

March 7 2024

**Via Electronic Filing**

Rosemary Chiavetta, Secretary  
PA Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Re: Philadelphia Gas Works 2024-2025 Gas Cost Rate Filing – Docket No. R-2024-3045966  
Office of Consumer Advocate v. PGW – Docket No. C-2024-3047054  
Office of Small Business Advocate v. PGW – Docket No. C-2024-3046382

Dear Secretary Chiavetta:

Enclosed for electronic filing is Philadelphia Gas Works' ("PGW") Prehearing Memorandum with regard to the above-referenced matters. Copies to be served in accordance with the attached Certificate of Service.

Sincerely,



Deanne M. O'Dell

DMO/lww

Enclosure

cc: Hon. Arlene Ashton w/enc.  
Cert. of Service w/enc.

## CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of PGW's Prehearing Memorandum upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

### **Via Email Only**

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Deanne M. O'Dell, Esq.

Dated: March 7, 2024

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:		
	:	Docket No.	R-2024-3045966
	:		
	:		
Office of Consumer Advocate	:	Docket No.	C-2024-3047054
Office of Small Business Advocate	:	Docket No.	C-2024-3046382
	:		
v.	:		
	:		
Philadelphia Gas Works	:		

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**PREHEARING MEMORANDUM  
OF PHILADELPHIA GAS WORKS**

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Pursuant to 52 Pa Code § 5.223, the Prehearing Conference Order dated March 4, 2024 and in anticipation of the Initial Telephonic Prehearing Conference scheduled before Administrative Law Judge Arlene Ashton on Monday, March 11, 2024, Philadelphia Gas Works (“PGW”) submits this Prehearing Memorandum.

**I. BACKGROUND**

1. On February 1, 2024, PGW filed its supporting information for the prefiling for its annual 2024-2025 Gas Cost Rate (“GCR”).
2. Pursuant to the Commission’s approval in its 2022-2023 GCR,<sup>1</sup> PGW departed from certain requirements of 52 Pa. Code Sections 53.45(b), 53.64(c), 53.68(a) and 53.64(i)(5)(i) addressing the timing of bill inserts, public notice and underlying data to be relied upon for the March 1, 2024 quarterly 1307(f) filing. PGW has completed or is in the process of completing

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<sup>1</sup> *Pennsylvania Public Utility Commission, et. al v. Philadelphia Gas Works*, Docket Nos. R-2022-3030686, C-2022-3030978, C-2022-3030971, Order entered July 14, 2022, Ordering Paragraph 6 at 2-3.

customer notice requirements including bill cycle inserts and publication in local newspapers consistent with these Commission-approved requirements.

3. On February 13, 2023, the Bureau of Investigation and Enforcement (“I&E”) filed a Notice of Appearance.

4. The Office of Consumer Advocate (“OCA”) and the Office of Small Business Advocate (“OSBA”) subsequently filed complaints. The OSBA complaint is docketed at C-2024-3046382, and the OCA complaint is docketed at C-2024-3047054. Consistent with 52 Pa. Code § 5.61(d), PGW did not file answers to the Complaints.

5. On February 15, 2024, the Philadelphia Industrial and Commercial Gas Users Group (“PICGUG”) filed a Petition to Intervene. PGW does not object to PICGUG’s intervention.

6. On March 1, 2024, PGW filed its Section 1307(f) filing which included: proposed tariff revisions (Supplement No. 171 to PGW’s Gas Service Tariff – Pa P.U.C. No. 2 and Supplement No. 114 to PGW’s Gas Supplier Tariff – Pa P.U.C. No. 1); supporting information regarding the computation of annual purchased gas costs for twelve months ending August 31, 2024, and the direct testimony of Florian Teme (PGW St. 1) and Ryan E. Reeves (PGW St. 2).

## **II. DISCOVERY**

1. For the benefit of the parties, documents exchanged in discovery will be made available in a secured iManage share folder. To receive access, please contact Deanne O’Dell.

2. Consistent with the discovery modifications adopted in prior GCR proceedings and in consultation with the parties to this proceeding, PGW can accept the following discovery modifications:

- a. Answers to written interrogatories prior to the due date for service of rebuttal testimony will be served in-hand within ten (10) calendar days of service of the interrogatories except that service of interrogatories served after 12:00 noon on a Friday shall be deemed served on the following business day;
- b. Parties will use best efforts to serve answers to written interrogatories **on or after** the due date for service of rebuttal testimony within five (5) calendar days of service of the interrogatories;
- c. Objections to interrogatories will be communicated orally within three (3) days of service; unresolved objections shall be served on the ALJ in writing within five (5) business days of service of the interrogatories;
- d. Motions to dismiss objections and/or direct the answering of interrogatories will be filed within three (3) business days of service of written objections to interrogatories;
- e. Responses to motions to dismiss objections and/or direct the answering of interrogatories will be filed within three (3) business days of service of such motions;
- f. Responses to requests for document production, entry for inspection, or other purposes will be served in-hand within ten (10) calendar days or objected to within five (5) business days of service;
- g. Requests for admission will be deemed admitted unless answered within ten (10) calendar days or objected to within five (5) business days of service.
- h. Answers to on-the-record data requests will be served in-hand within seven (7) calendar days of request;
- i. Rulings over motions shall be issued, if possible, within seven (7) calendar days of the filing of the motion;
- j. Any discovery or discovery related pleadings such as objections, motions, answers to motions served after 12:00 noon on a Friday or after 12:00 noon on any business day preceding a state holiday, shall be deemed to have been served on the following business day for purposes of tracking responsive due dates; and
- k. That due dates be “in-hand” and that electronic or fax service on the due date will satisfy the “in-hand” requirement, where such service is immediately followed by a hard copy sent by first class mail upon request of the Party.

