

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2025-3059523
Office of Consumer Advocate	:	C-2026-3060342
Office of Small Business Advocate	:	C-2026-3060353
Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania	:	C-2026-3060448
Thomas J. Nagies	:	C-2026-3060116
Mustafa Kirisci	:	C-2026-3060190
Daniel J. Luce II	:	C-2026-3060290
Rik Bhattacharyya	:	C-2026-3060305
Josh Durham	:	C-2026-3060434
Serafima Zhuravska	:	C-2026-3060439
Roberta Zeek	:	C-2026-3060442
Cassandra Price	:	C-2026-3060450
Nathan Bahn	:	C-2026-3060451
Robert L. Spradley, Jr.	:	C-2026-3060452
Joseph Kohler	:	C-2026-3060526
Brian Dugas	:	C-2026-3060745
Kevin Clinebell	:	C-2026-3061011
Shannon Brown	:	C-2026-3060947
David E. Gundrum	:	C-2026-3061018
	:	
v.	:	
	:	
UGI Utilities, Inc. – Gas Division	:	

PROTECTIVE ORDER

Upon careful review and consideration of the Motion for Protective Order filed on March 13, 2026 by UGI Utilities, Inc. – Gas Division (UGI), said Motion is hereby GRANTED pursuant to the provisions of 52 Pa. Code § 5.365(a). This Protective Order will apply to all documents and information, as identified below, produced or presented, or hereafter produced or presented in this proceeding. All persons now or hereafter granted access to such documents and/or information shall use and maintain the same only in strict accordance with this Protective Order.

This Protective Order is being entered to facilitate the orderly production of information and documents during discovery and the presentation of evidence at the hearings in

this case and to provide adequate protection of Confidential Information without prejudicing the rights of parties to have reasonable access to information that becomes part of the evidentiary record.

THEREFORE,

IT IS ORDERED:

1. The Motion is hereby granted with respect to all materials and information identified in Paragraphs 2 – 3 below.

2. The information subject to this Protective Order is all correspondence, documents, data, information, studies, methodologies and other materials, furnished in this proceeding, which are believed by the producing party to be of a proprietary or confidential nature and which are so designated by being marked “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL”, or “CONFIDENTIAL SECURITY INFORMATION.” Such materials and information will be referred to below as “Proprietary Information.” When a statement or exhibit is identified for the record, the portions thereof that constitute Proprietary Information shall be designated as such for the record.

3. The parties may designate as “CONFIDENTIAL” those information materials which customarily are treated by that party as sensitive or proprietary, which are not available to the public, and which, if disclosed freely, would subject that party or its clients to risk of competitive disadvantage or other business injury. The parties may designate as “HIGHLY CONFIDENTIAL” those information and materials that are of such a commercially sensitive nature among the parties or of such a private, personal nature that the producing party is able to justify a heightened level of confidential protection with respect to those materials. The parties shall endeavor to limit their designation of information and materials as HIGHLY

CONFIDENTIAL. The parties agree that materials containing specific, individual customer information shall be identified as HIGHLY CONFIDENTIAL and that the producing party may seek, via motion or objection, the right to impose further restrictions on access. The parties may designate as “CONFIDENTIAL SECURITY INFORMATION” those information and materials, as defined in Section 2 of Act 156 of 2006, P.L. 1425, No. 156, 35 P.S. § 2141.2 et seq. “The Public Utility Confidential Security Information Disclosure Protection Act,” the disclosure of which creates a reasonable likelihood of endangering the physical security of public utility resources, infrastructure, facility or information storage system; and information regarding computer hardware, software and networks, including administrative and technical records, which, if disclosed, would be reasonably likely to jeopardize computer security. If the material contains “CONFIDENTIAL SECURITY INFORMATION,” the parties producing such information shall mark on each page containing information the words “HIGHLY CONFIDENTIAL – CSI – CONTAINS CONFIDENTIAL SECURITY INFORMATION – DO NOT RELEASE.”

4. Proprietary Information shall be made available to counsel for a party, subject to the terms of this Protective Order. Such counsel shall use or disclose the Proprietary Information only for purposes of preparing or presenting evidence, cross examination, argument, case preparation, or settlement in this proceeding. To the extent required for participation in this proceeding, counsel for a party may afford access to Proprietary Information subject to the conditions set forth in this Protective Order.

