

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2023-3040290
Office of Consumer Advocate	:	C-2023-3040778
Office of Small Business Advocate	:	C-2023-3041089
v.	:	
	:	
UGI Utilities, Inc. – Gas Division	:	
1307(f) Proceeding	:	

JOINT STIPULATION FOR ADMISSION OF EVIDENCE

TO ADMINISTRATIVE LAW JUDGES DENNIS J. BUCKLEY AND JOHN COOGAN:

UGI Utilities, Inc. - Gas Division (“UGI Gas” or the “Company”), the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”) and the Office of Consumer Advocate (“OCA”), parties in the above-captioned proceeding (hereinafter collectively referred to as the “Joint Petitioners” or “Parties”), hereby submit this *Joint Stipulation for Admission of Evidence* in the above-captioned proceeding (the “Evidence Stipulation”). In support of the Evidence Stipulation, the Joint Petitioners represent as follows:

1. On May 1, 2023, the Company made its 30-day pre-filing (“Book 1”) with the Commission (containing data related to the recovery of purchased gas costs) pursuant to Section 1307(f) of the Public Utility Code, 66 Pa. C.S. § 1307(f), and in accordance with the Commission’s regulations at 52 Pa. Code §§ 53.64 and 53.65.

2. On May 16, 2023, I&E filed a Notice of Appearance in the Company’s Purchase Gas Cost (“PGC”) proceeding.

3. Also on May 16, 2023, the Office of Small Business Advocate (“OSBA”) filed a Notice of Appearance, Formal Complaint, Public Statement, and Verification in this proceeding.

4. On May 19, 2023, the OCA filed a Notice of Appearance, Formal Complaint, and Public Statement.

5. On June 1, 2023, the Company filed with the Commission its definitive PGC filing (“Book 2”), including supporting information required by the Commission’s regulations, the Company’s direct testimony and exhibits, and the *Pro Forma* Tariff Supplements reflecting actual and projected changes in natural gas costs.

6. On June 5, 2023, Administrative Law Judges Dennis J. Buckley and John Coogan (the “ALJs”) held a prehearing conference, at which time a procedural schedule was adopted.

7. In accordance with the procedural schedule, OCA and I&E submitted written direct testimony and exhibits on June 27, 2023.

8. On July 17, 2023, the Company and OCA submitted written rebuttal testimony.

9. On July 24, 2023, I&E submitted written surrebuttal testimony.

10. As a result of settlement discussions held in this proceeding, and the efforts of the Joint Petitioners to examine the issues raised, a full settlement in principle was achieved prior to the date for evidentiary hearings. On July 24, 2023, counsel for the Company advised the ALJs of the settlement in principle and requested that the scheduled evidentiary hearing be canceled and that the Joint Petitioners be permitted to admit their evidence by stipulation.

11. Thereafter, on July 24, 2023, the ALJs advised the Parties that the evidentiary hearing would be canceled, and that the Parties’ written testimony and exhibits could be admitted into the record by stipulation. The ALJs also directed the Parties to file the Joint Petition For

Settlement Of Section 1307(f) Rate Investigation and statements in support by the scheduled Reply Brief due date of August 16, 2023.

12. The Joint Petitioners request that the ALJs admit the testimony and the exhibits listed below into the record in the above-captioned proceeding:

I. Testimony and Exhibits of UGI Gas

13. UGI Gas Exhibit 1: Book 1, filed on May 1, 2023, containing the information submitted pursuant to 52 Pa. Code §§ 53.64(c) and 53.65 of the Commission’s regulations and 66 Pa. C.S. 1317(c) in support of 66 Pa. C.S. § 1307(f) Purchased Gas Costs for 2022.

