



COMMONWEALTH OF PENNSYLVANIA

March 15, 2024

E-FILED

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

**Re: Pennsylvania Public Utility Commission v. Peoples Natural Gas Company LLC
1307(f) / Docket No. R-2024-3045945**

Dear Secretary Chiavetta:

Enclosed please find the Complaint, Public Statement, and Verification on behalf of the Office of Small Business Advocate (“OSBA”), in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Steven C. Gray

Steven C. Gray
Assistant Small Business Advocate
Attorney ID No. 77538

Enclosures

cc: Mark Ewen
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :
 :
 v. : **Docket No. R-2024-3045945**
 :
Peoples Natural Gas Company, LLC 1307(f) :

**COMPLAINT OF THE
OFFICE SMALL BUSINESS ADVOCATE**

1. The Complainant is:

NazAarah Sabree
Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525

2. The name and address of the Complainant's attorney is:

Steven C. Gray
Assistant Small Business Advocate
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525
sgray@pa.gov

3. The respondent utility is:

Peoples Natural Gas Company, LLC
375 North Shore Drive, 4th Floor
Pittsburg, PA 15212

4. The Complainant is authorized and directed by the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50, to represent the interests of small business consumers of utility services in matters before the Pennsylvania Public Utility Commission (hereinafter referred to as "Commission").

5. On March 1, 2024, Peoples Natural Gas Company, LLC (“PNG” or the “Company”) submitted its pre-filing pursuant to 52 Pa. Code §§ 53.64 (c) and 53.65 in anticipation of PNG’s annual Purchased Gas Cost (“PGC”) rate filing pursuant to 66 Pa. C.S. § 1307(f).

6. Section 1318 of the Public Utility Code, 66 Pa. C.S. § 1318, provides that no rates of a natural gas distribution utility shall be deemed just and reasonable unless the Commission finds that the utility is pursuing a least cost fuel procurement policy, consistent with the Company’s obligation to provide safe, adequate and reliable service to the Company’s small business customers. In making such a determination, the Commission must find, among other things, that the Company has (1) fully and vigorously represented ratepayers’ interests before the Federal Energy Regulatory Commission; (2) taken all prudent steps to negotiate favorable gas supply contracts and to relieve the Company of its obligations under the existing contracts that are or may be adverse to ratepayers’ interests; (3) taken all reasonable steps to obtain lower cost gas supplies on a long-term or short-term basis regardless of whether it is within or outside of the Commonwealth Pennsylvania; and (4) not withheld or caused to be withheld any gas supplies that should have been utilized as part of a least cost fuel procurement policy. 66 Pa. C.S. § 1318(a)(1-4).

7. The Office of Small Business Advocate (“OSBA”) files this Formal Complaint to ensure that PNG’s PGC rates are consistent with the requirements of the law which provide that the Company takes all reasonable steps to follow the least cost fuel procurement policy and to ensure that their rates and charges are not excessive, unjust, unreasonable, discriminatory or otherwise contrary to Commission regulations or policies.

8. In view of the foregoing, the Small Business Advocate respectfully requests that the Commission:

- a. Hold evidentiary hearings in accordance with Section 1307(f) of the Public Utility Code;
- b. Deny any proposed rate changes which are not the result of a least cost fuel procurement policy as defined by the standards set forth in Section 1318 of the Public Utility Code, and as defined by other applicable ratemaking standards;
- c. Ensure that PNG's small business customers are not allocated any costs that should not be borne by the small business customers;
- d. Deny any rate change that is unjust, unreasonable, unduly discriminatory or contrary to sound ratemaking principles; and
- e. Grant such other relief as the Commission may deem necessary or appropriate.

Respectfully submitted,

/s/ Steven C. Gray

Steven C. Gray
Assistant Small Business Advocate
Attorney ID No. 77538

Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)

Dated: March 15, 2024

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2024-3045945
	:	
Peoples Natural Gas Company, LLC 1307(f)	:	

**PUBLIC STATEMENT OF
THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (the “Act”). The Act further provides that the Small Business Advocate is to issue publicly a written statement stating concisely the specific interest of small business consumers to be protected by her initiation of or intervention in any proceeding involving those interests before the Public Utility Commission or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of a complaint against the 2024 Purchased Gas Cost (“PGC”) Rate filing of Peoples Natural Gas Company, LLC (“PNG” or the “Company”)

The Small Business Advocate files this formal complaint against the Company’s proposed gas cost rate in order to protect the interests of the Company’s small business customers. A thorough inquiry by the Public Utility Commission into all of the elements of the Company’s gas cost rate is necessary to ensure that the Company is pursuing a least cost fuel procurement policy, consistent with PNG’s obligation to provide safe, adequate and reliable service.

In view of the foregoing, the Small Business Advocate will participate in proceedings before the Public Utility Commission to investigate the reasonableness of the proposed rates in PNG's 2024 PGC rate filing. The Small Business Advocate will ask the Commission to deny any proposed rate increase or other changes in the Company's present tariffs that apply to small business customers that are not proven by PNG to be lawful, just, reasonable, and non-discriminatory.

Dated: March 15, 2024

VERIFICATION

I, NazAarah Sabree, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. 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: March 15, 2024



(Signature)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :
 :
 v. : **Docket No. R-2024-3045945**
 :
Peoples Natural Gas Company, LLC 1307(f) :

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email (*unless otherwise noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

The Honorable Charles E. Rainey Jr.
Chief Administrative Law Judge
Pennsylvania Public Utility Commission
400 North Street
Commonwealth Keystone Building
Harrisburg, PA 17120
crainey@pa.gov

Patrick Cicero, Esquire
Consumer Advocate
Office of Consumer Advocate
555 Walnut Street, 5th Floor
Harrisburg, PA 17101
pcicero@paoca.org

Allison Kaster, Esquire
Director
Bureau of Investigation & Enforcement
400 North Street
Commonwealth Keystone Building
Harrisburg, PA 17120
akaster@pa.gov

Meagan Moore, Esquire
Peoples Natural Gas Company LLC
375 North Shore Drive, 4th Fl
Pittsburgh, PA 15212
meagan.moore@peoples-gas.com

Anthony D. Kanagy, Esquire
Nicholas A. Stobbe, Esquire
Post & Schell, P.C.
17 North Second St., 12th Floor
Harrisburg, PA 17101-1601
akanagy@postschell.com
nstobbe@postschell.com

Kevin J. Moody, Esquire
PIOGA
212 Locust Street, Suite 300
Harrisburg, PA 17101
kevin@pioga.org

DATE: March 15, 2024

/s/ Steven C. Gray
Assistant Small Business Advocate
Attorney I.D. No. 77538