5. Information and materials deemed as “CONFIDENTIAL” shall be made available to a “Reviewing Representative” who is a person that has signed a Non-Disclosure Certificate attached as Appendix A or Appendix B, and who is:

- (a) An attorney who has entered an appearance in this proceeding for a party or a statutory advocate pursuant to 52 Pa. Code § 1.8, if not an attorney;

- (b) Attorneys, paralegals, and other employees associated for purposes of this case with an attorney described in subparagraph 5(a);
- (c) An expert or an employee of an expert retained by a party for the purpose of advising, preparing for, or testifying in this proceeding; or
- (d) Employees or other representatives of a party appearing in this proceeding with significant responsibility for this docket.

With regard to the Bureau of Investigation and Enforcement (“I&E”) and Office of Consumer Advocate (“OCA”), information and materials deemed as “CONFIDENTIAL” shall be made available to the I&E Prosecutors and OCA Attorneys subject to the terms of this Protective Order. The I&E Prosecutors shall use or disclose the CONFIDENTIAL information and materials only for purposes of preparing or presenting evidence, cross examination, argument, case preparation, or settlement in this proceeding. To the extent required for participation in this proceeding, the I&E Prosecutors may afford access to CONFIDENTIAL information and materials only to I&E’s experts, supervisors of experts, Chief Prosecutor, Deputy Chief Prosecutor, and administrative support staff without the need for the execution of a Non-Disclosure Certificate, who are full-time employees of the Commission and bound by all the provisions of this Protective Order by virtue of the I&E Prosecutors’ execution of a Non-Disclosure Certificate.

6. Information and materials deemed as “HIGHLY CONFIDENTIAL” may be provided to a “Reviewing Representative” who has signed a Non-Disclosure Certificate attached as Appendix B and who is:

- (a) An attorney who has entered an appearance in this proceeding for a party or a statutory advocate pursuant to 52 Pa. Code § 1.8, if not an attorney;
- (b) An attorney, paralegal, or other employee associated for purposes of this case with an attorney described in subparagraph 6(a);
- (c) An outside expert or an employee of an outside expert retained by a party for the purposes of advising, preparing for, or testifying in this proceeding; or

- (d) A person designated as a Reviewing Representative for purposes of HIGHLY CONFIDENTIAL information and materials.

With regard to I&E and OCA, information and materials deemed as “HIGHLY CONFIDENTIAL” shall be made available to the I&E Prosecutors and OCA Attorneys subject to the terms of this Protective Order. The I&E Prosecutors shall use or disclose the HIGHLY CONFIDENTIAL information and materials only for purposes of preparing or presenting evidence, cross examination, argument, or settlement in this proceeding. To the extent required for participation in this proceeding, the I&E Prosecutors may afford access to HIGHLY CONFIDENTIAL information and materials only to I&E’s experts, supervisors of experts, Chief Prosecutor, Deputy Chief Prosecutor, and administrative support staff without the need for the execution of a Non-Disclosure Certificate, who are full-time employees of the Commission and bound by all the provisions of this Protective Order by virtue of the I&E Prosecutors’ execution of a Non-Disclosure Certificate.

Provided, further, that in accordance with the provisions of Sections 5.362 and 5.365(e) of the Commission’s Rules of Practice and Procedure, 52 Pa. Code §§ 5.362 and 5.365(e), any party may, by subsequent objection or motion, seek further protection with respect to HIGHLY CONFIDENTIAL information and materials, including, but not limited to, total prohibition of disclosure or limitation of disclosure only to particular parties.

7. Information and materials deemed as “CONFIDENTIAL SECURITY INFORMATION” may be provided to a “Reviewing Representative” who has signed a Non-Disclosure Certificate attached as Appendix B and who is:

- (a) An attorney who has entered an appearance in this proceeding for a statutory advocate pursuant to 52 Pa. Code § 1.8, or a statutory advocate if not an attorney;
- (b) An attorney, paralegal, or other employee associated for purposes of this case with an attorney described in subparagraph 7(a); or

- (c) An outside expert or an employee of an outside expert retained by a statutory advocate for the purposes of advising, preparing for, or testifying in this proceeding.

