

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

John Logue	:	
	:	
v.	:	C-2025-3053181
	:	
Peoples Natural Gas Company LLC	:	

SECOND POST HEARING ORDER

Correction of Transcript of Evidentiary
Hearing on April 23, 2025

Before
Katrina L. Dunderdale
Administrative Law Judge

HISTORY OF THE PROCEEDING

On January 30, 2025, John Logue (Complainant or Mr. Logue) filed a Formal Complaint with the Pennsylvania Public Utility Commission (Commission) against Peoples Natural Gas Company LLC (Respondent or Peoples) alleging Peoples provided poor customer service when it applied the Weather Normalization Adjustment (WNA) to his billing statements for natural gas service provided to his residence, and when it used an incorrect formula to determine the adjustment. Complainant requested the Commission order Peoples to indicate each month on the billing statement, in plain and simple language, how the adjustment is calculated. In addition, Complainant alleged Peoples provided poor customer service when it applied the adjustment carried retroactively before the Commission authorized the use of the adjustment.

On February 20, 2025, Respondent filed an Answer, in which Peoples admitted it provided natural gas service to Complainant at the service address but generally denied the allegations. On February 21, 2025, Complainant filed a response to the Answer.

On February 25, 2025, the Office of Administrative Law Judge (OALJ) issued an Initial Call-In Telephone Hearing Notice, which scheduled an initial telephonic hearing to be conducted on April 16, 2025.

Also, on February 25, 2025, the presiding officer issued a Prehearing Order, reminding the parties as to the date, time and manner of the hearing, and advising the parties about various procedural rules, including the rules concerning how to request a continuance.

On March 11, 2025, Respondent served a Motion for Continuance on the presiding officer and Complainant via electronic mail,¹ and averred Respondent's attorney had a previously-scheduled business trip which would prevent her from being able to participate in a telephonic hearing. The continuance request indicated Mr. Logue did not object to the request. Respondent asserted both parties conferred, and counsel provided the ALJ with three possible alternative dates for a rescheduled hearing.

On March 11, 2025, the presiding officer issued the First Interim Order which granted the continuance request and rescheduled the initial hearing to April 23, 2025. Thereafter, on March 12, 2025, the OALJ issued the Cancelled/Rescheduled Initial Telephonic Hearing Notice, rescheduling the initial hearing to April 23, 2025.

On April 23, 2025, the presiding officer convened the initial hearing, at which Complainant and Respondent appeared. Complainant testified on his own behalf and Respondent presented the testimony of two witnesses: Carol Scanlon and Robert Dailey. Complainant moved to admit 7 exhibits which were marked as Complainant Exhibits 1 through 7 and were admitted into the hearing record. Respondent moved to admit 2 exhibits which were marked as Peoples Exhibits B and C and were admitted into the hearing record.

On May 19, 2025, the court reporter filed a transcript, from the initial hearing on April 23, 2025, with the Commission's Secretary's Bureau, in addition to filing the exhibits which had been admitted into the hearing record during the initial hearing.

¹ The Motion for Continuance was not filed with the Secretary's Bureau.

On May 20, 2025, the presiding officer issued the Interim Order Closing the Hearing Record.

On May 27, 2025, Respondent filed a Petition to Reopen the Record (Petition), pursuant to 52 Pa. Code § 5.571. Respondent requested the presiding officer reopen the hearing record for the limited purpose of correcting certain typographical errors in the transcript. On June 2, 2025, Complainant served a Response to the Petition (Response),² in which Complainant objected to the Petition.

On June 5, 2025, the presiding officer issued the First Post Hearing Order which granted the request to reopen the hearing record. Respondent was given until June 18, 2025, in which to file a request to correct the transcript which was in compliance with the provisions at 52 Pa. Code § 5.253.

On June 17, 2025, Respondent contacted the presiding officer via email on behalf of both parties. Peoples informed the presiding officer that the parties were attempting to reach a consensus on the corrections that should be made to the transcript. The parties requested additional time – to July 3, 2025 – and the request was granted by the presiding officer via email.

On July 1, 2025, Respondent filed the Joint Proposed Corrections to the Hearing Transcript (Proposed Corrections) containing three pages of changes the parties agreed should be ordered. Those three pages included 47 instances in the transcript which the parties agreed were incorrect and needed to be corrected in the official transcript.

