



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

BUREAU OF  
INVESTIGATION  
&  
ENFORCEMENT

April 2, 2024

**Via Electronic Filing**

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

Re: Pennsylvania Public Utility Commission v.  
Columbia Gas of Pennsylvania, Inc. - 1307(f)  
Docket No. R-2024-3047014  
**I&E Prehearing Memorandum**

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Prehearing Memorandum of the Bureau of Investigation and Enforcement for the above-captioned proceeding.

Copies are being served on parties of record per the attached Certificate of Service. Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Scott B. Granger'.

Scott B. Granger  
Prosecutor  
Bureau of Investigation and Enforcement  
PA Attorney ID No. 63641  
(717) 425-7593  
[sgranger@pa.gov](mailto:sgranger@pa.gov)

SBG/ac  
Enclosures

cc: Administrative Law Judge Emily I. DeVoe (via email – [edevoe@pa.gov](mailto:edevoe@pa.gov))  
Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2024-3047014
	:	
Columbia Gas of Pennsylvania, Inc.	:	
1307(f) Purchased Gas Cost	:	

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**PREHEARING MEMORANDUM  
OF THE  
BUREAU OF INVESTIGATION AND ENFORCEMENT**

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**TO ADMINISTRATIVE LAW JUDGE EMILY I. DEVOE:**

The Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”) respectfully submits the following Prehearing Memorandum in the above-captioned proceeding.

The Bureau of Investigation and Enforcement Prosecutor in these proceedings will be Scott B. Granger. Contact information is as follows:

By mail:	Scott B. Granger Pennsylvania Public Utility Commission Bureau of Investigation and Enforcement Commonwealth Keystone Building 400 North Street, 2 <sup>nd</sup> Floor West Harrisburg, PA 17120
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By e-mail:	<a href="mailto:sgranger@pa.gov">sgranger@pa.gov</a>
By telephone:	(717) 425-7593
By fax:	(717) 772-2677

## **I. INTRODUCTION**

On March 1, 2024, Columbia Gas of Pennsylvania, Inc. (“Columbia” or Company”) submitted its pre-filing preliminary information (“Book 1”) in support of their annual purchased gas cost (“PGC”) pursuant to 52 Pa. Code §§53.64(c) and 53.65 of the Commission’s regulations and 66 Pa. C.S. §1307 of the Pennsylvania Public Utility Code.

UGI Gas followed that with their definitive PGC filings (“Book 2”) on April 1, 2024. The proposed PGC rate is \$0.43027 per Therm effective October 1, 2024. This represents a proposed increase of \$0.01968 per Therm over the current rate of \$0.41059 per Therm.

On March 20, 2024, the Office of Small Business Advocate (“OSBA”) filed a Notice of Appearance, Complaint, and Public Statement in this proceeding.

On March 21, 2024, the Office of Consumer Advocate (“OCA”) filed a Notice of Appearances, Formal Complaint, and Public Statement in this PGC proceeding.

On March 26, 2024, I&E filed a Notice of Appearance in this proceeding.

A telephonic Prehearing Conference is scheduled for Thursday, April 3, 2024, beginning at 1:30 pm before Administrative Law Judge Emily I. DeVoe presiding in Pittsburgh.

## **II. WITNESSES AND ISSUES**

I&E currently expects that it may call the following expert witnesses, without being limited thereto, who will address the issues listed *infra*. The list represents I&E’s preliminary determination of the potential issues in these proceedings. The listing is as complete as can be made at this time. I&E specifically reserves the right to address other issues as it deems appropriate if any such relevant issues arise. The witnesses and issues are as follows:

### Witnesses:

- D.C. Patel, Fixed Utility Financial Analyst.
- Esysan Sakaya, Fixed Utility Valuation Engineer.
- Christine Wilson, Fixed Utility, Supervisor.