CONFIDENTIAL SECURITY INFORMATION will only be provided for inspection via in-person review at the offices of Post & Schell, P.C., 17 N. Second Street, 12th Floor, Harrisburg, PA 1701, or upon request of a statutory advocate or an attorney for a statutory advocate, at another location in the Harrisburg-metro area of the Commonwealth, between the hours of 9 A.M. to 5 P.M., Monday through Friday. Such review may be proctored, and the Reviewing Representatives are prohibited from reproducing such information in any form without the prior authorization of UGI Gas's counsel (including taking detailed notes, making photocopies, or taking pictures). If a statutory advocate determines that it is necessary to use CONFIDENTIAL SECURITY INFORMATION as part of their presentation of evidence in this proceeding, such statutory advocate shall request a copy from counsel for UGI Gas, which permission shall not be unreasonably withheld and subject to that party confirming it understands and will abide by the terms of this Protective Order concerning use of such materials.

With regard to I&E and OCA, information deemed as "CONFIDENTIAL SECURITY INFORMATION" shall be made available to the I&E Prosecutors and OCA Attorneys subject to the terms of this Protective Order. The I&E Prosecutors and OCA Attorneys shall use or disclose the CONFIDENTIAL SECURITY INFORMATION only for purposes of preparing or presenting evidence, cross examination, argument, case preparation, or settlement in this proceeding. To the extent required for participation in this proceeding, the I&E Prosecutors and OCA Attorneys may afford access to CONFIDENTIAL SECURITY INFORMATION, only to the Chief Prosecutor and Deputy Chief Prosecutor, the Consumer Advocate and Deputy Consumer Advocate, and the Small Business Advocate, respectively, as well as their experts, supervisors of experts, and administrative support staff without the need for the execution of a

Non-Disclosure Certificate, who are full-time employees of the Commission and bound by all the provisions of this Protective Order by virtue of the I&E Prosecutors' execution of a Non-Disclosure Certificate.

Provided, further, that in accordance with the provisions of Sections 5.362 and 5.365(e) of the Commission's Rules of Practice and Procedure, 52 Pa. Code §§ 5.362, 5.365(e), any party may, by subsequent objection or motion, seek further protection with respect to CONFIDENTIAL SECURITY INFORMATION, including, but not limited to, total prohibition of disclosure or limitation of disclosure only to particular parties.

8. For purposes of this Protective Order, a Reviewing Representative may not be a "Restricted Person."

(a) A "Restricted Person" shall mean: (i) an officer, director, stockholder, partner, or owner of any competitor of the parties or an employee of such an entity if the employee's duties involve marketing or pricing of the competitor's products or services; (ii) an officer, director, stockholder, partner, or owner of any affiliate of a competitor of the parties (including any association of competitors of the parties) or an employee of such an entity if the employee's duties involve marketing or pricing of the competitor's products or services; (iii) an officer, director, stockholder, owner or employee of a competitor of a customer of the parties if the Proprietary Information concerns a specific, identifiable customer of the parties; and (iv) an officer, director, stockholder, owner or employee of an affiliate of a competitor of a customer of the parties if the Proprietary Information concerns a specific, identifiable customer of the parties; provided, however, that no expert shall be disqualified on account of being a stockholder, partner, or owner unless that expert's interest in the business would provide a significant motive for violation of the limitations of permissible use of the Proprietary Information. For purposes of this Protective

Order, stocks, partnership, or other ownership interests valued at more than \$10,000 or constituting more than a 1% interest in a business establishes a significant motive for violation.

(b) If an expert for a party, another member of the expert's firm, or the expert's firm generally also serves as an expert for, or as a consultant or advisor to, a Restricted Person, said expert must: (i) identify for the parties each Restricted Person and each expert or consultant; (ii) make reasonable attempts to segregate those personnel assisting in the expert's participation in this proceeding from those personnel working on behalf of a Restricted Person; and (iii) if segregation of such personnel is impractical, the expert shall give to the producing party written assurances that the lack of segregation will in no way jeopardize the interests of the parties or their customers. The parties retain the right to challenge the adequacy of the written assurances that the parties' or their customers' interests will not be jeopardized. No other persons may have access to the Proprietary Information except as authorized by order of the Commission.

