
Devin Ryan

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File #: 206600

August 14, 2024

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Pennsylvania Public Utility Commission v. UGI Utilities, Inc. - Gas Division 1307(f)
Proceeding
Docket Nos. R-2024-3048828, et al.**

Dear Secretary Chiavetta:

Enclosed for filing is the Joint Stipulation for Admission of Evidence in the above-referenced proceeding. Copies of this filing will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Devin Ryan

DR/dmc
Attachments

cc: Honorable Dennis J. Buckley (*via email; w/attachments*)
Honorable Alphonso Arnold, III (*via email; w/attachments*)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA E-MAIL

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Date: August 14, 2024

A handwritten signature in blue ink, consisting of several overlapping, fluid strokes that form a stylized, somewhat abstract representation of the name Devin T. Ryan.

Devin T. Ryan

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket Nos. R-2024-3048828, <i>et al.</i>
	:	
UGI Utilities, Inc. – Gas Division	:	
1307(f) Proceeding	:	

JOINT STIPULATION FOR ADMISSION OF EVIDENCE

TO ADMINISTRATIVE LAW JUDGES DENNIS J. BUCKLEY AND ALPHONSO ARNOLD III:

UGI Utilities, Inc. - Gas Division (“UGI Gas” or the “Company”), the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”), and the Office of Consumer Advocate (“OCA”),¹ parties in the above-captioned proceeding (hereinafter collectively referred to as the “Joint Petitioners” or “Parties”), hereby submit this Joint Stipulation for Admission of Evidence in the above-captioned proceeding (the “Evidence Stipulation”). In support of the Evidence Stipulation, the Joint Petitioners represent as follows:

I. INTRODUCTION AND BACKGROUND

1. On May 1, 2024, the Company made its 30-day pre-filing (“Book 1” or “UGI Gas Exhibit 1”) with the Commission (containing data related to the recovery of purchased gas costs) pursuant to Section 1307(f) of the Public Utility Code, 66 Pa. C.S. § 1307(f), and in accordance with the Commission’s regulations at 52 Pa. Code §§ 53.64 and 53.65.

¹ The Office of Small Business Advocate (“OSBA”) does not oppose this Joint Stipulation for Admission of Evidence.

2. On May 17, 2024, the OCA filed a Notice of Appearance, Formal Complaint, and Public Statement.

3. On May 20, 2024, UGI Gas was served with the Formal Complaint filed by Brian Dugas at Docket No. C-2024-3049100 concerning the Purchased Gas Cost (“PGC”) case.

4. On May 22, 2024, the OSBA filed a Notice of Appearance.

5. On May 24, 2024, UGI Gas was served with the Formal Complaint filed by Jean Switch at Docket No. C-2024-3049239 concerning the PGC case.

6. On May 31, 2024, UGI Gas filed its definitive PGC filing (“Book 2” or “UGI Gas Exhibit 2”), including supporting information required by the Commission’s regulations, the Company’s direct testimony and exhibits and Pro Forma Tariff Supplement reflecting actual and projected changes in natural gas costs. UGI Gas is proposing a PGC rate of \$5.4483 per Mcf, effective December 1, 2024.

7. On June 4, 2024, I&E filed a Notice of Appearance.

8. On June 12, 2024, an Initial Prehearing Order was issued by the ALJs, directing the parties to file Prehearing Memoranda on or before June 13, 2024.

9. On June 13, 2024, Prehearing Memoranda were filed by UGI Gas, I&E, OCA, and OSBA.

10. A Prehearing Conference was held telephonically before the ALJs at 11:00 am on June 14, 2024.

11. On June 17, 2024, UGI Gas was served with the Formal Complaint filed by Juan Ramos at Docket No. C-2024-3049558 concerning the PGC case.

12. On June 17, 2024, UGI Gas was served with the Formal Complaint filed by Paula Mercuri at Docket No. C-2024-3049667 concerning the PGC case.

