
Anthony D. Kanagy

akanagy@postschell.com
717-612-6034 Direct
717-731-1985 Direct Fax
File #: 214812

December 15, 2025

VIA ELECTRONIC FILING

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: **Joint Application of National Fuel Gas Distribution Corporation and North East Heat & Light Company, under Sections 1102(a)(1)-(3) of the Public Utility Code for approval: (1) of the right for North East Heat & Light Company to transfer certain natural gas distribution facilities and rights to National Fuel Gas Distribution Corporation; (2) for North East Heat & Light Company to abandon the provision of natural gas service to the public in its service territory in the Borough of North East, Erie County, Pennsylvania and North East Township, Erie County, Pennsylvania; and (3) for National Fuel Gas Distribution Corporation to expand its service territory to begin to offer, render, furnish or supply natural gas service to the public in the Borough of North East, Erie County, Pennsylvania.**
Docket No. A-2025-3057864
Docket No. A-2025-3057865

Dear Secretary Homsher:

Enclosed for filing is the Joint Motion of National Fuel Gas Distribution Corporation and North East Heat & Light Company to Transfer the Joint Application to the Pennsylvania Public Utility Commission's Bureau of Technical Utility Services.

Copies are being provided as indicated on the Certificate of Service.

Matthew L. Homsher, Secretary
December 15, 2025
Page 2

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Anthony D. Kanagy". The signature is fluid and cursive, with a large initial "A" and "K".

Anthony D. Kanagy

ADK/dmc
Enclosure

cc: The Honorable Katriana L. Dunderdale (*via email; w/attachment*)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA EMAIL

Rebecca Lyttle, Esquire
Office of Small Business Advocate
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
relyttle@pa.gov

Melissa A. Chapaska
HMS Legal LLP
501 Corporate Circle, Suite 302
Harrisburg, PA 17110
machapaska@hmslegal.com

Jason Hails
Quantiv Advisory, LLC
925 Wappoo Road, Suite A
Charleston, SC 29407
j.hails@quantivadvisory.com

Roger Cathcart
Cathcart Advisors Inc.
Financial Regulatory Advisors
300-330 St. Mary Ave.
Winnipeg, MB, R3C 3Z5
Canada
REMC@CathcartAdvisors.com

Allison Kaster, Esquire
Bureau of Investigation & Enforcement
Commonwealth Keystone Building
400 North Street, 2nd Floor West
PO Box 3265
Harrisburg, PA 17105-3265
akaster@pa.gov

Daryl Lawrence, Esquire
Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923
ra-oca@paoca.org

VIA FIRST CLASS MAIL

Borough of North East
ATTN: Patrick Gerlein, Borough Manager
31 West Main Street
North East, PA 16428

North East Township
ATTN: Russell LaFuria, Supervisor
10300 West Main Road
North East, PA 16428

Date: December 15, 2025



Anthony D. Kanagy

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Application of National Fuel Gas :
Distribution Corporation and North East Heat & :
Light Company, under Sections 1102(a)(1)-(3) of :
the Public Utility Code, for approval: (1) of the :
right for North East Heat & Light Company to :
transfer certain natural gas distribution facilities :
and rights to National Fuel Gas Distribution : Docket Nos. A-2025-3057864
Corporation; (2) for North East Heat & Light : A-2025-3057865
Company to abandon the provision of natural gas :
service to the public in its service territory in the :
Borough of North East, Erie County, Pennsylvania :
and North East Township, Erie County, :
Pennsylvania; and (3) for National Fuel Gas :
Distribution Corporation to expand its service :
territory to begin to offer, render, furnish or supply :
natural gas service to the public in the Borough of :
North East, Erie County, Pennsylvania. :
:

**JOINT MOTION OF NATIONAL FUEL GAS DISTRIBUTION CORPORATION
AND NORTH EAST HEAT & LIGHT COMPANY TO TRANSFER THE
JOINT APPLICATION TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION’S
BUREAU OF TECHNICAL UTILITY SERVICES**

TO ADMINISTRATIVE LAW JUDGE KATRINA L. DUNDERDALE:

Pursuant to Section 5.103 of the regulations of the Pennsylvania Public Utility Commission (“Commission”), 52 Pa. Code § 5103, National Fuel Gas Distribution Corporation (“National Fuel”) and North East Heat & Light Company (“NEHL”) (collectively, the “Joint Applicants”) respectfully move to transfer the above-referenced Joint Application to the Commission’s Bureau of Technical Utility Services (“TUS”) for review and disposition:

I. BACKGROUND

1. On October 7, 2025, the Joint Applicants filed the above-captioned Joint Application pursuant to Sections 1102(a)(1)-(3) of the Public Utility Code, requesting the Commission's approval for: (1) National Fuel to acquire certain natural gas distribution facilities and rights from NEHL; (2) NEHL to abandon natural gas service to the public in its service territory in the Borough of North East, Erie County, Pennsylvania and North East Township, Erie County, Pennsylvania; and (3) National Fuel to expand its service territory to begin to offer, render, furnish or supply natural gas service to the public in the Borough of North East, Erie County, Pennsylvania and to serve the customers formerly served by NEHL.

2. On October 28, 2025, the Office of Small Business Advocate ("OSBA") filed its Notice of Appearance.

3. Notice of the Joint Application was published in the *Pennsylvania Bulletin* on October 25, 2025, and stated that Protests and Petitions to Intervene must be filed on or before November 10, 2025.

