

**PENNSYLVANIA PUBLIC UTILITY COMMISSION  
HARRISBURG, PENNSYLVANIA 17120**

**UGI Utilities, Inc. – Electric  
Default Service Program V  
Petition for Stay**

**Public Meeting of May 8, 2025  
Agenda No. 3049343-OSA  
Docket No. P-2024-3049343**

**JOINT STATEMENT OF CHAIRMAN STEPHEN M. DeFRANK AND VICE CHAIR  
KIMBERLY BARROW**

Before us for consideration today is Petition for Relief in the Form of a Stay filed by Penn Renewables LLC (Penn Renewables). Penn Renewables is seeking a Stay for one component of the Commission's Opinion and Order dated February 20, 2025, which adopted a Recommended Decision to grant a Joint Petition for Non-Unanimous Settlement regarding the Default Service Program (DSP) of UGI Utilities, Inc. – Electric Division (UGI).

The Opinion and Order adopted by the Commission in February addressed Exceptions raised by Penn Renewables stemming from its concern with the way UGI intended to reclassify its customers based on their Supply Peak Load Impact (SPLI). Penn Renewables argued at that time that this new classification would be detrimental to certain large net metering customers and to its business as a developer of such projects. The Recommended Decision adopted by the Commission in February considered those arguments, but deemed the settlement in this case to be in the public interest. As a result, Penn Renewables' exceptions in that proceeding were denied.

Now, Penn Renewables is seeking a stay of the portion of our Opinion and Order specifically dealing with the classification of customers by SPLI. We would note that Penn Renewables' Petition for Relief was filed eighteen days beyond the deadline for such petitions. Moreover, Penn Renewables failed to raise any new arguments in its petition, instead recapitulating arguments that were already addressed. On those grounds, we would deny Penn Renewable's Petition for Relief on both process and the merits.

However, we wanted to add one further piece of context for our decision. The first auction for default service under UGI's DSP V procurement schedule was held and was approved by the Commission last Wednesday, April 30, 2025. That auction procured energy for customer classes that were defined in the Settlement approved by the Commission in February. To grant a stay at this time would be highly disruptive to UGI and its customers.

The legal standard for the relief requested by Penn Renewables is governed by the *Process Gas* standard. Two of the four prongs in *Process Gas* require showings that the issuance of a stay will not substantially harm other interested parties in the proceeding and that the issuance of a stay will not adversely affect the public interest. In this case, with UGI already having run its first DSP auction to procure energy for default service customers, we find that issuing a stay in this case would be both harmful to other interested parties and adverse to the

public interest. For those reasons, in addition to those previously discussed, we find that the Petition for Relief in the Form of a Stay filed by Penn Renewables should be denied.

May 8, 2025

Date



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**Stephen M. DeFrank**

**Chairman**



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**Kimberly Barrow**

**Vice Chair**