² The cover letter to the Response is dated May 30, 2025, and the Certification of Service attached to the Response is dated May 31, 2025. Complainant served a copy of the Response on the presiding officer and opposing counsel via email at 10:00 p.m. on June 2, 2025, in which email Complainant indicated he sent a copy of the Response in hard copy, certified mail, return receipt requested, to the Secretary of the Commission as well as to the presiding officer and opposing counsel. The date of June 2, 2025, will be accepted by the ALJ as the date the Response was filed despite being sent and received after the close of business hours.

DISCUSSION

In this proceeding, the presiding officer reopened the hearing record on June 5, 2025, to provide Respondent with an opportunity to specify the words and/or phrases in the transcript which Respondent alleged were incorrect. Respondent asserted various changes were necessary for the Commission to understand the factual scenario in the underlying complaint proceeding and to ensure the transcript accurately reflected the testimonial evidence. After raising the issue, Respondent engaged in discussions with Complainant and both parties reached an amicable agreement concerning how the transcript should be corrected, resulting in the parties filing an agreed-upon list of proposed changes.

Pursuant to 52 Pa. Code § 5.253, the presiding officer may correct a transcript but only if the correction is necessary to ensure the evidence in the hearing record accurately reflects the evidence presented at the hearing. This provision of the Commission's regulations states, in 52 Pa. Code § 5.253:

- (a) A correction in the official transcript may be made only to make it accurately reflect the evidence presented at the hearing and to speak the truth.
- (b) Proposed corrections of a transcript may be submitted by either of the following means:
 - (1) By written stipulation by the parties of record who were present when the transcription was taken.
 - (2) Upon written request of one or more parties of record present when the transcription was taken.
- (c) Proposed corrections shall be filed as follows:
 - (1) Within 10 days after the transcript has been filed with the Commission.
 - (2) Within 10 days after the electronically recorded testimony has been reviewed.
 - (3) Upon permission of the presiding officer granted prior to the closing of the record.
- (d) Objections or other comments to the proposed corrections shall be filed within 10 days of service of the proposed corrections.
- (e) Proposed corrections and objections or other comments shall be served upon the parties of record present when the original transcription was taken.
- (f) The presiding officer will rule upon a proposed correction of a transcript within 20 days of its receipt. A request for corrections not acted upon

within 20 days is deemed to be:

- (1) Denied if opposed in a timely manner.
- (2) Granted if unopposed.

The regulation at 52 Pa. Code §5.253(b) states that corrections to a hearing transcript may be proposed by a party of record present when the transcript was taken. Peoples and Mr. Logue are both parties of record and were both present at the April 23, 2025 hearing. Accordingly, a party of record which was present at the time the transcript was taken is the party proposing the corrections, and both parties which were present at the time the transcript was taken agree concerning which corrections should be made.

The regulation at 52 Pa. Code §5.253(c)(1) provides that the proposed corrections shall be filed within ten days after the transcript is filed with the Commission. In the proceeding herein, the original Petition (to reopen the hearing record for the purpose of correcting the transcript) was filed within 8 days and the motion herein was filed in a timely manner consistent with the First Post Hearing Order dated June 5, 2025. Accordingly, the proposed corrections were filed in a timely manner.

The regulation at 52 Pa. Code §5.253(c)(3) provides that proposed corrections may be filed upon permission of the presiding officer granted prior to the closing of the record. In this case, pursuant to the First Post Hearing Order dated June 5, 2025, the hearing record was reopened, and the hearing record has not been closed subsequently. Respondent's motion was filed consistent with this regulation.

Respondent and Complainant engaged in conversations with each other, attempting to reach an agreement about how the transcript should be corrected. The parties were successful in agreeing to proposed corrections and provided those proposed corrections to the presiding officer on July 1, 2025. Each requested correction and its disposition is listed in Attachment A, which chart is attached hereto and incorporated herein.

Peoples' request to correct the transcript is reasonable and will be granted in the Ordering Paragraphs below because: (1) both parties were present at the April 23, 2025 hearing;

(2) Complainant does not oppose Respondent's motion for permission to file a proposed correction to the transcript; (3) Respondent filed the motion after the close of the record and in a timely manner after the filing of the transcript; and (4) the parties' proposed corrections are material to a resolution of this proceeding. Accordingly, the presiding officer will grant the parties' joint request to make the requested transcript corrections.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Joint Proposed Corrections to the Hearing Transcript filed by Peoples Natural Gas Company LLC on behalf of both parties, filed July 1, 2025, is granted.
2. That the requested transcript corrections will be granted and the transcript of the hearing held on April 23, 2025, at Docket No. C-2025-3053181, is corrected, at the listed page and line numbers, as reflected in Attachment A.
3. That the Secretary's Bureau shall attach this Order, with Attachment A, to the official transcript from the initial hearing on April 23, 2025.
4. That the hearing record at Docket No. C-2025-3053181 is closed.