13. On June 27, 2024, UGI Gas was served with the Formal Complaint filed by Louis Kern at Docket No. C-2024-3049789 concerning the PGC case. The Company also was served with the Formal Complaint filed by Anthony DeBellis at Docket No. C-2024-3049790 concerning the PGC case.

14. On June 28, 2024, I&E and OCA served their written direct testimony and exhibits.

15. On July 15, 2024, UGI Gas served its written rebuttal testimony and exhibits.

16. On July 22, 2024, I&E and OCA served their written surrebuttal testimony and exhibits.

17. On July 24, 2024, UGI Gas served its written rejoinder testimony.

18. As a result of settlement discussions held in this proceeding, and the efforts of the Joint Petitioners to examine the issues raised, a full settlement in principle was achieved prior to the date for the evidentiary hearing.

19. On July 24, 2024, counsel for the Company advised the ALJs of the settlement in principle and requested that the scheduled evidentiary hearing be canceled and that the Joint Petitioners be permitted to admit their evidence by written stipulation.

20. Thereafter, on July 24, 2024, the ALJs advised the Parties that the evidentiary hearing would be canceled, and that the Parties' written testimony and exhibits could be admitted into the record by stipulation. The ALJs also directed the Parties to file the Joint Petition for Settlement and Joint Stipulation for Admission of Evidence by the August 14, 2024 due date for Reply Briefs.

21. On August 13, 2024, UGI Gas filed a Motion for Protective Order.

22. The Joint Petitioners request that the ALJs admit the testimony and the exhibits listed below into the record in the above-captioned proceeding:

II. STIPULATION

A. LIST OF TESTIMONY AND EXHIBITS

1. Testimony and Exhibits of UGI Gas

23. UGI Gas Exhibit 1: Book 1, filed on May 1, 2024, containing the information submitted pursuant to 52 Pa. Code §§ 53.64(c) and 53.65 of the Commission's regulations and 66 Pa. C.S. § 1317(c) in support of 66 Pa. C.S. § 1307(f) Purchased Gas Costs for 2023.

24. UGI Gas Exhibit 2: Book 2, filed on May 31, 2024, containing the computation of the annual purchased gas cost filing submitted pursuant to 52 Pa. Code § 53.61, *et seq.*, of the Commission's regulations and 66 Pa. C.S. § 1317(c) in support of 66 Pa. C.S. § 1307(f) Purchased Gas Costs for 2023. Book 2 includes the following direct testimony and exhibits:

- UGI Gas Statement No. 1 – Direct Testimony of Kimberly M. Bassininsky and Exhibit KMB-1.
- UGI Gas Statement No. 2 – Direct Testimony of Jesse R. Tyahla and Exhibits JRT-1, JRT-2, JRT-3, JRT-4 (CONFIDENTIAL), JRT-5 (CONFIDENTIAL), and JRT-6 (CONFIDENTIAL).

25. UGI Gas Statement No. 2-R – Rebuttal Testimony of Jesse R. Tyahla.

26. UGI Gas Statement No. 3-R – Rebuttal Testimony of Tracy A. Hazenstab and Exhibit TAH-1.

27. UGI Gas Statement No. 2-RJ – Rejoinder Testimony of Jesse R. Tyahla.

28. UGI Gas Statement No. 3-RJ – Rejoinder Testimony of Tracy A. Hazenstab.

2. Testimony and Exhibits of I&E

29. I&E Statement No. 1 – Direct Testimony of Christopher Keller (PROPRIETARY and Non-Proprietary Versions), Appendix A and I&E Exhibit No. 1 (PROPRIETARY and Non-Proprietary versions).

30. I&E Statement No. 1-SR – Surrebuttal Testimony of Christopher Keller and I&E Exhibit No. 1-SR.

3. Testimony and Exhibits of OCA

31. OCA Statement No. 1 – Direct Testimony of Jerome D. Mierzwa, which included a signed verification.

32. OCA Statement No. 1-SR – Surrebuttal Testimony of Jerome D. Mierzwa.²

B. REQUEST FOR ADMISSION OF TESTIMONY AND EXHIBITS

33. The Joint Petitioners request that the above identified testimony and exhibits be moved into the record without a hearing. The Parties have agreed to waive cross-examination in light of the settlement and the agreement to stipulate evidence into the record.

