

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2025-3059428
Office of Consumer Advocate	:	C-2026-3060292
Office of Small Business Advocate	:	C-2026-3060354
CAUSE-PA	:	C-2026-3060437
	:	
v.	:	
	:	
National Fuel Gas Distribution Corporation	:	

PREHEARING ORDER

On January 28, 2026, National Fuel Gas Distribution Corporation (NFGDC) filed Supplement No. 294 to Tariff Gas Pa. P.U.C. No. 9 (Supplement No. 294) at Docket No. R-2025-3059428, with an effective date of March 29, 2026. NFGDC proposed to increase overall rates by approximately \$19.7 million per year, or 7.4%, over present revenues. NFGDC’s proposal, if approved, would increase the average residential customer’s bill using 80 ccf per month from \$83.49 to \$88.44, or by approximately 5.9%. NFGDC also proposed to reinstate a tariff rider that would provide a refund of Other-Post Employment Benefits (OPEB) funds of approximately \$6.2 million to all customers and provide a one-time bill credit of \$30, totaling approximately \$1.025 million, to confirmed Level 1 and Level 2 customers and Customer Assistance Program (CAP) customers.

Supplement No. 294 includes a request seeking approval of two alternative rate mechanisms: permanent approval of the Weather Normalization Adjustment and approval of the Energy Efficiency pilot program.

On February 2, 2026, the Bureau of Investigation & Enforcement (BIE) filed a Notice of Appearance. On February 4, 2026, the Office of Consumer Advocate (OCA) filed a public statement and formal complaint at Docket No. C-2026-3060292. On February 9, 2026,

the Office of Small Business Advocate (OSBA) filed a public statement and formal complaint at Docket No. C-2026-3060354.

On February 9, 2026, Pennsylvania Weatherization Providers Task Force (Providers Task Force) filed a Petition to Intervene representing permission to intervene in the proceeding as a party.

On February 10, 2026, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) filed the formal complaint at Docket No. C-2026-3060437.

On February 19, 2026, the Commission suspended the implementation of Supplement No. 294 by operation of law, pursuant to 66 Pa.C.S. § 1308(d), until October 29, 2026, unless permitted by Commission Order to become effective at an earlier date, and instituted an investigation into the lawfulness, justness, and reasonableness of the rates, rules, and regulations proposed in Supplement No. 294.

On February 19, 2026, the Office of Administrative Law Judge (OALJ) scheduled a prehearing conference to be conducted telephonically on February 26, 2026 at 9:00 a.m. Also, on February 26, 2026, the presiding officer issued the Prehearing Conference Order which provided procedural information for the prehearing conference.

On February 26, 2026, the presiding officer conducted a call-in telephonic prehearing conference with the following parties present and represented by counsel: NFGDC, BIE, OSBA, OCA, Providers Task Force and CAUSE-PA. The parties addressed procedural matters including: the procedural schedule; service of documents; identification of witnesses; location, method, dates and times for in person and telephonic public input hearings; discovery modifications; consolidation of formal complaints filed against the base rate proceedings; and one petition to intervene. This prehearing order memorializes those matters discussed by the parties during the prehearing conference, and the various decisions of the presiding officer where no decision could be reached.

Consolidation

The following cases were docketed separately as complaints but arose from NFGDC’s base rate filing. These complaints will be consolidated into the proceeding docketed at Number R-2025-3059428, pursuant to 52 Pa.Code § 5.81, in the Ordering Paragraphs which follow:

Office of Consumer Advocate at C-2025-3060292
Office of Small Business Advocate at C-2025-3060354
Coalition for Affordable Utility Service and Energy Efficiency in Pennsylvania at C-2025-3060437

Petition to Intervene

To date, one petition to intervene has been filed by the Pennsylvania Weatherization Providers Task Force (Providers Task Force). No party objected to the granting of the petition. Accordingly, the petition to intervene was granted and this judicial grant will be confirmed in the Ordering Paragraphs, herein.