Issues:

- Audit Recommendations;
- Retainage Rate;
- Unaccounted for Gas;
- Capacity Requirements;
- Capacity Reserves;
- Capacity Mix;
- Design Day;
- Gas Procurement Policy;
- Choice Program;
- Spot Market Purchases;
- System Reliability;
- Peak Day Forecasts;
- PGC Rate Consolidation;
- Compliance with prior Commission Orders;
- Hedging Practices;
- Incentive Mechanisms;
- Off-System Sales;
- C-factor;
- E-factor;
- Supplier Refunds Pass-Back;
- Penalty Credits/Interest
- Over/Under Collections;
- Interruptible Sales;
- Transportation Sales.

The I&E witnesses may be contacted through the information listed above for Prosecutor Granger. The witness list is provided without the benefit of complete discovery or analysis of the positions of potential other parties to this proceeding. Accordingly, I&E reserves the right to call additional witnesses or withdraw the name of any witnesses listed above.

**III. EVIDENCE**

I&E expects to present all written direct, rebuttal and surrebuttal testimony and accompanying exhibits at the evidentiary hearing. Moreover, I&E intends to rely on the Company's filing, answers to data requests and interrogatories, quarterly and annual reports and other documents submitted to the Commission, other relevant Commission filings, any other

relevant Commonwealth agency letters or reports, general financial market information sources and other public documents and reports.

#### **IV. DISCOVERY**

Discovery in these proceedings will be conducted according to 52 Pa. Code §§5.321 et. seq. No modifications to the rules of discovery have been proposed by I&E. I&E will give due consideration to any discovery modifications proposed by any other party. In the past, I&E has not opposed the discovery modifications as routinely proposed by the OCA. Also, pursuant to 52 Pa. Code §§5.322 and 5.331(b), discovery has begun and is ongoing.

#### **V. SCHEDULE**

As of this date, that parties are actively negotiating an amicable litigation schedule. I&E tentatively proposes the following schedule.

Pre-Filing (Book 1)	March 1, 2024
Definitive Filing (Book 2)	April 1, 2024
Prehearing Conference	April 3, 2024
Other Parties Direct	May 3, 2024
Rebuttal Testimony	May 14, 2024
Surrebuttal Testimony	May 24, 2024
Evidentiary Hearings <sup>1</sup>	May 29, 2024
Main Brief	June 10, 2024
Reply Brief	June 19, 2024

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<sup>1</sup> Upon the rescinding of Governor Tom Wolf's Proclamation of Disaster Emergency, and the re-opening of the Keystone Commonwealth Building, I&E requests that Hearings be held in Harrisburg, PA.

## VI. SERVICE OF DOCUMENTS

For purposes of satisfying in-hand requirements for discovery responses, prepared testimony and briefs during the closure of Commission offices, and consistent with Paragraph 8 of the Commission's March 20, 2020 Emergency Order,<sup>2</sup> I&E will both only serve and accept electronic delivery of documents. Upon re-opening of Commission offices, and only on a forward-moving basis from that point forward, I&E requests parties provide a follow-up hard copy by regular first-class mail in addition to electronic delivery.

## VII. SETTLEMENT

I&E is willing to make good faith efforts to successfully resolve this matter through settlement. In the event settlement discussions fail to result in a full and complete resolution of the matter, I&E is prepared to fully, or partially, litigate this proceeding.

Respectfully Submitted,



Scott B. Granger  
Prosecutor  
PA Attorney ID No. 63641

Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, Pennsylvania 17120  
(717) 425-7593

Dated: April 2, 2024

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<sup>2</sup> *Re: Suspension of Regulatory and Statutory Deadlines, Modification to Filing and Service Requirements*, Docket No. M-2020-3019262.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2024-3047014
	:	
Columbia Gas of Pennsylvania, Inc. – 1307(f)	:	

**CERTIFICATE OF SERVICE**

I hereby certify that I am serving the foregoing **Prehearing Memorandum** dated April 2, 2024, in the manner and upon the persons listed below:

**Served via Electronic Mail Only**

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