4. In addition, National Fuel published notice of the Joint Application in two newspapers with general circulations in North East and Erie, Pennsylvania on October 24 and October 27, 2025, respectively. This notice also stated that Protests and Petitions to Intervene must be filed on or before November 10, 2025.

5. On November 7, 2025, the OSBA filed its Notice of Intervention, Protest, Public Statement, and Verification.

6. On December 8, 2025, a Telephonic Prehearing Conference Notice was issued by the Commission, scheduling a telephonic prehearing conference for February 5, 2026, before Administrative Law Judge Katrina L. Dunderdale ("ALJ").

7. Also on December 8, 2025, the ALJ issued a Prehearing Conference Order, which directed the parties to file Prehearing Memoranda by Noon on January 30, 2026.

8. On December 12, 2025, the OSBA filed a Notice of Withdrawal of Protest and Notice of Intervention, stating that it had conducted informal discovery and engaged with discussions with National Fuel, and that based on the clarifications received through those communications, the OSBA does not intend to further participate in the above-captioned proceedings.

9. No other Interventions or Protests to the Joint Application have been filed.

II. MOTION TO TRANSFER

10. National Fuel and NEHL respectfully request that the Joint Application be transferred to TUS for review and disposition.

11. TUS reviews uncontested Applications filed pursuant to Section 1102 of the Public Utility Code. *See* 66 Pa. C.S. § 1102.

12. As noted previously, OSBA has withdrawn its Protest to the Joint Application, and no other Protests have been filed.

13. Therefore, the Joint Application is now uncontested.

14. However, the Commission must still determine whether the acquisition is in the public interest.

15. Thus, National Fuel and NEHL believe that the most efficient course would be to transfer the Joint Application to TUS for appropriate review and disposition.

16. The Joint Applicants and the Commission would incur significant and unnecessary time and expense if the Joint Applicants were forced to present testimony and exhibits at evidentiary hearings in support of the now uncontested Joint Application.

17. Accordingly, prompt transfer of the Joint Application to TUS would provide regulatory clarity and promote the public interest by avoiding unnecessary delay, without prejudicing any party.

18. In addition, the deadline to intervene or protest in the above-captioned proceedings passed more than 30 days ago, on November 10, 2025.

19. Any interested parties have already been afforded 70 days to intervene or protest the Joint Application, but no party aside from OSBA has intervened or filed a protest in these proceedings to date.

20. Given the ample time already provided to other interested parties and the resolution of OSBA's Protest, waiting until February 5, 2026, to determine whether this matter should be transferred to TUS would unnecessarily delay review of the Joint Application by an additional 51 days.

21. Thus, the Joint Applicants respectfully request that the ALJ resolve the instant Motion as soon as practicable, and no later than January 12, 2026.

22. The requested relief and timing is consistent with prior instances when Administrative Law Judges have transferred uncontested applications to TUS for review and disposition after intervening parties withdrew their protests. For example, in *Application of Peoples Natural Gas Company, LLC*, Docket Nos. A-2025-3056882 and G-2025-3056883, following the withdrawal of interventions and in the absence of any protest, an Interim Order was issued to transfer the matters contained at that docket to TUS for review and disposition. *See also*

Application of The York Water Co., Docket No. A-2019-3007355 (Interim Order issued April 1, 2019) (transferring uncontested application to TUS and canceling prehearing conference after OSBA's protest and OCA's intervention were withdrawn); *Application of PPL Electric Utils. Corp.*, Docket No. A-2019-3008669 (Order issued June 19, 2019) (transferring uncontested application to TUS and canceling prehearing conference after sole protest was withdrawn). This approach promotes administrative efficiency and avoids unnecessary delay in the Commission's review of an uncontested application.

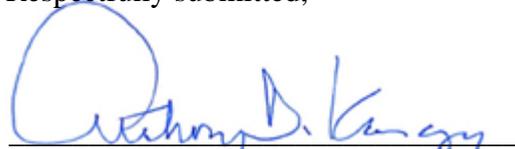
23. Prior to filing the instant Motion, the Joint Applicants consulted with counsel for OSBA.

24. The Joint Applicants are authorized to represent that OSBA supports this Motion.

III. CONCLUSION

WHEREFORE, National Fuel Gas Distribution Corporation and North East Heat & Light Company respectfully request that Administrative Law Judge Katrina L. Dunderdale transfer this Joint Application to the Commission's Bureau of Technical Utility Services for review and disposition as promptly as practicable, and no later than January 12, 2026.

Respectfully submitted,



Anthony D. Kanagy (PA ID # 85522)
Megan E. Rulli (PA ID # 331981)
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601
Phone: (717) 731-1970
Fax: (717) 731-1985
E-mail: akanagy@postschell.com
E-mail: mrulli@postschell.com

Dominick A. Sisinni (PA ID # 322523)
National Fuel Gas Distribution Corporation
1100 State Street, P.O. Box 2081
Erie, PA 16512
Phone: (814) 871-8177
Fax: (814) 871-7708
E-mail: sisinnid@natfuel.com

Date: December 15, 2025

Counsel for National Fuel Gas Distribution Corporation



Kevin J. McKeon (PA ID No. 30428)
Melissa A. Chapaska (PA ID No. 319449)
HMS Legal LLP
501 Corporate Circle, Suite 302
Harrisburg, PA 17110
Phone: 717-703-0801
717-703-0815
E-Mail: kjmckeon@hmslegal.com
machapaska@hmslegal.com

Date: December 15, 2025

Counsel for North East Heat & Light Company