



The gas cost rate filing was assigned to the Office of Administrative Law Judge for resolution by hearings and for issuance of a Recommended Decision. The matter was assigned to Deputy Chief Administrative Law Judge Christopher P. Pell.

On March 7, 2025, the OSBA filed a Verification, Public Statement, and a Formal Complaint. The Complaint was docketed at C-2025-3053807.

A prehearing conference in this matter was held on March 11, 2025. Counsel for PGW, I&E, OCA, OSBA, and PICGUG participated.

This Order sets forth the procedural matters addressed at the prehearing conference.

### ORDER

THEREFORE,

IT IS ORDERED:

1. That PICGUG's Petition to Intervene, being unopposed, is granted.
2. That going forward, petitions to intervene, if not defective on their face, shall be deemed granted if not objected to within three business days after filing. If objected to, such pleadings will be addressed by order.
3. That the active parties of record as of this date are PGW, I&E, OCA, OSBA, and PICGUG.

4. That: service on Respondent PGW shall be made on Ms. O’Dell, Mr. Clearfield, and Ms. Christlieb; service on I&E shall be on Mr. Podskoch, Jr.; service on the OCA shall be on Mr. Breitman and Mr. Morden; service on the OSBA shall be on Ms. Lyttle; and service on PICGUG shall be on Ms. Mincavage, Mr. Bakare, and Mr. Block.

5. That the parties may arrange service amongst themselves as they agree.

6. That the parties may serve documents electronically by 4:30 p.m. to meet any required due date.

7. That my informal email distribution list is as follows. Any changes or corrections should be communicated to me, via email, as soon as possible. Please include my legal assistant, Pamela McNeal, on anything that you send to me.

<b>Party</b>	<b>Counsel</b>	<b>e-mail</b>
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ALJ	Pamela McNeal	<a href="mailto:pmcneal@pa.gov">pmcneal@pa.gov</a>

8. That discovery shall be conducted according to the Commission’s rules and regulations at 52 Pa. Code § 5.321 *et seq*, subject to the following modifications:

- a. Answers to written interrogatories and requests for document production, entry for inspection, or other purposes shall be served in-hand within ten (10) calendar days of service;
- b. Objections to interrogatories and/or requests for production shall be communicated orally to the propounding party within three (3) calendar days of service of the interrogatories; unresolved objections shall be served in writing to the propounding party within five (5) calendar days of service of the interrogatories and/or requests for production;
- c. Motions to dismiss objections and/or direct the answering of interrogatories and/or requests for production shall be filed within five (5) business days of service of written objections;
- d. Answers to motions to dismiss objections and/or answering of interrogatories and/or requests for production shall be filed within three (3) business days of service of such motions;
- e. Requests for admission will be deemed admitted unless answered within ten (10) calendar days or objected to within five (5) calendar days of service;
- f. Answers to on-the-record data requests shall be served in-hand within five (5) calendar days of the requests; and
- g. Any discovery or discovery related pleadings (such as objections, motions, answers to same) served after 4:30 p.m. Monday through Thursday or after 1:30 p.m. on a Friday or the day before a holiday will be deemed to have been served on the next business day for purposes of calculating the due date for any responsive filing.

9. That on or after the due date for service of Non-Company Direct Testimony, discovery shall be conducted according to the Commission's rules and regulations at 52 Pa. Code § 5.321 *et seq*, and the modifications set out in Paragraph 8 of this Prehearing Order #1, subject to the modification that answers to written interrogatories shall be served within five (5) calendar days of service of the interrogatories.

10. That on or after the due date for service of Rebuttal Testimony, discovery shall be conducted according to the Commission's rules and regulations at 52 Pa. Code § 5.321 *et seq.*, subject to the following modifications:

- a. Answers to interrogatories and responses to requests for document production, entry for inspection, or other purposes shall be served within five (5) calendar days of service of the interrogatories or requests for production;
- b. Objections to interrogatories and/or requests for production shall be communicated orally to the propounding party within two (2) calendar days of service; unresolved objections shall be served on the propounding party in writing within three (3) calendar days of service of the interrogatories and/or requests for production;
- c. Motions to dismiss objections and/or direct the answering of interrogatories and/or requests for production shall be filed within three (3) business days of service of written objections;
- d. Answers to motions to dismiss objections and/or direct the answering of interrogatories and/or requests for production shall be filed within three (3) business days of service of such motions;
- e. Requests for admission shall be deemed admitted unless answered or objected to within three (3) calendar days of service; and
- f. Discovery requests and discovery related pleadings (such as objections, motions, and answers to same) served after 4:30 p.m. Monday through Thursday or after 1:30 p.m. on a Friday or the day preceding a holiday shall be deemed to have been served on the next business day.