(c) The Office of Small Business Advocate's ("OSBA's") consultant will not be considered to be a Restricted Person, and Paragraphs 8(a) and 8(b) will not apply to such consultant, provided that OSBA's consultant does not share or discuss the Proprietary Information with any person except authorized OSBA representatives.

9. In the event that a party wishes to designate as a Reviewing Representative a person not described in Paragraphs 5(a) through 5(d), 6(a) through 6(c), 7(a) through 7(c), above or a person that is a Restricted Person under Paragraph 8, the party shall seek agreement from the party providing the Proprietary Information. If an agreement is reached, that person shall be a Reviewing Representative with respect to those materials. If no agreement is reached, the party shall submit the disputed designation to the presiding Administrative Law Judges for resolution.

10. A qualified "Reviewing Representative" for "HIGHLY CONFIDENTIAL" information and materials may review and discuss "HIGHLY CONFIDENTIAL" information and

materials with their client or with the entity with which they are employed or associated, to the extent that the client or entity is not a “Restricted Person”, but may not share with or permit the client or entity to review the “HIGHLY CONFIDENTIAL” information and materials. Such discussions must be general in nature and not disclose specific “HIGHLY CONFIDENTIAL” information and materials; provided, however, that counsel for I&E, the Office of Consumer Advocate, and the OSBA may share proprietary information with the I&E Director, Consumer Advocate, Deputy Consumer Advocate, and Small Business Advocate, respectively, without obtaining a Non-Disclosure Certificate from these individuals, so long as these individuals otherwise abide by the terms of the Protective Order.

11. Information deemed Proprietary Information shall not be used except as necessary for the conduct of this proceeding, nor shall it be disclosed in any manner to any person except a Reviewing Representative who is engaged in the conduct of this proceeding and who needs to know the information in order to carry out that person’s responsibilities in this proceeding. Reviewing Representatives may not use information contained in any Proprietary Information obtained through this proceeding to give any party or any competitor of any party a commercial advantage.

12. Reviewing Representatives shall execute a Non-Disclosure Certificate in order to obtain access to Proprietary Information, and will be subject to the following conditions:

(a) A Reviewing Representative shall not be permitted to inspect, participate in discussions regarding, or otherwise be permitted access to Proprietary Information pursuant to this Protective Order unless that Reviewing Representative has first executed a Non-Disclosure Certificate, provided that if an attorney qualified as a Reviewing Representative has executed such a certificate, the paralegals, secretarial personnel, and clerical personnel under the attorney’s instruction, supervision, or control need not do so, nor do Commission employees assisting I&E

as noted above in Paragraphs 5, 6 and 7. A copy of each Non-Disclosure Certificate shall be provided to counsel for the party asserting confidentiality prior to disclosure of any Proprietary Information to that Reviewing Representative.

(b) Attorneys and outside experts qualified as Reviewing Representatives are responsible for ensuring that persons under their supervision or control comply with the Protective Order.

13. None of the parties waive their right to pursue any other legal or equitable remedies that may be available in the event of actual or anticipated disclosure of Proprietary Information.

14. The parties shall designate data or documents as constituting or containing Proprietary Information by marking the documents “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL,” or “HIGHLY CONFIDENTIAL,” “HIGHLY CONFIDENTIAL – CSI – CONTAINS CONFIDENTIAL SECURITY INFORMATION – DO NOT RELEASE.” Where only part of data compilations or multi-page documents constitutes or contains Proprietary Information, the parties, insofar as reasonably practicable within discovery and other time constraints imposed in this proceeding, shall designate only the specific data or pages of documents that constitute or contain Proprietary Information. The Proprietary Information shall be served upon the parties hereto only, and the materials shall be separate from the nonproprietary materials and conspicuously marked “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL,” or “HIGHLY CONFIDENTIAL,” “HIGHLY CONFIDENTIAL – CSI – CONTAINS CONFIDENTIAL SECURITY INFORMATION – DO NOT RELEASE.” For filing purposes, Proprietary Information shall be filed separately from the nonproprietary materials and conspicuously marked “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL,” or “HIGHLY CONFIDENTIAL,” “HIGHLY CONFIDENTIAL – CSI – CONTAINS CONFIDENTIAL SECURITY INFORMATION – DO NOT RELEASE.”

