

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, Pennsylvania 17120

**Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement**

**Public Meeting held September 25, 2025
3032708-OSA
M-2025-3032708**

v.

UGI Utilities, Inc. – Gas Division

MOTION OF CHAIRMAN STEPHEN M. DeFRANK

Before the Commission is a Joint Petition for Approval of Settlement (Settlement) filed on March 24, 2025 by the Bureau of Investigation and Enforcement (I&E) and UGI Utilities, Inc. – Gas Division (UGI). The Settlement proposes to resolve an informal investigation initiated by I&E concerning UGI’s compliance with the personal contact requirement prior to terminating residential gas service¹ and the Commission’s regulation regarding reconnection fees.²

The Commission’s Opinion and Order entered on May 8, 2025 directed that the Settlement be published in the *Pennsylvania Bulletin* and provided an opportunity for interested parties to file comments within twenty-five (25) days of the date of publication.³ The Settlement was published in the May 24, 2025 edition of the *Pennsylvania Bulletin*.⁴ The Commission received Comments from the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) on June 17, 2025, and the Office of Consumer Advocate (OCA) on June 18, 2025. I&E filed Reply Comments on July 3, 2025, and UGI filed Reply Comments on July 22, 2025.

Although reply comments were not expressly permitted by the Commission’s May 8, 2025 Opinion and Order, the Commission has routinely considered supplemental comments replying to comments on settlement agreements in informal investigation

¹ 52 Pa. Code § 56.93.

² 52 Pa. Code § 56.191(a).

³ See 52 Pa. Code § 3.113(b)(3) (allowing potentially affected persons the opportunity to submit exceptions or take other action before the Commission makes a final decision to adopt a settlement resolving an informal investigation).

⁴ 55 Pa. Bull. 3703 (May 24, 2025).

proceedings.⁵ Reply comments allow the parties to a settlement agreement to respond to assertions made in comments and serve to balance the interests of all parties involved. Reply comments also aid in the development of a fuller record, which assists in determining whether a settlement is in the public interest. Therefore, both I&E's and UGI's Reply Comments should be considered in the evaluation of whether the proposed Settlement in this matter is in the public interest.

I note that UGI's Reply Comments were filed 34 days following the deadline to file Comments, and 19 days after I&E filed Reply Comments. In this instance, I do not find the timing of the filing of UGI's Reply Comments to be prejudicial to the other parties. Despite the Commission's practice of routinely accepting reply comments in informal investigation proceedings, no clear process was outlined to the parties for the filing of reply comments, such as establishing a filing deadline. Moreover, UGI's Reply Comments are limited to responding to the Comments of CAUSE-PA and OCA, and do not unfairly prejudice I&E because they do not respond to I&E's Reply Comments.

When a settlement agreement proposing to resolve an informal investigation is published in the *Pennsylvania Bulletin*, a comment and reply comment process should be ordinarily established. Outlining such a process would afford certainty to the signatories of a settlement agreement that reply comments are permitted and would set forth clear expectations, like filing deadlines.

Nevertheless, after review of the Comments and Reply Comments filed in this matter, I believe that the current record is insufficient and lacks important factual details that are necessary in determining whether the Settlement is in the public interest. Appended to this Motion is a list of questions that I&E and UGI should address in supplemental statements in support and/or stipulated facts. This proceeding should be stayed so that the questions raised in the Appendix can be addressed by I&E and UGI.

THEREFORE, I MOVE:

1. That the Reply Comments of the Bureau of Investigation and Enforcement filed on July 3, 2025, and the Reply Comments of UGI Utilities, Inc. – Gas Division filed on July 22, 2025 in this proceeding are accepted for consideration.
2. That the proceeding regarding disposition of the Joint Petition for Settlement, filed on March 24, 2025, by the Commission's Bureau of Investigation and

⁵ See *Pa. Pub. Util. Comm'n, Bureau of Investigation and Enforcement v. PPL Electric Utilities Corporation*, Docket No. M-2023-3038060 (Order entered May 16, 2024); *Pa. Pub. Util. Comm'n, Bureau of Investigation and Enforcement v. Mifflin Energy Corp.*, Docket No. M-2023-3019782 (Secretarial Letter issued November 6, 2023); *Pa. Pub. Util. Comm'n, Bureau of Investigation and Enforcement v. PECO Energy Company*, Docket No. M-2021-3014286 (Order entered December 8, 2022).

Enforcement and UGI Utilities, Inc. – Gas Division, at Docket No. M-2025-3032708, is stayed.

3. That the Commission’s Bureau of Investigation and Enforcement and UGI Utilities, Inc. – Gas Division shall, within thirty (30) days of entry of this Opinion and Order, file supplemental statements in support and/or stipulated facts in support of the proposed Joint Petition for Approval of Settlement, consistent with this Motion.

4. That the Office of Special Assistants draft an Opinion and Order consistent with this Motion.

Date: September 25, 2025



Stephen M. DeFrank
Chairman

v.

UGI Utilities, Inc. – Gas Division

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APPENDIX

1. Were any security deposits or reconnection fees charged to verified low-income customers? If the answer is “yes,” provide the number of verified low-income customers who were charged a security deposit or a reconnection fee.
2. Can UGI explain its reason for the delay in refunding reconnection fees for the March 2022 Incident (approximately one year delay) and April 2023 Incident (approximately five-month delay)?
3. Did UGI include interest on the reconnection refunds, in accordance with 66 Pa.C.S. § 1312(a) and 41 Pa. Stat. Ann. § 202?
4. Provide the length of time that impacted households remained without service following the March 2022 Incident and the April 2023 Incident.
5. Provide an explanation of when UGI identified the failure of the auto-dialer system and why UGI sent notifications of the failure to terminated customers only after BCS encouragement to do so.
6. Does UGI regularly audit and evaluate the performance of its auto-dialer system?
7. Has the process or procedure in question number 6, changed since either the March 2022 or the April 2023 Incident?
8. Any other additional information pertinent to these events that can assist the Commission in making a determination in this matter.