14. UGI Gas Exhibit 2: Book 2, filed on June 1, 2023, containing the computation of the annual purchased gas cost filing submitted pursuant to 52 Pa. Code §§ 53.61, et. seq., of the Commission’s regulations and 66 Pa. C.S. § 1317(c) in support of 66 Pa. C.S. § 1307(f) Purchased Gas Costs for 2022. Book 2 includes the following direct testimony and exhibits:

- UGI Gas Statement No. 1 – Direct Testimony of Kimberly M. Bassinsky and Exhibit KMB-1.
- UGI Gas Statement No. 2 – Direct Testimony of Jesse R. Tyahla and Exhibits JRT-1, JRT-2, CONFIDENTIAL JRT-3, CONFIDENTIAL JRT-4, JRT-5, and CONFIDENTIAL JRT-6.
- UGI Gas Statement No. 3 – Direct Testimony of Tracy A. Hazenstab and Exhibits TAH-1 and TAH-2

15. UGI Gas Statement No. 2-R – Rebuttal Testimony of Jesse R. Tyahla.

16. UGI Gas Statement No. 3-R – Rebuttal Testimony of Tracy A. Hazenstab.

II. Testimony and Exhibits of I&E

17. I&E Statement No. 1 –Direct Testimony of Christopher Keller (Public and CONFIDENTIAL Versions), Appendix A and I&E Exhibit No. 1 (Public and CONFIDENTIAL versions).

18. I&E Statement No. 1-SR – Surrebuttal Testimony of Christopher Keller.

III. Testimony and Exhibits of OCA

19. OCA Statement No. 1 – Direct Testimony of Jerome D. Mierzwa (Public and CONFIDENTIAL versions), which included a signed verification.

20. OCA Statement No. 1-R – Rebuttal Testimony of Jerome D. Mierzwa, which included a signed verification.

IV. Motion

21. The Joint Petitioners request that the above identified testimony and exhibits be moved into the record without a hearing. All Parties have agreed to waive cross-examination in light of the settlement and the agreement to stipulate evidence into the record.

22. Consistent with the Protective Order that was entered in this proceeding, the Parties request that all filings, statements, and exhibits designated as “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL” be placed in non-public folders by the Secretary’s Bureau of the Commission.

23. Verifications for the testimony and exhibits of UGI Gas and I&E are attached hereto as **Appendices A and B**, respectively, whereas OCA’s verifications were attached to its pre-served testimony.

24. The admission by stipulation of the foregoing testimony and exhibits is subject to Commission approval of the Joint Petition For Settlement Of Section 1307(f) Rate Investigation that will be filed by August 16, 2023. The Joint Petitioners reserve their respective rights to submit additional testimony and to cross-examine witnesses in the event the Joint Petition For Settlement Of Section 1307(f) Rate Investigation is not approved or is otherwise approved with modification causing a Party(ies) to withdraw from the Joint Petition For Settlement Of Section 1307(f) Rate Investigation and proceed to litigation.

WHEREFORE, the Joint Petitioners, by their respective counsel, respectfully request that Administrative Law Judges Dennis J. Buckley and John Coogan admit the foregoing testimony and exhibits into the record in this proceeding.

Respectfully submitted,



Timothy McHugh
UGI Corporation
460 North Gulph Road
King of Prussia, PA 19406

Date: August 14, 2023

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17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601

Attorneys for UGI Utilities Inc. – Gas Division

Scott B. Granger
Bureau of Investigation & Enforcement
Commonwealth Keystone Building
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Harrisburg, PA 17105-3265

Date: _____

Attorney for Bureau of Investigation & Enforcement



Christopher Andreoli, Esquire
Aron Beatty, Esquire
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Date: 8-8-23

Counsel for the Office of Consumer Advocate

APPENDIX A

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

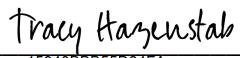
Pennsylvania Public Utility Commission	:	
	:	
v.	:	R-2023-3040290
	:	
UGI Utilities, Inc. – Gas Division	:	
1307(f) Proceeding	:	

VERIFICATION

I, Tracy A. Hazenstab, being the Principal Analyst - Rates for UGI Utilities, Inc., hereby state that the testimony set forth in UGI Gas Statement Nos. 3 and 3-R is true and correct to the best of my knowledge, information and belief, and that if asked orally at a hearing in this matter, my answers would be as set forth therein. I am also sponsoring UGI Gas Exhibits TAH-1 and TAH-2 that are attached to my direct testimony and hereby state that they are true and correct to the best of my knowledge, information and belief.