11. That the parties should cooperate and exchange information on an informal basis. The parties shall cooperate rather than engage in numerous or protracted discovery disagreements that require my participation to resolve. All motions to compel shall contain a certification by counsel setting forth the specific actions the parties have undertaken to resolve their discovery disputes informally. If a motion to compel does not contain this certification, I shall contact the parties and direct them to resolve the matter informally and

provide the certification if they are unsuccessful. There are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa.Code §§ 5.361, 5.371-5.372.

12. That the following schedule is adopted:

Non-Company Direct	March 28, 2025
Rebuttal Testimony	April 8, 2025
Surrebuttal Testimony	April 14, 2025
Hearings/Rejoinder	April 16, 2025
Close of Record	April 18, 2025
Main Briefs	May 6, 2025
Reply Briefs	May 16, 2025

13. That the April 16, 2025 hearings will be held telephonically. Parties will complete the witness listing and cross-examination grid as directed.

14. That any motions with respect to, or objections to, written testimony must be presented in writing no later than three days prior to the day that the witness sponsoring that testimony is scheduled to testify. Answers to such motions or objections may be filed within three days or sooner if circumstances warrant. Oral motions, other than for good cause, shall not be accepted.

15. In accordance with the schedule set forth above, main briefs and reply briefs must be served on all parties and the ALJ no later than 4:30 p.m. on the date listed. Service can be made electronically.<sup>1</sup>

16. That all briefs shall comply with the requirements of 52 Pa. Code §§ 5.501 and 5.502, and in addition to the mandatory contents set forth in 52 Pa. Code § 5.501(a), all main briefs, regardless of length, must contain:

- A. A table of contents;
- B. A history of the proceeding;
- C. A discussion;

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<sup>1</sup> Parties are directed to e-mail me a copy of their as-filed briefs in a WORD-formatted document in addition to ADOBE or other compatible PDF format. The format of the briefs served electronically on the parties may be as requested by the parties.

- D. Proposed findings of fact (with record citations to transcript pages or exhibits where supporting evidence appears);
- E. Proposed conclusions of law (with citations to supporting statutes, regulations or relevant case law); and
- F. Proposed ordering paragraphs specifically identifying the relief sought.

17. That the parties should do their best to avoid the use of **Confidential Security Information (CSI)**, as defined by 35 P.S. § 2141 et seq., in this proceeding. Where possible, the parties should develop alternative means of introducing information into the record, such as joint stipulations or redaction when proposing testimony or exhibits. If the parties cannot avoid the use of CSI, the parties are to contact the presiding ALJ in advance of any submission, and prior to the evidentiary hearing.

18. That the parties are to confer amongst themselves in an attempt to resolve all or some of the issues associated with this proceeding. The parties are reminded it is the Commission's policy to encourage settlements. 52 Pa. Code §5.231(a). The parties are strongly urged to seriously explore this possibility. If a settlement is reached, a joint settlement petition executed by representatives of all parties to be bound thereby, together with statements in support of settlement by all signatory parties, must be filed with the Secretary for the Commission and served on the presiding officer.

19. That the parties shall comply with the procedural rules and regulations discussed herein.

20. That any provision of this order may be modified upon motion and good cause shown by any party in interest in accordance with 52 Pa.Code § 5.223(a).

Date: March 18, 2025

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/s/  
Christopher P. Pell  
Deputy Chief Administrative Law Judge

**R-2025-3053241 - PENNSYLVANIA PUBLIC UTILITY COMMISSION V.  
PHILADELPHIA GAS WORKS – 1307(F)**

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