Identification of Company Filing

The Company will identify its filing, including the marking of statements and exhibits, when it presents the filing at the start of the evidentiary hearing.

Procedural Schedule

The parties attending the prehearing conference agreed to a litigation schedule, as outlined below.

Litigation Schedule

Public Input Hearings	March 30-April 2, 2026
Other Party’s Direct Testimony	April 16, 2026
Written Rebuttal Testimony	May 12, 2026

Written Surrebuttal Testimony	May 27, 2026
Written Rejoinder Outlines	June 1, 2026 (noon)
Evidentiary Hearing	June 2-4, 2026
Close of Record	June 5, 2026
Main Briefs	June 22, 2026
Reply Briefs	July 1, 2026
Last Public Meeting before suspension date	October 1, 2026

The parties attending the prehearing conference agreed two settlement conferences would occur between the parties, without the presiding officer’s involvement, on May 19, 2026, and on May 29, 2026.

Service of Documents

The above filing dates are all in-hand dates (by 4:00 p.m.) to the parties and the presiding officer, unless otherwise directed. The parties are also directed to provide an e-version (in Word) to any technical advisors in the Commission’s Bureau of Technical Utility Services once informed by the presiding officer as to who they are. In addition, the Company is directed to supply an e-version (in Word) of its Petition and previously filed testimony to the presiding officer. All parties are reminded to serve the Administrative Law Judge directly with all filed documents, and to provide an e-version as well (in Word).

Upon agreement of the parties and with the concurrence of the Administrative Law Judge, service of documents made via electronic mail (by 4:00 p.m.) on the due date will be considered in-hand service.

This Commission’s requirements for the preparation and filing of written testimony and related exhibits are set forth in 52 Pa.Code § 5.412. In addition, the lines and pages are to be numbered.

Evidentiary Hearings

The evidentiary hearings scheduled will commence at **9:00 a.m.** on each day, beginning on **Tuesday, June 2, 2026** and continue through **Thursday, June 4, 2026**. The parties must inform the presiding officer before 4:00 p.m. on **Friday, May 29, 2026**, in the event the parties intend to submit little or no new testimony at the evidentiary hearing with no more than limited cross examination anticipated.

Witness Lists

The presiding officer requested, and the utility agreed, that the utility will coordinate an agreement amongst the parties as to the order of witnesses, with the general understanding the utility's witnesses usually go first. The parties agreed one witness from CAUSE-PA and from OSBA would testify on June 2, 2026, if the witnesses were made available for cross-examination. Counsel for the utility will provide the witness list to the presiding officer on or before noon on **Monday, June 1, 2026**.

Any party which has not set forth its witness list, including the subject area of proposed testimony, in its Prehearing Memorandum must provide that information to the presiding officer and the other parties no later than two (2) weeks prior to the due date for direct testimony. Motions with respect to written testimony must be presented in writing no later than 24 hours prior to the day the witness is scheduled to testify.

Public Input Hearings

After discussion, the parties agreed two in person public input hearings should be conducted at 1:00 p.m. and 6:00 p.m. within the service territory of NFGDC, specifically in Erie, Erie County, Pennsylvania. In addition, the parties agreed two telephonic public input hearings should be conducted at 1:00 p.m. and 6:00 p.m. Further, the parties agreed the public input hearings should be scheduled to be conducted between March 30, 2026, and April 2, 2026. Commission policy provides at least one in person public input hearing should be held in a utility's service area if the Commission determines there is substantial public interest in a rate proceeding. 52 Pa.Code § 69.321(b).

NFGDC will be ordered to publish notice of the date, time and registration instructions for the public input hearings in at least one newspaper of general circulation in the service territory, weekly, for two consecutive weeks. NFGDC is further ordered to file proof of publication with the Commission's Secretary's Bureau. Prior to the public input hearings, NFGDC is to file with the Secretary's Bureau a document which provides the wording of the public input hearing announcement, where it appeared and on what dates.