### **III. FACTUAL AND LEGAL ISSUES**

This proceeding will focus on whether PGW’s proposed 2024-2025 GCR, claimed realized natural gas expense, GCR Expense, and prior years’ over-/under-collections are just, reasonable, and in pursuit of a least cost fuel procurement and other standards set forth in 66 Pa.C.S. §§ 1307(f), 1317 and 1318. In addition, the proceeding will focus on whether PGW’s proposed Tariff Supplement No. 171 to PGW’s Gas Service Tariff – Pa P.U.C. No. 2, adjusting the GCR, and making corresponding adjustments to the Price-to-Compare, Efficiency Cost Recovery Surcharge, and Universal Service and Energy Conservation Surcharge to be effective September 1, 2024, and to the proposed Tariff Supplement No. 114 to PGW’s Gas Supplier Tariff – Pa P.U.C. No. 1 to adjust the load balancing charge, are just, reasonable and otherwise consistent with law. PGW submits that its proposals, as outlined in its GCR filing, are just, reasonable, and otherwise consistent with the law.

### **IV. SERVICE OF DOCUMENTS**

PGW requests that all documents be served on:

Deanne O’Dell, Esquire – **Speaking for PGW at the Pre-Hearing Conference**  
Daniel Clearfield, Esquire  
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213 Market St., 8th Fl.  
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Gracelia Christlieb, Senior Attorney  
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800 W. Montgomery Ave  
Philadelphia, PA 19122  
(215) 684-6164  
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PGW agrees to receive service of documents electronically in this proceeding.

**V. PROCEDURAL SCHEDULE**

PGW has been consulting with the other parties regarding the litigation schedule and is supportive of the below schedule as offered by the Office of Consumer Advocate noting the proposed shift in the evidentiary hearing date proposed in the Prehearing Conference Order from April 29, 2024 and April 30, 2024 to April 30, 2024 and May 1, 2024.

<b>Event</b>	<b>OCA Proposal with PGW Agreement</b>
Other Parties Direct Testimony	Thursday, April 4, 2024
Rebuttal Testimony	Friday, April 19, 2024
Surrebuttal Testimony	Friday, April 26, 2024
<i>Oral Rejoinder at hearing*</i>	<i>Tuesday, April 30, 2024</i> <i>Wednesday, May 1, 2024</i>
<i>Evidentiary Hearings*</i>	<i>Tuesday, April 30, 2024</i> <i>Wednesday, May 1, 2024</i>
<i>Close of Record**</i>	<i>Friday, May 3, 2024</i>
<i>Main Briefs Due**</i>	<i>Tuesday, May 14, 2024</i>
<i>Reply Briefs Due**</i>	<i>Friday, May 24, 2024 (by noon)</i>

*\* Proposed modification of ALJ schedule*

*\*\*Set by ALJ*

**VI. WITNESSES**

PGW expects to submit the testimony of the following witnesses:

- Florian Teme, Vice President, Marketing, Sales and Energy Planning at PGW. The issues Mr. Teme will address are set forth in his Direct Testimony dated March 1, 2023. Mr. Teme’s telephone number is 215.684.6463.
- Ryan E. Reeves, Director of Gas Supply, Transportation and Control at PGW. The issues Mr. Reeves will address are set forth in his Direct Testimony dated March 1, 2023. Mr. Reeves’ telephone number is 215.787.5103.

The business address for PGW’s witnesses is 800 W. Montgomery Ave., Philadelphia, PA 19122.

PGW reserves its right to modify this witness list prior to the submission of testimony into the record.

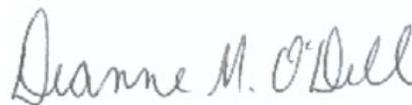
**VII. PROTECTIVE ORDER**

Consistent with prior GCR proceedings, PGW will be submitting a proposed protective order for entry by the ALJ in order to protect its confidential information from public release or being used for purposes other than this proceeding.

**VIII. SETTLEMENT**

PGW is willing to participate in settlement discussions and will be initiating such discussions as soon as the parties indicate that they have had sufficient time to review PGW's claims in its filing.

Respectfully Submitted,



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Attorneys for Philadelphia Gas Works

Dated: March 7, 2024