Date: August 6, 2025

/s/
Katrina L. Dunderdale
Administrative Law Judge

ATTACHMENT A

Page	Line	Current Transcript	Corrected Transcript
7	1	nutshell, bill projection and how it's displaying the WNA on our bill	nutshell, bill presentment and how it's displaying the WNA on our bill.
32	3	those ways is what's called bills rendered because	those ways is what's called bills rendered.
32	4	It's adjusted. In bills rendered, what that means	Bills rendered means
32	5	Is that it's computed for a period for the customer,	that the ending date of the period being billed is used
32	6	What their rate is. If the bill takes you from	to determine the rate. As an example, if the period is
32	7	August 31st through October 2nd, the way that bills	August 31st through October 2nd,
32	8	Rendered works is that whatever that delivery day of	the rate in effect as of October 2nd
32	9	That billing period is, whatever rates are in effect	(the end date of the billing period)
32	10	That date are applied to the full bill.	is applied to the full bill period.
37	22	to reflect the customers bill to better reflect	to adjust the customers bill to better reflect
37	23	normal weatherization	normal weather.
38	14	customer to use. We then tier that to how much gas	customer to use. We then compare that to how much gas
44	3	not a primary driver.	not a primary driver of usage.
48	11	presenting issue	presentment issue
51	11	I agree that the line is basically	I agree that the line says presented
51	22	I'm not saying that the presentation on	I'm saying that the presentation on

51	25	calculations are similar. I can see that there is a	calculations are similar. I can't see that there is a
53	6	dollars. Say roughly \$10 per MCL.If the true	dollars. Say roughly \$10 per MCF. If the true
53	8	10 or recover \$80. So that the WNA Mcfs method does	10 or recover \$80. So that the WNA mechanism does
53	13	the Commission simply could recover \$100. This	the Commission said the Company could only recover \$100. This
53	14	would all be based on normal weatherization.	would all be based on normal weather.
54	18	expected for a day based on historic weather tests.	expected for a day based on historic weather data.
55	12	of rate is agreed upon. The best rate is use if a	of rate is agreed upon. The rate is not used if a
55	13	rate is not agreed upon. Within specific	rate is agreed upon. Within specific
56	2	It's not about – you can't be in there	It is not the same for every customer.
56	3	without being in the plan. For a customer in a	It could be the same if a customer has the same
56	4	rate date, so their date will carry, and the answer	billing date and cycle, then the answer
56	17	I understand the cycle. I do not know	I understand the question. I do not know
56	18	what that percentage is. We do have two billing	what the percentage is. We do have twenty-two billing
57	11	regulation included the customer education, you	we include customer education
58	25	is a measurement. I am familiar that there is - I	is different measurements. I am familiar that there is – mcf, ccf, therms.
59	1	I do know that we're not always the same.	I do know that we're not all the same.

59	10	each specific term. The calculation is different.	Mcf or therm. The calculation is different.
59	16	that number would vary based on Mcf or terms or	that number would vary based on Mcf or therms or
67	2	Yes. There must be an	Yes. There was an
67	3	actual meter reading recalculation.	actual heading degree day recalculation.
69	23	Yes. I am the Debit/Credit supervisor at	Yes. I am the Credit and Billing Supervisor at
69	25	And are you familiar with Mr. John Logue?	And are you familiar with Mr. John Logue's Complaint?
71	18	Yes. That was implemented on November	Yes. That was implemented on October
71	21	Normalization credit or had information on it.	Normalization credit or debit information on it.
72	7	calculation. I was able to justify it for them.	calculation. I was able to satisfy it for them.
72	10	Yes. The customers were not aware of the	Yes. The customers were made aware of the
80	16	directed to the Commission-approved Weather	about the bill presentment of the Commission-approved Weather
80	17	Normalization Adjustment noted on or around October	Normalization Adjustment implemented October
80	18	1st, 2024, and also another issue as to what those	1st, 2024 as a separate line item
80	19	acronym mean and whether or not there was direct	and also how the calculation is
80	20	activity with respect to the Weather Normalization	presented for the Weather Normalization

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