



COMMONWEALTH OF PENNSYLVANIA

April 21, 2025

E-FILED

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

**Re: Petition for Generic Investigation or Rulemaking Regarding “Gas-On-Gas”
Competition Between Jurisdictional Natural Gas Distribution Companies
Docket No. P-2011-2277868**

**Generic Investigation Regarding Gas-on-Gas Competition Between Jurisdictional
Natural Gas Distribution Companies
Docket No. I-2012-2320323**

Dear Secretary Homsher:

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

Copies will be served on all known parties in these proceedings, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Steven C. Gray

Steven C. Gray
Senior Attorney
Assistant Small Business Advocate
Attorney ID No. 77538

Enclosures

cc: Robert D. Knecht
Mark Ewen
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition for Generic Investigation or Rulemaking Regarding “Gas-On-Gas Competition” Between Jurisdictional Natural Gas Distribution Companies : : **Docket No. P-2011-2277868**

Generic Investigation Regarding Gas-on-Gas Competition Between Jurisdictional Natural Gas Distribution Companies : : **Docket No. I-2012-2320323**

**PREHEARING MEMORANDUM
OF THE OFFICE OF SMALL BUSINESS ADVOCATE**

I. INTRODUCTION

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business customers 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 these proceedings. Representing the OSBA in the above-referenced matter is Assistant Small Business Advocate Steven C. Gray. Please address all correspondence in this matter as follows:

Steven C. Gray, Esq.
Senior Attorney
Assistant Small Business Advocate
Office of Small Business Advocate
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II. FILING BACKGROUND

On March 28, 2025, the Commission issued a Secretarial Letter “to inform all interested parties that the remaining open issues in the captioned dockets have been reassigned to the Commission’s Office of Administrative Law Judge (OALJ) for resolution.”

The March 28th Secretarial Letter contained a procedural history of the two dockets at issue in this proceeding.

The March 28th Secretarial Letter concluded, as follows:

The Commission finds that it is necessary to reopen the record for such testimony, exhibits, input from affected customers and statutory advocates, and briefs as may be necessary to be followed by a recommended decision regarding the disposition of gas-on-gas competition to be provided to the Commission.

On April 2, 2025, Administrative Law Judge (“ALJ”) Katrina L. Dunderdale issued her Prehearing Conference Order.

The OSBA filed a Notice of Appearance on April 17, 2025.

III. IDENTIFICATION OF WITNESS AND TENTATIVE ISSUES

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

Mark Ewen
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Bob Knecht
d/b/a Punkhorn Associates
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The OSBA will participate in this proceeding to ensure that the interests of small business customers are adequately represented and protected.

In accordance with the March 28th Secretarial Letter, the OSBA will evaluate the following list of issues:

- (1) The appropriate methodology to calculate the lowest applicable gas-on-gas flex tariff rates available to customers who participate in gas-on-gas competition;
- (2) The uniform tariff provisions to be utilized by jurisdictional natural gas distribution companies in implementing gas-on-gas flex rates;
- (3) The circumstances under which the extension of service to potential gas-on-gas customers at full tariffed rates should be permitted;
- (4) Whether a separate rate schedule should be established for gas-on-gas flex rate customers.

The OSBA reserves the right to pursue additional issues that may arise throughout this 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 date¹ 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.

¹ In accordance with 52 Pa. Code § 1.56(a)(5), documents must be received by 4:30 pm.

V. DISCOVERY

The OSBA does not propose any discovery modifications.

VI. SETTLEMENT

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

VII. HEARING AND BRIEFING SCHEDULE

On April 11, 2025, the Governor's Office placed additional restrictions on all travel. Therefore, the OSBA requests that the evidentiary hearings either be held telephonically or in a hearing room in Harrisburg.

Respectfully submitted,

/s/ Steven C. Gray

Steven C. Gray
Senior Attorney
Assistant Small Business Advocate
Attorney ID No. 77538

Commonwealth of Pennsylvania
Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA. 17101

Dated: April 21, 2025

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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 Katrina L. Dunderdale
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Dated: April 21, 2025

/s/ Steven C. Gray

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