



April 27, 2023

VIA E-FILING

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

Re: *Pa. PUC v. Philadelphia Gas Works*, Docket No. R-2023-3037933

Dear Secretary Chiavetta,

Please find enclosed the Prehearing Memorandum of POWER Interfaith. As indicated on the attached Certificate of Service, service on the parties was accomplished by email only. Should you have any questions, please do not hesitate to contact me. Thank you.

Sincerely,

/s/ Devin McDougall

PA Attorney ID No. 329855

Senior Attorney

Earthjustice

1617 John F. Kennedy Blvd., Suite 2020

Philadelphia, PA 19103

dmcDougall@earthjustice.org

(917) 628-7411

cc:

Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, et
al.

Docket No. R-2023-3037933

v.

Philadelphia Gas Works

PREHEARING MEMORANDUM OF POWER INTERFAITH

April 27, 2023

On April 20, 2023, Administrative Law Judges Eranda Vero and Arlene Ashton issued a Prehearing Conference Order setting the date of a prehearing conference for April 28, 2023 and directing parties to file a prehearing memorandum by noon on April 27, 2023.¹ Pursuant to that order, POWER Interfaith (“POWER”) respectfully submits this memorandum.

I. Background

On February 27, 2023, PGW submitted proposed Supplement No. 159 to its PGW Gas Service Tariff No. 2, and proposed Supplement No. 105 to its PGW Gas Supplier Tariff No. 1.² PGW seeks approval of “new rates that would increase annual revenues for its gas distribution service by \$85.8 million, or by 10.3%.”³ PGW proposes to increase the fixed monthly residential charge from \$14.90 to \$19.55, a 31% increase.⁴ On April 24, 2023, POWER filed a Petition to Intervene.⁵

On April 20, 2023, the Commission entered a Suspension and Investigation Order suspending the proposed tariff by operation of law, and opening an investigation to determine the lawfulness, justness, and reasonableness of the rates, rules, and regulations contained therein.⁶

¹ Prehearing Conference Order, *Pa. P.U.C. v. Philadelphia Gas Works*, Docket No. R-2023-3037933 (Apr. 20, 2023).

² PGW, Rate Increase Filing, *Pa. P.U.C. v. Philadelphia Gas Works*, Docket No. R-2023-3037933 (Feb. 27, 2023).

³ PGW, Rate Increase Filing, Volume I, Part 1 of 3, Statement of Reasons at 1 (Feb. 27, 2023).

⁴ PGW, Rate Increase Filing, Volume II, Statement No. 6 at 8, Table 2 (Feb. 27, 2023).

⁵ POWER, Petition to Intervene, *Pa. P.U.C. v. Philadelphia Gas Works*, Docket No. R-2023-3037933 (Apr. 24, 2023).

⁶ Suspension and Investigation Order, *Pa. P.U.C. v. Philadelphia Gas Works*, Docket No. R-2023-3037933 (Apr. 20, 2023).

II. Presently Identified Issues

POWER has preliminarily reviewed PGW’s proposed Supplement No. 159 to its PGW Gas Service Tariff No. 2, and proposed Supplement No. 105 to its PGW Gas Supplier Tariff No.

- 1. Based upon this initial review, POWER has presently identified the following issues:
 - a. PGW’s revenue requirement and spending; and
 - b. PGW’s rate design and rate structure.

POWER reserves the right to address other issues as they may arise.

III. Witnesses

POWER intends to present direct, rebuttal, and surrebuttal testimonies, as may be warranted, of the following witnesses.

Expert	Anticipated Issues
Mark Kleinginna Emergent Urban Concepts, LLC 13 Kendall Avenue Sleepy Hollow, NY, 10591	* PGW’s revenue requirement and spending
Ben Havumaki Synapse Energy Economics 485 Massachusetts Ave, Suite 3 Cambridge, Ma 02139	* PGW’s rate design and rate structure
Dorie Seavey, PhD 73 Mount Vernon Street, Suite 3, Boston, MA 02108	* PGW’s revenue requirement and spending

POWER reserves the right to call additional witnesses as may be required upon proper notice to Your Honors and the parties of record.

IV. Schedule

POWER is currently in active discussion with other parties to develop a proposed schedule, but has not reached a resolution yet.

V. Public Input Hearings

POWER requests that the Commission convene at least four public input hearings in this proceeding, with at least two telephonic, given the magnitude of the rate increase requested and the level of public engagement in PGW's prior rate case. POWER additionally requests that the public input hearings be scheduled sufficiently in advance of the deadline for direct testimony such that material from the hearings can be incorporated in the testimony.