Discovery

The parties agreed to modify discovery rules as proposed by OCA in Section VII of its prehearing memorandum and those modifications are appended hereto as if set out in full, as Attachment A. Furthermore, all parties are urged to engage in informal discovery whenever possible. This Commission's procedures for discovery are set forth in 52 Pa.Code §§ 5.321 *et seq.* The presiding officer will rule on objections to discovery in an expeditious manner and may do so as part of an informal telephone conference. The parties **should not** send discovery material **or cover letters** to the presiding officer unless attached to a motion to compel. All motions to compel **must** contain a certification from counsel setting forth the informal steps taken to resolve the dispute including dates and times.

Stipulations

The parties are to engage in discussions with each other prior to the date of the evidentiary hearings and be prepared to submit into the record all stipulations as to facts. The stipulations must be in writing and signed by respective counsel for the parties.

Settlements

This Commission encourages settlements (52 Pa.Code § 5.231(a), however, any settlement must provide sufficient factual proof to evidence and justify a determination that the settlement is in the public interest. Any joint settlement petition should be served on the presiding officer on or before the date set for filing reply briefs (*i.e.*, July 1, 2026). The parties are encouraged to refer to the Commission’s suspension order, dated February 19, 2026, and the statements of the Chair and Vice Chair, concerning information to be provided in the event the parties reach a settlement, in part or in whole.

Briefs

The parties should comply with the briefing requirements set forth in 52 Pa. Code §5.501 *et seq.* and as further specified in Attachment A (“Special Instructions for Briefs and Exceptions in Major General Rate Increase Proceedings”). Please provide the Administrative Law Judge and the Technical Utility Services’ advisors with one printed copy and one electronic copy of each brief and reply brief in Word format. Page limitations and the use of a common brief outline will be discussed with the parties on the last day of hearings and will be incorporated in a separate interim order.

Official Service List

The official service list will be comprised of those parties in attendance at the Prehearing Conference on February 26, 2026, and any additional parties whose future formal complaint is consolidated herein by separate order. Each party will be limited to one address on the service list. A complete service list is attached hereto.

THEREFORE,

IT IS ORDERED:

1. That the procedural schedule and other matters set forth herein are adopted for this proceeding.
2. That, except for requests reasonably made during a hearing, any requests for a change in the scheduled dates must be submitted to the Administrative Law Judge in writing no later than five (5) business days prior to the scheduled date. 52 Pa.Code § 1.15(b). Requests for changes must establish good cause, must state the agreement or opposition of other parties, and must be sent to the presiding officer and all parties of record.
3. That the Petition to Intervene of PA Weatherization Providers Task Force is granted.
4. That evidentiary hearings will be scheduled in this proceeding to be conducted in Harrisburg, Pennsylvania, starting at **9:00 a.m.** on each day from **June 2, 2026 to June 4, 2026.**
5. That public input hearings will be conducted during the week of March 30, 2026, if reasonably possible. Two public input hearings shall be conducted telephonically at 1:00 p.m. and 6:00 p.m. on a future date to be determined. Two public input hearings shall be conducted in-person at 1:00 p.m. and 6:00 p.m. in Erie, Erie County, Pennsylvania, on a future date to be determined. A scheduling notice will be issued by the Office of Administrative Law Judge which specifies the date, time, location and method for participation for at the public input hearings.
6. That National Fuel Gas Distribution Corporation will advertise the public input hearings in a timely fashion. National Fuel Gas Distribution Corporation will work with any interested party in the wording of the public input hearing announcements, plus where and how the public input hearing announcements will be published and/or broadcast. Prior to the initial

Attachment A

For all discovery requests served on or before written rebuttal testimony is due to be served (May 12, 2026), the deadlines are as follows:

- A. Answers to written interrogatories, requests for admissions and/or 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, requests for admissions 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) 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. Answers to on-the-record data requests shall be served in-hand within five (5) calendar days of the requests.
- F. 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.

For all discovery requests served after written rebuttal testimony is served, the deadlines should be reduced as follows:

- A. Answers to interrogatories, requests for admission and/or 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, requests for admission 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. 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.

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