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May 31, 2024

Via Email Only

The Honorable Eranda Vero
Administrative Law Judge
PA Public Utility Commission
801 Market Street, Suite 4063
Philadelphia, PA 19107

RE: *SBG Management Services, Inc./Simon Garden Realty Co., L.P. et al., v. Philadelphia Gas Works* Docket Nos. C-2012-2304183; C-2012-2304324; C-2015-2486618; C-2015-2486677; C-2015-2486674; C-2015-2486670; C-2015-2486664; C-2015-2486655; C-2015-2486648; C-2015-2486674

Dear Judge Vero:

Enclosed please find Philadelphia Gas Works (“PGW”) Amended Post-Hearing Exhibit 1 submitted in response to Your Honor’s on-the-record request for additional evidence during the April 25, 2023 evidentiary hearing.

Contrary to the objection of the Complainants, this Amended Post-Hearing Exhibit is relevant and material, and therefore admissible. The exhibit is an attempt to respond to a specific question posed by Your Honor at the April 25, 2023, hearing. Requests for additional evidence by the presiding officer are specifically authorized by 52 Pa. Code § 5.404. The information is also relevant and material because it clarifies that the calculation of refunds due to Complainants as a result of the recalculation of partial payments which appears in Mr. Cummings’ testimony (PGW St. 1-SR at pages 10-11 and Exhibit BLC-15) did not include amounts already designated by the PUC for refund in the December 8, 2016 Order at C-2012-2304183, C-2012-2304324 or the September 20, 2018 Order at C-2012-2304167, C-2012-2304215, C-2012-2304303. Further, the Amended Post-Hearing Exhibit, Response No. 2, further clarifies that PGW’s calculations does include refund amounts pursuant to the Commission’s October 4, 2018 Order at C-2012-2308454, C-2012-2308462, and C-2012-2308465 where the refunds were not previously recalculated and submitted to the Commission’s Bureau of Technical Utility Services for review.

The verified Amended Post-Hearing Exhibit 1 resolves Complainants’ May 21, 2024, objections and, therefore, PGW respectfully requests that Your Honor admit PGW’s Amended Post-Hearing Exhibit 1 as responses to Your Honor’s request for additional evidence, and overrule the objections as stated by Complainants.

As PGW has stated in the past, PGW has not previously remitted these small amounts associated with the Commission's December 8, 2016 and September 20, 2018 Orders because it believed that the exact amounts were going to be reviewed and confirmed as part of this proceeding. Now that Your Honor has made clear that those determinations will not be confirmed on Remand, PGW will be remitting those amounts with interest through June 30, 2024 (Total: \$5,510.68) to Complainants within thirty (30) days.

Sincerely,

A handwritten signature in blue ink that reads "Bryce R. Beard". The signature is written in a cursive, flowing style.

Bryce R. Beard, Esq.

BRB/lww

cc: Hon. Eranda Vero
Cert. of Service

CERTIFICATE OF SERVICE

I hereby certify that this date I served a copy of Philadelphia Gas Works' Amended Post Hearing Exhibit 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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Dated: May 31, 2024

/s/ Bryce R. Beard

Bryce R. Beard, Esq.

Counsel for Philadelphia Gas Works