

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2025-3053663
Office of Consumer Advocate	:	C-2025-3053812
Office of Small Business Advocate	:	C-2025-3054329
	:	
v.	:	
	:	
Columbia Gas of Pennsylvania, Inc.	:	

PREHEARING ORDER

On February 28, 2025, Columbia Gas of Pennsylvania, Inc. (Columbia or the Company) submitted its purchased gas cost (PGC) pre-filing to the Pennsylvania Public Utility Commission pursuant to 52 Pa. Code §§ 53.64, 53.65. On April 1, 2025, the Company submitted Supplement No. 398 to Tariff Gas Pa. P.U.C. No. 9, along with its definitive filing pursuant to Section 1307(f) of the Public Utility Code. 66 Pa. C.S. § 1307(f). Supplement No. 398 is to become effective for service rendered on and after October 1, 2025, and proposes an increase in its rates for recovery of purchased gas costs of \$0.20855/Therm.

On March 14, 2025, the Office of Consumer Advocate (OCA) filed a Notice of Appearance. On March 24, 2025, OCA filed a Formal Rate Complaint and Public Statement docketed C-2025-3053812. On March 26, 2025, the Commission's Bureau of Investigation and Enforcement (BIE) filed its Notice of Appearance. On March 31, 2025, the Office of Small Business Advocate (OSBA) filed its Notice of Appearance, Formal Rate Complaint, and Public Statement docketed at C-2025-3054329.

On March 26, 2025, the Commission issued a Prehearing Conference Notice, scheduling a prehearing conference for April 2, 2025. I issued a Prehearing Conference Order on March 26, 2025.

A prehearing conference was held on April 2, 2024, as scheduled. Columbia, BIE, OCA, and OSBA were represented by counsel. The parties discussed a variety of matters detailed below.

Litigation Schedule

The parties agreed upon the following litigation schedule, which was adopted:

<u>Date</u>	<u>Event</u>
April 28, 2025	Written Direct Testimony of All Other Parties Due
May 14, 2025	Written Rebuttal Testimony Due
May 22, 2025	Written Surrebuttal Testimony Due
May 23, 2025	Witness Matrix, Oral Rejoinder Outline, and Master List of Proposed Exhibits Due to ALJ
May 27, 2025	In-Person Evidentiary Hearings and Oral Rejoinder in Harrisburg
June 5, 2025	Main Briefs Due
June 13, 2025	Reply Briefs or Submission of Joint Settlement Petition Executed By Representatives of All Parties, Together With All Parties' Statements In Support of Settlement Due <u>in Hand</u>

The parties are reminded of the Commission’s requirements for the preparation and filing of written testimony. 52 Pa.Code §§ 5.412 and 5.412a. Written testimony must be accompanied by all exhibits to which it relates. Technical terms and concepts are to be clearly defined and explained in the testimonies and briefs. **No written testimony will be admitted into evidence unless accompanied by a verification or affidavit of the witness.**

Parties serving prepared testimony in proceedings pending before the Commission pursuant to 52 Pa.Code § 5.412(f) shall be required, within thirty (30) days after the final hearing in an adjudicatory proceeding, to e-file with the Secretary’s Bureau a copy of all testimony furnished to the court reporter during the proceeding consistent with 52 Pa.Code § 5.412a.

The Presiding ALJ agrees to accept email transmission of such material, so long as: (1) the subject email for written surrebuttal testimony is received by 4:30 p.m. on the date due. The email address of the Presiding ALJ is edevoe@pa.gov.

Hearings will begin promptly at **10:00 a.m. on May 27, 2025**. The parties must confer before commencement of the hearings to schedule their witnesses so as to avoid “holes” or “dead time” during the hearings.

Parties

As of the date of this Order, Columbia, OCA, OSBA, and BIE are the only parties involved in this case. The parties are directed to monitor filings with the Commission’s Secretary’s Bureau and advise the undersigned of any additional formal complaints or petitions to intervene filed after the date of this Order. A Service List of these parties is appended to this Order.

Service

All parties agreed to accept service by email. There is no need for parties to follow email service with service by First-Class Mail.

Consolidation

At the prehearing conference, the undersigned consolidated the Complaint of the Office of Consumer Advocate at C-2025-3053812 and the Complaint of the Office of Small Business Advocate at C-2025-3054329, with the rate proceeding at Docket No. R-2025-3053663.

Public Input Hearings

At present, no party has identified a need to conduct a public input hearing in the Company's service territory. If consumer interest arises, however, the parties are hereby directed to give this matter their prompt attention and notify the Presiding ALJ immediately of the change in circumstances.

Issues

In their respective prehearing memoranda, the parties identified various issues they may wish to pursue. The reader is directed to these documents to review a recitation of these issues. Additional issues may arise as the discovery process unfolds.

