**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission : R-2022-3035730

Office of Small Business Advocate : C-2022-3036655

Office of Consumer Advocate : C-2022-3036725

:

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v. :

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:

National Fuel Gas Distribution Corporation :

**INTERIM ORDER**

**SUSPENDING BRIEFING SCHEDULE AND**

**SETTING PROCEDURE FOR SETTLEMENT**

On October 28, 2022, National Fuel filed Supplement No. 248 to National Fuel Gas Distribution Corporation Gas Tariff – PA P.U.C. No. 9 with the Pennsylvania Public Utility Commission. Supplement No. 248 was issued to be effective for service rendered on or after December 27, 2022. It proposed changes to National Fuel’s base retail distribution rates designed to produce an increase in revenues of approximately $28.1 million (9.2%). NFG also proposed an Energy Efficiency (EE) pilot program that would recover an additional $1.2 million from residential customers annually in a separate rider, based upon data for a fully projected future test year ending July 31, 2024. National Fuel’s proposals would result in the total bill for a residential customer, using 84 ccf per month, increasing from $99.93 to $109.67 per month or about 9.7%. The statutory advocates, Bureau of Investigation and Enforcement (BIE), the Office of Consumer Advocate (OCA) and the Office of Small Business Advocate (OSBA), joined as parties. The Coalition for Affordable Utility Service and Energy Efficiency in Pennsylvania (CAUSE-PA) and the Pennsylvania Weatherization Providers Task Force intervened as parties.

Following the service of written direct, rebuttal, surrebuttal and rejoinder testimony, an evidentiary hearing was held on March 8, 2023. The parties were directed to file main briefs on March 30, 2023, and reply briefs on April 13, 2023. By email on March 20, 2023, the parties reported that they had reached a settlement in principle on all issues and requested that I suspend the briefing schedule.

THEREFORE,

IT IS ORDERED:

1. That the briefing scheduled set forth in the December 19, 2022, Prehearing Order is suspended.

2. That on or before **April 13, 2023**, the parties shall file a joint petition for settlement and statements in support.

3. That the joint petition for settlement shall include the following:

a. A stipulation of any facts that are necessary to support the terms of the settlement.

b. Proposed conclusions of law and ordering paragraphs.

c. An appendix table which sets forth the following information:  the current rates for each customer class, the rate increase proposed in the initial filing for each customer class and the rates proposed for each customer class in the petition for settlement.  All of these costs and comparisons shall be stated in dollar/cents amounts and in percentages.  Your presentation must be very clear whether the rates as presented include or exclude supply charges or are solely distribution charges.  Current, proposed and settlement rates must be presented consistently for all rate classes. The effect of the riders and adjustment charges should be set out separately.

4. Statements in Support should be specific about how the settlement benefits your client, particularly as it relates to any elements of the rate calculation that are in a black box. It is recommended that the parties address the testimony from the January 19, 2023, public input hearings.

a. Boilerplate language regarding the general utility of settlements is not a substitute for an explanation a party’s support for the settlement.

b. Statements in support shall utilize a common outline, including headings and subheadings. Every party need not address every issue but should use the same headings.

c. Statements in support which fail to conform with these instructions will be disregarded.

5. That National Fuel shall serve a copy of the settlement along with statements in support on each consumer complainant.

6. That any party wishing to object to the proposed settlement must file their objections in writing with the Commission’s Secretary’s Bureau and provide a copy to me as well as the parties named on the enclosed service list so that they are **received** on or before 4:00 p.m. on **Monday, April 24, 2023**. Service on me and the other parties to this proceeding may be by email. Late-filed objections will not be considered in the decision of this case.

7. That unless ordered otherwise, the record shall close on April 25, 2023.

Date: March 20, 2023 \_\_\_\_\_\_\_\_\_\_\_/s/\_\_\_\_\_\_\_\_\_\_\_

Mary D. Long

Administrative Law Judge

**R-2022-3035730 - PA PUBLIC UTILITY COMMISSION et al v. NATIONAL FUEL GAS DISTRIBUTION CORPORATION**

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