15. That the Commission and all parties, including the statutory advocates and any other agency or department of state government, will consider and treat the Proprietary Information as within the exemptions from disclosure in Section 335(d) of the Public Utility Code, 66 Pa. C.S. § 335(d), and the Pennsylvania Right-to-Know Act, 65 P.S. §§ 67.101 *et seq.* (the “RTKL”), until such information is found by a tribunal with jurisdiction to be not confidential or subject to one or more exemptions. In the event that any person or entity seeks to compel the disclosure of Proprietary Information under Section 335(d) and/or the RTKL, the Commission and/or the party receiving such request shall promptly notify the producing party in order to provide the producing party an opportunity to oppose or limit such disclosure. None of the parties waive their right to pursue any available remedies that may be available in the event of actual or anticipated disclosure of Proprietary Information. Any public reference to Proprietary Information by a party or its Reviewing Representatives shall be to the title or exhibit reference in sufficient detail to permit persons with access to the Proprietary Information to understand fully the reference and not more. The Proprietary Information shall remain a part of the record, to the extent admitted, for all purposes of administrative or judicial review.

16. Part of any record of this proceeding containing Proprietary Information, including but not limited to all exhibits, writings, testimony, cross examination, argument, and responses to discovery, and including reference thereto as mentioned in Paragraph 16 above, shall be sealed for all purposes, including administrative and judicial review, unless such Proprietary Information is released from the restrictions of this Protective Order, either through the agreement of the parties to this proceeding or pursuant to an order of the Commission.

17. If any person who has had access to Proprietary Information subsequently is assigned to perform any duties which would make that person ineligible to be a Reviewing Representative of said Proprietary information, that person shall immediately inform the producing

Party of his/her/their new duties, shall dispose of any Proprietary Information and any information derived therefrom in his/her/their possession, and shall continue to comply with the requirements of this Stipulated Protective Agreement with regard to the Proprietary Information to which that person previously had access.

18. The parties shall retain the right to question or challenge the confidential or proprietary nature of Proprietary Information and to question or challenge the admissibility of Proprietary Information. If a party challenges the designation of a document or information as proprietary, the party providing the information retains the burden of demonstrating that the designation is appropriate.

19. The parties shall retain the right to question or challenge the admissibility of Proprietary Information; to object to the production of Proprietary Information on any proper ground; and to refuse to produce Proprietary Information pending the adjudication of the objection.

20. Information designated as CONFIDENTIAL, HIGHLY CONFIDENTIAL, and/or CONFIDENTIAL SECURITY INFORMATION shall not be disclosed or otherwise uploaded, in whole or in part, to any artificial intelligence system (“AI”), large language model, generative AI tool, or similar machine-learning technology (including, without limitation, publicly accessible AI services or models), as such use could result in the information designated as CONFIDENTIAL, HIGHLY CONFIDENTIAL, and/or CONFIDENTIAL SECURITY INFORMATION being retained, incorporated into training data, learned, reproduced, disclosed, or made accessible to any third-party.

21. Within 30 days after a Commission final order is entered in the above-captioned proceeding, or in the event of appeals, within 30 days after appeals are finally decided, the parties, upon request, shall either destroy or return to the parties all copies of all documents and other materials not entered into the record, including notes, which contain any Proprietary Information.

In the event that a party elects to destroy all copies of documents and other materials containing Proprietary Information instead of returning the copies of documents and other materials containing Proprietary Information to the parties, the party shall certify in writing to the producing party that the Proprietary Information has been destroyed.

Dated: March 18, 2026

/s/
F. Joseph Brady
Administrative Law Judge

/s/
Alphonso Arnold III
Administrative Law Judge

R-2025-3059523 - PENNSYLVANIA PUBLIC UTILITY COMMISSION v. UGI UTILITIES INC - GAS DIVISION

Revised: March 13, 2026

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