Discovery

The parties shall engage in informal discovery whenever and wherever possible in an attempt to resolve any discovery disputes amicably. 52 Pa.Code § 5.322. If this process fails, the parties have recourse to the Commission's procedures for formal discovery, as herein modified. 52 Pa.Code §§ 5.321, *et seq.* The parties must not send the Presiding ALJ discovery material or cover letters, unless attached to a motion to compel. **All motions to compel must contain a certification of counsel of the informal discovery undertaken and their efforts to resolve their discovery disputes informally.** If a motion to compel fails to contain such certification, the Presiding ALJ will contact the parties and direct them to pursue informal discovery.

At the prehearing conference, the parties agreed to the following modifications of the Commission's procedures for formal discovery, which were adopted:

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 admissions 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.

G. Any discovery or discovery-related pleadings (such as objections, motions, and answers to same) served after 4:30 p.m. Monday through Thursday or after 12:00 p.m. noon 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.

After rebuttal is served, the deadlines shall be reduced as follows:

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.

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 12:00 p.m. noon on a Friday or the day preceding a holiday shall be deemed to have been served on the next business day.

Protective Order

The parties must comply with 52 Pa.Code § 5.362 regarding the preparation and filing of a motion for a protective order. If a party files a motion for a protective order, it must submit a copy of the proposed protective order to the Presiding ALJ by email **in a *Microsoft Office Word* format.**

Settlement

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.

Regardless of whether the parties reach a full or partial settlement in this matter, the evidentiary hearing will convene on May 27, 2025, even if only to permit the parties an opportunity to move their evidence into the record. Testimonies and exhibits may be admitted into the record upon oral motion as long as the other parties waive cross-examination of the witness and an appropriate verification has been filed with the Commission's Secretary's Bureau.

A joint settlement petition, if any, must be executed by representatives of all parties, and, together with all parties' statements in support of settlement, must be filed with the Secretary's Bureau and received in-hand by the Presiding ALJ no later than **4:30 p.m. on Wednesday, June 13, 2025.** *Word* versions of any joint settlement petition and all statements in support of settlement must be provided to the ALJ by email.

Stipulations

If settlement is not feasible, the parties are encouraged to stipulate to any matters they reasonably can to expedite this proceeding, lessen the burden of time and expenses in litigation on all parties and conserve precious administrative hearing resources. 52 Pa.Code §§ 5.232 and 5.234.

All stipulations entered into by the parties must be reduced to writing, signed by the parties to be bound thereby, and moved into the record in this case either orally at an evidentiary hearing or through a motion filed with the Secretary's Bureau.

Cross-Examination

Friendly cross-examination or cumulative cross-examination during hearings will not be permitted. 52 Pa.Code §§ 5.76 & 5.243.

Briefs

The parties must comply with 52 Pa.Code §§ 5.501, *et seq.*, regarding the preparation and filing of briefs. Page limitations on briefs will be discussed on or before the last day of hearing. The parties shall submit an electronic copy of all briefs to the Presiding ALJ **in a *Microsoft Office Word* format.**

Modification

Any of the provisions of this Prehearing Order may be modified upon motion and good cause shown by any party in interest.

Date: April 8, 2025

_____/s/
Emily I. DeVoe
Administrative Law Judge

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UTILITY COMMISSION v. COLUMBIA GAS OF PENNSYLVANIA, INC**

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NICOLE M PALONEY DIR OF
REGULATORY AFFAIRS
COLUMBIA GAS OF PENNSYLVANIA
INC
121 CHAMPION WAY SUITE 100
CANONSBURG PA 15317
724.416.6388
614.531.3511
npaloney@nisource.com

Served via email April 8, 2025

HARRISON W BREITMAN ESQUIRE
KATHERINE M KENNEDY ESQUIRE
OFFICE OF CONSUMER ADVOCATE
555 WALNUT STREET 5TH FLOOR
FORUM PLACE
HARRISBURG PA 17101
717.783.5048
hbreitman@paoca.org
kkennedy@paoca.org
dlawrence@paoca.org

#C-2025-3053812

Served via eService April 8, 2025

STEVEN C GRAY ESQUIRE
OFFICE OF SMALL BUSINESS
ADVOCATE
FORUM PLACE
555 WALNUT STREET 1ST FLOOR
HARRISBURG PA 17101
717.783.2525
sgray@pa.gov

#C-2025-3054329

Served via email April 8, 2025

MICHAEL W HASSELL ESQUIRE
ANTHONY D KANAGY ESQUIRE
MEGAN E RULLI ESQUIRE
POST AND SCHELL PC
17 NORTH SECOND STREET 12TH
FLOOR
HARRISBURG, PA 17101
mhassell@postschell.com
akanagy@postschell.com
mrulli@postschell.com

Served via eService April 8, 2025
*(Counsel for Columbia Gas of
Pennsylvania Inc)*

SCOTT B GRANGER ESQUIRE
PA PUC BUREAU OF INVESTIGATION
& ENFORCEMENT
SECOND FLOOR WEST
400 NORTH STREET
HARRISBURG PA 17120
717.425.7593
717.884.1440
sgranger@pa.gov

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