

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2025-3054938
Office of Consumer Advocate	:	C-2025-3055076
Office of Small Business Advocate	:	C-2025-3055608
	:	
v.	:	
	:	
UGI Utilities, Inc. – Gas Division	:	

**PREHEARING ORDER**

On May 1, 2025, UGI Utilities, Inc. – Gas Division (“UGI”) filed with the Pennsylvania Public Utility Commission (“Commission”) a purchased gas cost recovery pre-filing pursuant to Sections 53.64(c) and 53.65 of the Commission’s regulations and Section 1317 of the Public Utility Code (“Code”).

On May 8, 2025, Harrison W. Breitman, Esq. and Ryan Morden, Esq. entered their appearances on behalf of the Office of Consumer Advocate (“OCA”).

On May 9, 2025, OCA filed a Formal Complaint and Public Statement in this matter.

On May 21, 2025, Steven C. Gray, Esq. entered his appearance on behalf of the Office of Small Business Advocate (“OSBA”).

On May 22, 2025, Scott B. Granger, Esq. entered his appearance on behalf of the Commission’s Bureau of Investigation and Enforcement (“I&E”).

Also on May 22, 2025, Devin T. Ryan, Esq. and Alice A. Wade, Esq. entered their appearances on behalf of UGI.

On May 30, 2025, UGI filed an annual purchased gas cost pro forma tariff supplement, pursuant to Section 1307(f) of the Code.

On June 3, 2025, a Prehearing Conference Notice was issued setting a prehearing conference in this matter for June 11, 2025.

Also on June 3, 2025, the Commission issued my Prehearing Conference Order.

On June 5, 2025, OSBA filed a Formal Complaint and Public Statement in this matter.

On June 10, 2025, UGI, OCA, OSBA, and I&E filed Prehearing Conference Memorandums in compliance with my Prehearing Conference Order.

On June 11, 2025, the prehearing conference was held as scheduled. UGI, OCA, OSBA, and I&E appeared for the conference represented by counsel. Various procedural matters were discussed during the conference. During the conference, the parties agreed to modifications of the Commission's discovery regulations and to a litigation schedule.

This Order sets forth the procedural rules that will govern this matter.

### ORDER

1. That the active parties to this proceeding as of the date of this Order are UGI, OCA, OSBA, and I&E.

2. That the e-mail distribution list is in the chart that follows. Any changes or corrections should be communicated to me, via e-mail, as soon as possible.

Party	Counsel	Email
UGI	Devin T. Ryan	dryan@postschell.com
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UGI	Lindsay A. Berkstresser	berkstresserl@ugicorp.com
UGI	Alice A. Wade	alice.wade@postschell.com
OCA	Harrison W. Breitman	OCAUGI1307f@paoca.org
OCA	Ryan Morden	OCAUGI1307f@paoca.org
OSBA	Steven C. Gray	sgray@pa.gov
I&E	Scott B. Granger	sgranger@pa.gov

Title	Name	Email
ALJ	Alphonso Arnold III	alphonarno@pa.gov

3. That parties may arrange service among themselves as they agree.<sup>1</sup> Electronic service of documents is permitted. Pursuant to 52 Pa. Code § 1.54(c), the parties are permitted without further order to limit the service of documents to parties who indicate that they do not wish to be served with such documents.

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

5. 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)

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<sup>1</sup> I note that OSBA requested that email delivery of documents also be provided to its witnesses identified in its prehearing memorandum.

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 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.

After rebuttal, the deadlines are further 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 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.

6. 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.

7. That the following litigation schedule is adopted:

Other Parties Direct - June 24, 2025, before Noon  
Rebuttal Testimony - July 8, 2025  
Surrebuttal Testimony - July 15, 2025  
Evidentiary Hearings and Oral Rejoinder - July 18, 2025  
Main Brief - August 1, 2025  
Reply Brief - August 8, 2025

The due dates included in the schedule will be considered “in-hand” dates, and electronic service on the due date will satisfy the “in-hand” requirement.

8. That the parties comply with the Commission’s requirements for the preparation and service of written testimony. 52 Pa. Code § 5.412.

9. That motions with respect to written testimony must be presented in writing no later than three days prior to the date that the witness sponsoring the testimony is

scheduled to testify. Answers to such motions may be filed within three days or sooner if circumstances warrant. Oral motions, other than that for good cause, will not be accepted.

10. That the July 18, 2025, evidentiary hearing will be held in-person. A separate hearing notice will be issued and published on the Commission's website. A three-day turnaround for the hearing transcript will be requested.

11. That the parties shall 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 administrative hearing resources. 52 Pa. Code §§ 5.232 and 5.234. All stipulations entered into by the parties shall be reduced to writing, signed by the parties to be bound thereby, and moved into the record during the hearing in this case. An exception to this requirement may occur when circumstances of time and expediency warrant. If so, an oral presentation of a stipulation is permissible, if it is followed by a reduction to writing as herein directed.

12. That the evidentiary hearings in this matter constitute formal legal proceedings and will be conducted in accordance with the Commission's Rules of Administrative Practice and Procedure and the Pennsylvania Rules of Evidence as applied to administrative hearings.

13. That the parties must comply with 52 Pa. Code §§ 5.501, et seq., regarding the preparation and filing of briefs. 52 Pa. Code § 5.501(e) requires that "[b]riefs shall be as concise as possible." All briefs must be written pursuant to an identical outline. Service of briefs can be made electronically by no later than 4:30 p.m. on the dates listed. Parties are directed to e-mail me a copy of as-filed briefs in ADOBE or other compatible PDF format in addition to a WORD-formatted document. The format of the briefs served electronically on the parties may be as requested by the parties.

14. That all main briefs, regardless of length, must contain:

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

- C. A discussion;
- 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.

15. That the parties are to confer among themselves to attempt to resolve all or some of the issues associated with this proceeding. The parties are reminded that 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 me. Any settlement petition should also include proposed findings of fact with page references to statements of testimony and exhibits, proposed conclusions of law, with legal citations and proposed ordering paragraphs.

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

17. That any provision of this prehearing 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: June 12, 2025

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/s/  
Alphonso Arnold III  
Administrative Law Judge

**R-2025-3054938 – PENNSYLVANIA PUBLIC UTILITY COMMISSION v. UGI UTILITIES INC – GAS DIVISION**

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