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August 4, 2023

**VIA ELECTRONIC FILING**

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

RE: Petition for Declaratory Order of the Retail Energy Supply Association Re Columbia Gas' Interim Purchase Gas Cost Adjustment Filings; Docket No. P-2023-3039774; **PREHEARING CONFERENCE MEMORANDUM OF THE RETAIL ENERGY SUPPLY ASSOCIATION**

Dear Secretary Chiavetta:

Enclosed for filing with the Commission is the Prehearing Conference Memorandum of the Retail Energy Supply Association ("RESA") in the above-captioned matter. Copies of the Memorandum have been served in accordance with the attached Certificate of Service.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

Todd S. Stewart  
*Counsel for The Retail Energy Supply Association*

TSS/jld  
Enclosure

cc: Administrative Law Judge Christopher P. Pell (via electronic mail – [cpell@pa.gov](mailto:cpell@pa.gov))  
Administrative Law Judge Chad L. Allensworth (via electronic mail – [callenswor@pa.gov](mailto:callenswor@pa.gov))  
Athena Delvillar, Legal Assistant (via electronic mail – [sdelvillar@pa.gov](mailto:sdelvillar@pa.gov))  
Per Certificate of Service

**CERTIFICATE OF SERVICE**

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

**VIA ELECTRONIC MAIL ONLY**

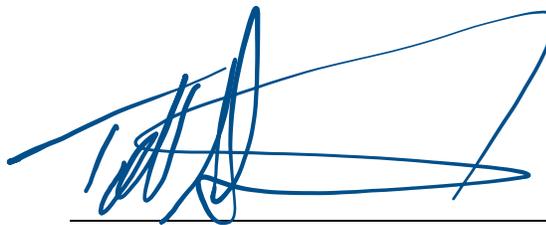
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DATED: August 4, 2023

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Todd S. Stewart

**BEFORE  
THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition for Declaratory Order of the Retail :  
Energy Supply Association Re Columbia : Docket No. P-2023-3039774  
Gas' Interim Purchase Gas Cost Adjustment :  
Filings :

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**PREHEARING CONFERENCE MEMODANDUM  
OF THE RETAIL ENERGY SUPPLY ASSOCIATION**

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**TO THE HONORABLE ADMINISTRATIVE LAW JUDGES CHRISTOPHER P. PELL  
AND CHAD ALLENSWORTH:**

NOW COMES, the Retail Energy Supply Association (“RESA”), by and through its counsel, Hawke McKeon & Sniscak LLP, and hereby submits this Prehearing Conference Memorandum in compliance with the Prehearing Conference Order issued July 12, 2023 (“Order”), in the above-captioned matter. In the Order, the Presiding Administrative Law Judges (“ALJs”) required that the Parties address several subjects, listed below. However, as of Thursday, August 3, 2023, RESA and Columbia Gas of Pennsylvania (“Columbia”) have reached a settlement in principle, the terms of which have not yet been formally documented. RESA is optimistic that a comprehensive settlement that includes all parties can be achieved. Regardless, pending resolution and seeking approval therefore, RESA does not believe it is necessary to engage in preparation for litigation of this matter.

It is RESA’s position that parties should be provided time to determine whether a comprehensive settlement is possible and to then reduce a settlement to writing and prepare statements in support to be filed along with the settlement. Accordingly, RESA suggest that a

prehearing conference is not necessary at this time and should be postponed. RESA can commit to providing a status report within 20 days. If a settlement is achieved, Your Honors can then establish a process to provide a petition for settlement and statements in support that would allow Your Honors to render a decision. Under the circumstances, spending time and resources to develop a litigation schedule does not appear to be necessary. However, in the event that Your Honors do not agree, RESA has addressed the required topics below.

**A. A PROPOSED PLAN AND SCHEDULE OF DISCOVERY**

RESA has no present plans to conduct discovery, but in the event that this matter is litigated, will endeavor to conduct discovery as early in the proceeding as possible and will make good faith attempts to resolve any disputes informally.

**B. POSSIBILITY OF SETTLEMENT**

This matter has been settled as between Columbia and RESA.

**C. ISSUES**

The sole issue is the appropriateness of interim adjustments to the Purchase Gas Cost rate and price to compare that do not seek approval by the Commission or the ability of interested parties to participate.

**D. AMOUNT OF HEARING TIME NEEDED**

No hearing time is necessary.

**E. WITNESSES**

At this time, no witnesses are required. To the extent that this matter is litigated, RESA would anticipate no more than one witness and will inform Your Honors and the Parties of the identity of the witness as expeditiously as possible.

**F. SCHEDULE FOR SUBMISSION OF TESTIMONY, HEARINGS AND BRIEFS**

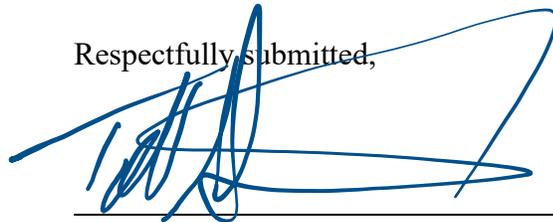
RESA presently does not believe that a hearing will be necessary. To the extent that this matter is required to be litigated, RESA will work with Your Honors and the other Parties to develop a schedule for the submission of testimony, hearings, and briefs.

**G. ANY OTHER APPROPRIATE MATTER**

RESA submits that at this juncture that what is needed is a process and schedule for submitting a settlement, and statements in support before we proceed to develop a process for litigation that may be unnecessary.

WHEREFORE, RESA submits this Prehearing Conference Memorandum in compliance with the Order in this case.

Respectfully submitted,



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*Counsel for the Retail Energy Supply Association*

DATED: August 4, 2023