



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET
HARRISBURG, PENNSYLVANIA 17120

December 21, 2023

Docket No. R-2023-3037933

Utility Code: 125042

Deanne M. O'Dell, Esq.
Eckert Seamans Cherin & Mellott, LLC
213 Market Street 8th Floor
Harrisburg, PA 17101

Re: PA Public Utility Commission, et al., v. Philadelphia Gas Works; 2023 PGW Base
Rate Case Filing – Compliance Tariff Supplements

Dear Ms. O'Dell:

By Opinion and Order entered November 9, 2023, at the above-captioned Docket, the Commission authorized Philadelphia Gas Works (PGW or the Company) to file tariffs, tariff supplements and/or tariff revisions, on at least one day's notice, and pursuant to the provisions of 52 Pa. Code §§ 53.1, et seq., and 53.101, designed to produce an annual distribution rate revenue increase of approximately \$26,201,000, to become effective for service rendered on and after November 29, 2023 (*November 9, 2023 Order*).

On November 21, 2023, the Company filed Supplement No. 167 to Gas Service Tariff – Pa. P.U.C. No. 2 and Supplement No. 110 to Supplier Tariff – Pa. P.U.C. No. 1 to become effective December 1, 2023, in compliance with 52 Pa. Code §5.592 (PGW Compliance Filing). The Company also filed supporting schedules, including a proof of revenues, demonstrating that the filed tariff adjustments comply with the provisions of the Opinion and Order. On November 22, 2023, PGW filed corrected supporting schedules for Supplement Nos. 167 and 110 to correct two non-substantive errors in the supporting schedules accompanying the compliance filing, and on November 27, 2023, PGW filed an additional page to Supplement No. 167 that was inadvertently missed with the compliance filing.

On December 1, 2023, Grays Ferry Cogeneration Partnership and Vicinity Energy Philadelphia, Inc. (collectively, GFCP/VEPI) filed Exceptions to the PGW Compliance Filing, in accordance with 52 Pa. Code §5.592 (c). On December 4, 2023, PGW filed Replies to GFCP/VEPI's Exceptions. No other party filed Exceptions to the PGW Compliance Filing.



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Commission Staff has reviewed the tariff revisions and found that suspension or further investigation does not appear warranted at this time. Further, upon review of the Exceptions filed by GFCP/VEPI and PGW’s Replies thereto, Commission Staff concludes that the GFCP/VEPI’s Exceptions fail to identify any “factual issue of alleged deviation from the requirements of” the Commission’s *November 9, 2023 Order*. See, 52 Pa. Code §5.592 (c). To the contrary, GFCP/VEPI’s Exceptions raise issues related to GFCP/VEPI’s disputed interpretation or alleged necessity for clarification of the Commission’s *November 9, 2023 Order*.¹ Staff concludes that PGW’s Compliance Filing is consistent with the requirements of the Commission’s *November 9, 2023 Order*. Accordingly, the Exceptions filed by GFCP/VEPI on December 1, 2023, are denied.

Therefore, in accordance with 52 Pa. Code §5.592, and 52 Pa. Code Chapter 53, Supplement No. 167 to Gas Service Tariff – Pa. P.U.C. No. 2 and Supplement No. 110 to Supplier Tariff – Pa. P.U.C. No. 1 are effective by operation of law as of the effective date contained on each page.

If you have any questions please call Marissa Boyle, Bureau of Technical Utility Services, at (717) 787-7237, or email at maboyle@pa.gov, or call Elizabeth Lion Januzzi, Office of Special Assistants, at (717) 772-0696, or email at elionjanuz@pa.gov.

Sincerely,



Rosemary Chlavetta
Secretary

¹ Staff notes that the issues raised by GFCP/VEPI regarding the meaning /necessity for clarification of certain provisions of the Commission’s *November 9, 2023* order remain pending under GFCP/VEPI’s Petition for Clarification (Reconsideration) filed on November 20, 2023, at Docket Nos. R-2023-3037933; C-2023-3038846; C-2023-3038885; C-2023-3039059; C-2023-3038727; and C-2023-3039130.