VI. Settlement

POWER is ready to engage in settlement discussions with any party to resolve or narrow the issues in this proceeding.

VII. Discovery

POWER supports the discovery modifications proposed by the Office of Consumer Advocate in its Prehearing Memorandum.

VIII. Service

Service on POWER may be made on their attorneys at Earthjustice:

Devin McDougall, Esq.
PA Attorney ID No. 329855
Senior Attorney

Clean Energy Program
Earthjustice
1617 John F. Kennedy Blvd., Suite 2020
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Counsel for POWER consents to the service of documents by electronic mail to
dmcdougall@earthjustice.org, as provided in 52 Pa. Code § 1.54(b)(3).

WHEREFORE, POWER respectfully submits this Prehearing Memorandum.

Dated: April 27, 2023

Respectfully submitted,

/s/ Devin McDougall
PA Attorney ID No. 329855
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1617 John F. Kennedy Blvd., Suite 2020
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VERIFICATION

I hereby verify that the facts contained in the foregoing testimony are true and accurate to the best of my knowledge and that I am duly authorized to make this verification, and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Dated: April 27, 2023

/s/

Devin McDougall

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of this electronically-filed document upon the parties, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

<p>Lauren E. Guerra, Esq. Mackenzie C. Battle, Esq. Darryl A. Lawrence, Esq. David Evrard, Esq. Office of Consumer Advocate Forum Place, 5th Floor 555 Walnut Street Harrisburg, PA 17101-1923 dlawrence@paoca.org devrard@paoca.org lguerra@paoca.org MBattle@paoca.org</p> <p><i>Representing the Office of Consumer Advocate</i></p>	<p>Dennis A. Whitaker, Esq. Kevin J. McKeon, Esq. Todd S. Stewart, Esq. Hawke McKeon & Sniscak LLP 100 N 10th Street Harrisburg, PA 17101 dawhitaker@hmslegal.com kjmckeon@hmslegal.com tsstewart@hmslegal.com</p> <p><i>Representing Grays Ferry Cogeneration Partnership and Vicinity Energy Philadelphia, Inc.</i></p>
<p>Sharon E. Webb, Esq. Nakea S. Hurdle, Esq. Nazaarah Sabree, Esq. Office of Small Business Advocate Forum Place, 1st Floor 555 Walnut Street Harrisburg, PA 17101 swebb@pa.gov nhurdle@pa.gov ra-sba@pa.gov</p> <p><i>Representing the Office of Small Business Advocate</i></p>	<p>Craig W. Berry, Esq. Philadelphia Gas Works 800 W. Montgomery Avenue Philadelphia, PA 19122 craig.berry@pgworks.com</p> <p><i>Representing Philadelphia Gas Works</i></p>
<p>Gina Miller, Esq. Bureau of Investigation & Enforcement Pennsylvania Public Utility Commission Commonwealth Keystone Building 400 North Street Harrisburg, PA 17120 ginmiller@pa.gov</p> <p><i>Representing BIE</i></p>	<p>Dan Clearfield, Esq. Sarah C. Stoner, Esq. Eckert Seamans 213 Market St., 8th Floor Harrisburg, PA 17110 dclearfield@eckertseamans.com sstoner@eckertseamans.com</p> <p><i>Representing Philadelphia Gas Works</i></p>

<p>Charis Mincavage, Esq. Mcnees Wallace & Nurick 100 Pine Street PO Box 1166 Harrisburg, PA 17108 cmincavage@mwn.com</p> <p><i>Representing Philadelphia Industrial and Commercial Gas Users Group (PICGUG)</i></p>	<p>John Sweet, Esq. Elizabeth R. Marx, Esq. Ria Pereira, Esq. Lauren Berman, Esq. PA Utility Law Project 118 Locust Street Harrisburg, PA 17101 jsweet@pautilitylawproject.org emarx@pautilitylawproject.org rpereira@pautilitylawproject.org pulp@palegalaid.net</p> <p><i>Representing CAUSE-PA</i></p>
<p>Judge Arlene Ashton Pennsylvania Public Utility Commission 400 North Street, Filing Room Harrisburg, PA 17120 aashton@pa.gov</p>	<p>Judge Eranda Vero Pennsylvania Public Utility Commission 400 North Street, Filing Room Harrisburg, PA 17120 evero@pa.gov</p>
<p>Representative Rick Krajewski Pennsylvania House 109B East Wing P.O. Box 202188 Harrisburg, PA 17120 repkrajewski@pahouse.net</p>	

Dated: April 27, 2023

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