34. Consistent with the Motion for Protective Order that was filed in this proceeding, the Parties request that all filings, statements, and exhibits designated as “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL” be placed in non-public folders by the Secretary’s Bureau of the Commission.

35. Verifications for the testimony and exhibits of UGI Gas and I&E are attached hereto as **Appendices A and B**, respectively. OCA’s verification for its surrebuttal testimony is attached as **Appendix C**. OCA’s verification for its direct testimony was attached to such testimony.

36. The admission by stipulation of the foregoing testimony and exhibits is subject to Commission approval of the Joint Petition for Settlement of Section 1307(f) Rate Investigation that will be filed by August 14, 2024. The Joint Petitioners reserve their respective rights to submit additional testimony and to cross-examine witnesses in the event the Joint Petition for Settlement of Section 1307(f) Rate Investigation is not approved or is otherwise approved with modification

² The verification for Mr. Mierzwa’s surrebuttal testimony is attached as **Appendix C**.

causing a Party(ies) to withdraw from the Joint Petition for Settlement of Section 1307(f) Rate Investigation and proceed to litigation.

WHEREFORE, the Joint Petitioners, by their respective counsel, respectfully request that Administrative Law Judges Dennis J. Buckley and Alphonso Arnold III admit the foregoing testimony and exhibits into the record in this proceeding.

Respectfully submitted,



Date: August 14, 2024

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UGI Corporation
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King of Prussia, PA 19406
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Phone: 717-612-6052
Fax: 717-731-1985
E-mail: dryan@postschell.com

Attorneys for UGI Utilities Inc. – Gas Division

Date: _____

Scott B. Granger, Esquire
Bureau of Investigation & Enforcement
Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17105-3265

Attorney for Bureau of Investigation & Enforcement

WHEREFORE, the Joint Petitioners, by their respective counsel, respectfully request that Administrative Law Judges Dennis J. Buckley and Alphonso Arnold III admit the foregoing testimony and exhibits into the record in this proceeding.

Respectfully submitted,

Date: _____

Michael S. Swerling, Esquire
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Devin T. Ryan, Esquire
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Post & Schell, P.C.
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Phone: 717-612-6052
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Attorneys for UGI Utilities Inc. – Gas Division



Scott B. Granger, Esquire
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Commonwealth Keystone Building
400 North Street, 2nd Floor West
Harrisburg, PA 17105-3265

Date: Aug. 14, 2024

Attorney for Bureau of Investigation & Enforcement

/s/ Emily Farren

Date: August 14, 2024

Melanie El Atieh, Esquire
Emily Farren, Esquire
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E-mail: melatieh@paoca.org
efarren@paoca.org

Counsel for the Office of Consumer Advocate

Appendix A

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket Nos. R-2024-3048828, <i>et al.</i>
	:	
UGI Utilities, Inc. – Gas Division	:	
1307(f) Proceeding	:	

VERIFICATION

I, Kimberly M. Bassininsky, being Principal Analyst – Rates for UGI Utilities, Inc., hereby state that the testimony set forth in UGI Gas Statement No. 1 is true and correct to the best of my knowledge, information and belief, and that if asked orally at a hearing in this matter, my answers would be as set forth therein. I further state that I am sponsoring certain portions of the Company’s 2024 1307(f) filing (Book 2), the preliminary supporting information filed on May 1, 2024 (Book 1), as shown on the Table of Contents and Witness Index and described in UGI Gas Statement No. 1, and UGI Gas Exhibit KMB-1 and hereby state that they are true and correct to the best of my knowledge, information and belief.

