



COMMONWEALTH OF PENNSYLVANIA

March 7, 2025

**E-FILED**

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

**Re: Pennsylvania Public Utility Commission v. Philadelphia Gas Works – 1307(f) /  
Docket No. R-2025-3053241**

Dear Secretary Chiavetta:

Enclosed for filing please find the Prehearing Memorandum, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-referenced 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/ Rebecca Lyttle*

Rebecca Lyttle  
Assistant Small Business Advocate  
Attorney ID No. 201399

*Enclosures*

cc: Mark Ewen  
Parties of Record

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Pennsylvania Public Utility Commission** :  
 :  
 v. : **Docket No. R-2025-3053241**  
 :  
**Philadelphia Gas Works 1307(f)** :

---

**OFFICE OF SMALL BUSINESS ADVOCATE  
PREHEARING MEMORANDUM**

---

**I. INTRODUCTION**

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business consumers of utility services before the Pennsylvania Public Utility Commission (“Commission”) pursuant to the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (“the Act”). In order to discharge this statutory duty, the Small Business Advocate deems it necessary to participate as a party to this proceeding. Representing the OSBA in this matter is Assistant Small Business Advocate Rebecca Lyttle. Please address all correspondence as follows:

Rebecca Lyttle, Esq.  
Assistant Small Business Advocate  
Office of Small Business Advocate  
Forum Place  
555 Walnut Street, 1<sup>st</sup> Floor  
Harrisburg, PA 17101  
[relyttle@pa.gov](mailto:relyttle@pa.gov)

## **II. FILING BACKGROUND**

Pursuant to Section 1307(f) of the Public Utility Code, 66 Pa. C.S. § 1307(f), Philadelphia Gas Works (“PGW” or the “Company”) made its annual Section 1307(f) Gas Cost Rate (“GCR”) formal filing on February 28, 2025.

The OSBA filed a Complaint on March 7, 2025.

## **III. IDENTIFICATION OF WITNESSES**

Assisting in the development and presentation of the OSBA’s case in this proceeding will be:

Mr. Mark Ewen  
Principal  
Industrial Economics, Incorporated (IEc)  
2067 Massachusetts Avenue  
Cambridge, MA 02140  
(617) 354-0074 (extension 125)  
[MEwen@indecon.com](mailto:MEwen@indecon.com)

The OSBA requests that all parties provide courtesy copies of all documents, including discovery, testimony, and briefs to Mr. Ewen, simultaneously with service upon the OSBA.

## **IV. IDENTIFICATION OF ISSUES**

The OSBA is participating in the case to assure that the interests of small business customers of PGW are adequately represented and protected. After an initial review of the materials submitted by PGW, the OSBA has identified the following issues for further examination:

1. Whether PGW’s gas supply purchasing plan reasonably protects gas sales customers from potential volatility in the natural gas markets, including whether PGW has met established settlement terms regarding a hedging strategy;
2. Whether PGW’s estimated design day demand levels are reasonable and prudent;

3. Whether all of the components of the various reconcilable tariff charges and credits that PGW includes in this filing (USEC, IRC, OPEB, ECR, LBC) are reasonable and accurately calculated;
4. Whether PGW calculated the cost of gas used for off-system sales appropriately.
5. Whether PGW's unaccounted-for gas ("UFG") rate is reasonable, whether the Company has adopted a reasonable strategy for mitigating UFG, and whether the Company's proposed retainage rate is consistent with a reasonable estimate of the UFG rate; and
6. Any other issues that may arise during the course of this proceeding that may adversely affect small business customers.

As appropriate and necessary, the OSBA will investigate and analyze the claims and proposals of the Company and other parties through discovery, through the cross-examination of witnesses appearing for those parties, through the filing of testimony, and through briefing. The OSBA will particularly focus on any issue where the impact on the interests of the Company's small business consumers would be unjustifiably different than, or disproportionate to, the impact on another class of customers, or otherwise lacking in reasonableness or basic fairness.

The OSBA reserves the right to pursue additional issues as they arise throughout the proceeding.

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

In accordance with 52 Pa. Code § 1.54(b)(3)(i), the OSBA agrees to accept electronic mail delivery of documents on the due date<sup>a</sup> as satisfying the in-hand requirement.

**The OSBA requests that email delivery of documents also be provided to its witnesses identified above.**

In addition to email copies of pleadings, briefs, and exceptions, the OSBA requests email copies of responses to discovery propounded by the OSBA or any other party.

---

<sup>a</sup> In accordance with 52 Pa. Code § 1.56(a)(5), documents must be received by 4:30 pm.

**V. SETTLEMENT**

The OSBA notes its willingness to enter into settlement discussions at the appropriate phase of this proceeding.

**VI. HEARING AND BRIEFING SCHEDULE**

The OSBA will cooperate with the other parties to develop a procedural schedule. The OSBA requests that evidentiary hearings be held telephonically.

Respectfully submitted,

*/s/ Rebecca Lyttle*

---

Rebecca Lyttle  
Assistant Small Business Advocate  
Attorney ID No. 201399

Commonwealth of Pennsylvania  
Office of Small Business Advocate  
Forum Place  
555 Walnut Street, 1<sup>st</sup> Floor  
Harrisburg, PA 17101

Dated: March 7, 2025

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Pennsylvania Public Utility Commission** :  
: **Docket No. R-2025-3053241**  
v. :  
:  
**Philadelphia Gas Works – 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 Christopher P. Pell  
Pennsylvania Public Utility Commission  
Philadelphia District Office  
801 Market Street  
Philadelphia, PA 19107  
[cpell@pa.gov](mailto:cpell@pa.gov)

Michael A. Podskoch, Jr., Esquire  
Bureau of Investigation & Enforcement  
400 North Street  
Commonwealth Keystone Building  
Harrisburg, PA 17120  
[mpodskoch@pa.gov](mailto:mpodskoch@pa.gov)

Harrison W. Breitman, Esquire  
Ryan Morden, Esquire  
Office of Consumer Advocate  
555 Walnut Street  
5th Floor, Forum Place  
Harrisburg, PA 17101-1923  
[hbreitman@paoca.org](mailto:hbreitman@paoca.org)  
[rmorden@paoca.org](mailto:rmorden@paoca.org)

Deanne M. O’Dell, Esquire  
Eckert Seamans Cherin & Mellott, LLC  
213 Market Street, 8th Floor  
Harrisburg, PA 17101  
[dodell@eckertseamans.com](mailto:dodell@eckertseamans.com)

Charis Mincavage, Esquire  
Adeolu A. Bakare, Esquire  
Harrison Ryan Block, Esquire  
McNees Wallace & Nurick  
100 Pine Street  
Harrisburg, PA 17101  
[cmincavage@mcneeslaw.com](mailto:cmincavage@mcneeslaw.com)  
[abakare@mcneeslaw.com](mailto:abakare@mcneeslaw.com)  
[rblock@mcneeslaw.com](mailto:rblock@mcneeslaw.com)

Graciela Christlieb, Esquire  
Philadelphia Gas Works  
800 West Montgomery Avenue  
Philadelphia, PA 19122  
[graciela.christlieb@pgworks.com](mailto:graciela.christlieb@pgworks.com)

Date: March 7, 2025

/s/ Rebecca Lyttle  
Rebecca Lyttle  
Assistant Small Business Advocate  
Attorney ID No. 201399