

COMMONWEALTH OF PENNSYLVANIA



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October 6, 2025

Via Electronic Filing

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

Re: Application of UGI Utilities, Inc. –
Gas Division for Approval to Begin
to Offer, Render, Furnish or Supply
Natural Gas Distribution Service to
the Public in Frailey Township,
Schuylkill County, Docket No. A-
2025-3056020

Dear Secretary Homsher:

Attached for electronic filing please find the Office of Consumer Advocate's Notice of Withdrawal of its Protest against UGI Utilities, Inc. – Gas Division (UGI Gas or Company in the above-referenced proceeding, filed pursuant to Section 5.94(b) of the Commission's regulations, 52 Pa. Code Section 5.94(b).

Copies have been served on the parties as indicated on the enclosed Certificate of Service.

Respectfully submitted,

/s/ Katherine "Katie" Kennedy
Katherine "Katie" Kennedy, Esq.
Assistant Consumer Advocate

Enclosures

cc: The Honorable Steven K Haas. (email only: sthaas@pa.gov)
Certificate of Service

CERTIFICATE OF SERVICE

Application of UGI Utilities, Inc. – Gas Division :
for Approval to Begin to Offer, Render, Furnish :
or Supply Natural Gas Distribution Service to : Docket No. A-2025-3056020
the Public in Frailey Township, Schuylkill :
County :
:

I hereby certify that I have this day filed electronically on the Commission’s electronic filing system and served a true copy of the following document, the Office of Consumer Advocate’s Notice of Withdrawal of its Protest against UGI Utilities, Inc. – Gas Division (UGI Gas or Company, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below.

Dated this 6th day of October, 2025.

SERVICE BY E-MAIL ONLY

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SERVICE BY FIRST CLASS MAIL ONLY

Frailey Township Board of Supervisors
23 Maryland Street
Donaldson, PA 17981

Schuylkill County Commissioners
401 North 2nd Street, 3rd Floor
Pottsville, PA 17901

Respectfully Submitted,

/s/ Melanie Joy El Atieh
Melanie Joy El Atieh, Esq.
Deputy Consumer Advocate
PA Attorney I.D. # 209323
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Dated: October 6, 2025

Katie Kennedy, Esq.
Assistant Consumer Advocate
PA Attorney I.D. # 317237
Email: OCAUGIFrailey@paoca.org

Counsel for:
Darryl A. Lawrence
Consumer Advocate

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of UGI Utilities, Inc. – Gas	:	
Division for Approval to Begin to Offer,	:	
Render, Furnish or Supply Natural Gas	:	Docket No. A-2025-3056020
Distribution Service to the Public in Frailey	:	
Township, Schuylkill County	:	
	:	
	:	

OFFICE OF CONSUMER ADVOCATE’S
NOTICE OF WITHDRAWAL OF PROTEST

Before the Honorable Administrative Law Judge (ALJ) Steven K. Haas and the Pennsylvania Public Utility Commission (Commission), and pursuant to the provisions of Section 5.94(b) of the Commission’s Regulations, 52 Pa. Code § 5.94(b), the Office of Consumer Advocate (OCA) hereby files Notice of Withdrawal of its Protest in the above-captioned application matter of UGI Utilities, Inc. – Gas Division (UGI Gas or Company).

I. BACKGROUND

1. On June 30, 2025, UGI Gas filed the above-captioned application with the Commission seeking approval to expand its certificated service territory to begin to offer, render, furnish, or supply natural gas distribution service in Frailey Township, Schuylkill County, Pennsylvania, specifically to two proposed industrial customers located in Frailey Township (Application).

2. On July 28, 2025, the OCA filed a Protest in this proceeding. The OCA identified issues that require further consideration and submitted they should be resolved prior to Commission approval of the Application. The issues included the application of UGI Gas’ extension rules of its existing tariff to determine and require the payment of contribution in aid of

construction from the proposed new customers relating to the extension of UGI Gas' system infrastructure. .

3. In its Protest, the OCA noted that these issues might be resolved through the Applicant's provision of additional information. Thus, the OCA filed the Protest, in part, to allow time to allow the parties time to engage in discovery and collect the facts necessary to complete the record before the Commission.

II. STATUS OF THE PROCEEDING

4. Prior to filing its Protest, the OCA and UGI Gas participated in informal discovery regarding issues raised in the OCA's Protest.

5. Subsequent to filing a the Protest, the OCA and UGI Gas participated in formal discovery regarding the issues raised in the OCA's Protest.

6. On or about September 19, 2025, UGI Gas and OCA had an informal discovery conference/settlement call.

7. On or about October 3, 2025, UGI Gas filed verified responses to the OCA formal discovery requests for admission. This additional information satisfied the OCA's concerns in matter.

III. REQUESTED RELIEF

8. Section 5.94(b) of the Commission's regulations provide: "A protest to an application may be withdrawn by filing a notice of withdrawal directed to the Commission or the presiding officer. The notice must state that the protest is withdrawn and provide the reasons for the withdrawal." 52 Pa. Code § 5.94(b).

9. Based on the information UGI Gas provided to the OCA through discovery, the concerns raised in the OCA's Protest have been addressed and satisfied.

10. For this reason, the OCA hereby provides notice of its decision to withdraw its Protest filed on July 28, 2025, in this proceeding.

11. The OCA's decision to withdraw its Protest is without prejudice to any future OCA position in any other future proceedings.

IV. CONCLUSION

WHEREFORE, for the foregoing reasons, the Pennsylvania Office of Consumer Advocate respectfully provides Notice of Withdrawal of the Protest filed on July 28, 2025, in this proceeding.

Respectfully submitted,

/s/ Melanie Joy El Atieh
Melanie Joy El Atieh
Deputy Consumer Advocate
PA Attorney I.D. # 209323

Katherine "Katie" Kennedy
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Email: OCAUGIFrailey@paoca.org

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DATED: October 6, 2025

Counsel for:
Darryl A. Lawrence
Consumer Advocate