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: 8/10/2023

DocuSigned by:

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 Tracy A. Hazenstab
Principal Analyst - Rates for UGI Utilities, Inc.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

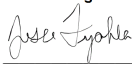
Pennsylvania Public Utility Commission	:	
	:	
v.	:	R-2023-3040290
	:	
UGI Utilities, Inc. – Gas Division	:	
1307(f) Proceeding	:	

VERIFICATION

I, Jesse R. Tyahla, being the Director – Energy Supply and Planning for UGI Utilities, Inc., hereby state that the testimony set forth in UGI Gas Statement Nos. 2 and 2-R is true and correct to the best of my knowledge, information and belief, and that if asked orally at a hearing in this matter, my answers would be as set forth therein. I am also sponsoring UGI Gas Exhibits JRT-1 through JRT-6 that are attached to my direct testimony and hereby state that they are true and correct to the best of my knowledge, information and belief. I further state that I am sponsoring certain portions of the Company’s 2023 1307(f) Purchased Gas Cost (“PGC”) filing filed on June 1, 2023 (Book 2) and the preliminary supporting information filed on May 1, 2023 (Book 1), as shown on the Table of Contents and Witness Index and described in UGI Gas Statement No. 2, and hereby state that those portions of the Company’s Books 1 and 2 are true and correct to the best of my knowledge, information and belief.

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: 8/14/2023

DocuSigned by:

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Jesse R. Tyahla
*Director – Energy Supply and Planning for
UGI Utilities, Inc.*

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Pennsylvania Public Utility Commission	:	
	:	
v.	:	R-2023-3040290
	:	
UGI Utilities, Inc. – Gas Division	:	
1307(f) Proceeding	:	

VERIFICATION

I, Kimberly M. Bassininsky, being the Principal Analyst - Rates for UGI Utilities, Inc., hereby state that the testimony set forth in UGI Gas Statement No. 1 is true and correct to the best of my knowledge, information and belief, and that if asked orally at a hearing in this matter, my answers would be as set forth therein. I am also sponsoring UGI Gas Exhibit KMB-1 and hereby state that they are true and correct to the best of my knowledge, information and belief. I further state that I am sponsoring certain portions of the Company’s 2023 1307(f) Purchased Gas Cost (“PGC”) filing filed on June 1, 2023 (Book 2) and the preliminary supporting information filed on May 1, 2023 (Book 1), as shown on the Table of Contents and Witness Index and described in UGI Gas Statement No. 1, and hereby state that those portions of the Company’s Books 1 and 2 are true and correct to the best of my knowledge, information and belief.

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: 8/11/2023

DocuSigned by:

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Kimberly M. Bassininsky
Principal Analyst – Rates for UGI Utilities, Inc.

APPENDIX B

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2023-3040290
	:	
UGI Utilities, Inc. - Gas Division	:	
1307(f) PGC	:	

**WITNESS VERIFICATION
THE BUREAU OF INVESTIGATION AND ENFORCEMENT**

I, Christopher Keller, on behalf of the Bureau of Investigation and Enforcement, hereby verify that the documents preliminarily identified as:

- I&E Statement No. 1; I&E Exhibit No. 1 (PROPRIETARY) and non-proprietary, and
- I&E Statement No. 1-SR.

were prepared by me or under my direct supervision and control. Furthermore, the facts contained therein are true and correct to the best of my knowledge, information and belief and I expect to be able to prove the same at an Evidentiary Hearing in this matter. This Verification is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

/s/ Christopher Keller
Christopher Keller
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement

Dated: August 3, 2023