “Act”). The Act further provides that the Small Business Advocate is to issue publicly a written statement stating concisely the specific interest of small business consumers to be protected by his initiation of or intervention in any proceeding involving those interests before the Public Utility Commission or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of a complaint against the 2023 Purchased Gas Cost (“PGC”) Rate filing of Peoples Natural Gas Company, LLC (hereinafter referred to as “PNG” or the “Company”)

The Small Business Advocate files this formal complaint against the Company’s proposed gas cost rate in order to protect the interests of the Company’s small business customers. A thorough inquiry by the Public Utility Commission into all of the elements of the Company’s gas cost rate is necessary to ensure that the Company is pursuing a least cost fuel procurement policy, consistent with PNG’s obligation to provide safe, adequate and reliable service.

In view of the foregoing, the Small Business Advocate will participate in proceedings before the Public Utility Commission to investigate the reasonableness of the proposed rates in


PNG's 2023 PGC rate filing. The Small Business Advocate will ask the Commission to deny any proposed rate increase or other changes in the Company's present tariffs that apply to small business customers that are not proven by PNG to be lawful, just, reasonable, and non-discriminatory.

Dated: March 10, 2023

**VERIFICATION**

I, NazAarah Sabree, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: March 10, 2023

  
\_\_\_\_\_  
(Signature)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Pennsylvania Public Utility Commission</b>	:	
	:	
v.	:	<b>Docket No. R-2023-3037928</b>
	:	
<b>Peoples Natural Gas Company, LLC 1307(f)</b>	:	

**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing have been served via (*unless otherwise noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

The Honorable Charles E. Rainey Jr.  
Chief Administrative Law Judge  
Pennsylvania Public Utility Commission  
400 North Street  
Commonwealth Keystone Building  
Harrisburg, PA 17120  
[crainey@pa.gov](mailto:crainey@pa.gov)

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(*Counsel for BIE*)

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Meagan Moore, Esq.  
Peoples Natural Gas Company LLC  
375 North Shore Drive, 4th Fl  
Pittsburgh, PA 15212  
[meagan.moore@peoples-gas.com](mailto:meagan.moore@peoples-gas.com)

DATE: March 10, 2023

*/s/ Nakea S. Hurdle*

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Nakea S. Hurdle  
Assistant Small Business Advocate  
Attorney ID No. 203633