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: August 14, 2024

DocuSigned by:

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 Kimberly M. Bassininsky

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

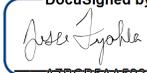
Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket Nos. R-2024-3048828, <i>et al.</i>
	:	
UGI Utilities, Inc. – Gas Division	:	
1307(f) Proceeding	:	

VERIFICATION

I, Jesse R. Tyahla, being Director – Energy Supply and Planning for UGI Utilities, Inc., hereby state that the testimony set forth in UGI Gas Statement Nos. 2, 2-R, and 2-RJ is true and correct to the best of my knowledge, information and belief, and that if asked orally at a hearing in this matter, my answers would be as set forth therein. I further state that I am sponsoring certain portions of the Company’s 2024 1307(f) filing (Book 2), the preliminary supporting information filed on May 1, 2024 (Book 1), as shown on the Table of Contents and Witness Index and described in UGI Gas Statement No. 2, and UGI Gas Exhibits JRT-1, JRT-2, JRT-3, JRT-4 (CONFIDENTIAL), JRT-5 (CONFIDENTIAL), and JRT-6 (CONFIDENTIAL) and hereby state that they are true and correct to the best of my knowledge, information and belief.

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: August 14, 2024

DocuSigned by:

A7BCB5AA593F449...
 Jesse R. Tyahla

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

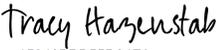
Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket Nos. R-2024-3048828, <i>et al.</i>
	:	
UGI Utilities, Inc. – Gas Division	:	
1307(f) Proceeding	:	

VERIFICATION

I, Tracy A. Hazenstab, being Principal Analyst – Rates for UGI Utilities, Inc., hereby state that the testimony set forth in UGI Gas Statement Nos. 3-R and 3-RJ is true and correct to the best of my knowledge, information and belief, and that if asked orally at a hearing in this matter, my answers would be as set forth therein. I further state that I am sponsoring UGI Gas Exhibit TAH-1 and hereby state that it is true and correct to the best of my knowledge, information and belief.

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: August 14, 2024

DocuSigned by:

1594066555D24FA...

 Tracy A. Hazenstab

Appendix B

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2024-3048828
	:	
UGI Utilities, Inc. – Gas Division	:	
1307(f) PGC	:	

**WITNESS VERIFICATION
THE BUREAU OF INVESTIGATION AND ENFORCEMENT**

I, Christopher Keller, on behalf of the Bureau of Investigation and Enforcement, hereby verify that the documents preliminarily identified as:

- I&E Statement No. 1 PROPRIETARY and Non-Proprietary;
- I&E Exhibit No. 1, PROPRIETARY and Non-Proprietary; and
- I&E Statement No. 1-SR;
- I&E Exhibit No. 1-SR.

were prepared by me or under my direct supervision and control. Furthermore, the facts contained therein are true and correct to the best of my knowledge, information and belief and I expect to be able to prove the same at an Evidentiary Hearing in this matter. This Verification is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

/s/Christopher Keller
Christopher Keller
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement

Dated: July 31, 2024

Appendix C

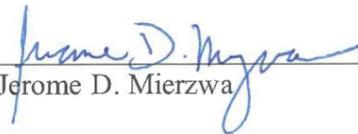
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission	:		
Office of Consumer Advocate	:	Docket Nos.	R-2024-3048828
Office of Small Business Advocate	:		C-2024-3049086
Brian Dugas	:		C-2024-3049499
Jean Switch	:		C-2024-3049100
Paula Mercuri	:		C-2024-3049239
Juan Ramos	:		C-2024-3049667
	:		C-2024-3049558
	:		
v.	:		
	:		
UGI Utilities, Inc. – Gas Division	:		
1307(f) Proceeding	:		

VERIFICATION

I, Jerome D. Mierzwa, hereby state that the facts above set forth in my Surrebuttal Testimony, OCA Statement 1-SR, are true and correct (or 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).

DATED: July 22, 2024

Signature: 
Jerome D. Mierzwa

Consultant Address:
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Columbia, MD 21044-3575