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File #: 215014

March 30, 2026

VIA ELECTRONIC FILING

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17101

Re: Application of UGI Utilities, Inc. for (1) Certificate of Public Convenience Evidencing Approval Under 66 Pa.C.S. §§1102(a)(3) and 1103(a) for the Transfer of the Auburn City Gate Station, Located in Auburn Township, Susquehanna County, Pennsylvania, to UGI Auburn Gathering, LLC, an Affiliate of UGI Utilities, Inc.; (2) Approval of the Proposed Transfer of the Auburn City Gate Station Pursuant to 66 Pa.C.S. §2102(b); and (3) Approval of a Modification of an Existing Affiliated Interest Agreement Pursuant to 66 Pa.C.S. §2103.

Docket No. A-2026-3060375

Docket No. G-2026-3060435

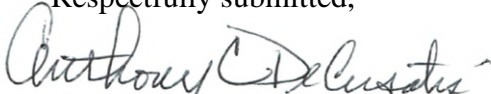
Docket No. G-2026-3060551

Dear Secretary Homsher:

Enclosed for filing is the above-captioned Motion of UGI Utilities, Inc. – Gas Division for Leave to File an Answer to Section V. of the Petition to Intervene and Protest of BKV Operating Inc. in the above-referenced transactions.

Copies will be provided per the attached Certificate of Service.

Respectfully submitted,


Anthony C. DeCusatis

ADC/sll
Enclosures

Matthew L. Homsher, Secretary
March 30, 2026
Page 2

cc: Certificate of Service

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Served via eService March 19,
2026
(Counsel for BKV Operating LLC)

Date: March 30, 2026



Anthony C. DeCusatis

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of UGI Utilities, Inc. for:	:	
	:	
(1) Certificate of Public Convenience	:	
Evidencing Approval Under 66 Pa.C.S.	:	
§§1102(a)(3) and 1103(a) for the Transfer of	:	
the Auburn City Gate Station, Located in	:	
Auburn Township, Susquehanna County,	:	
Pennsylvania, to UGI Auburn Gathering,	:	Docket No. A-2026-3060375
LLC, an Affiliate of UGI Utilities, Inc.;	:	Docket No. G-2026-3060435
	:	Docket No. G-2026-3060551
(2) Approval of the Proposed Transfer of the	:	
Auburn City Gate Station Pursuant to 66	:	
Pa.C.S. §2102(b); and	:	
	:	
(3) Approval of a Modification of an	:	
Existing Affiliated Interest Agreement	:	
Pursuant to 66 Pa.C.S. §2103.	:	

**MOTION OF UGI UTILITIES, INC. – GAS DIVISION
FOR LEAVE TO FILE AN ANSWER TO SECTION V. OF THE
PETITION TO INTERVENE AND PROTEST OF BKV OPERATING, INC.**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

UGI Utilities, Inc. – Gas Division (“UGI Gas”) files this Motion for Leave to File an Answer to Section V. of the Petition to Intervene and Protest (“Petition and Protest”) of BKV Operating Inc. (“BKV”) pursuant to the Commission’s regulations at 52 Pa. Code §§ 1.2, 5.1(a)(6), and 5.103.

This Motion should be granted because: (1) BKV filed its Petition and Protest as a single consolidated document; (2) the averments of Section V (under the heading “Protest”) set forth

averments that seek to explain, supplement, and expand upon the averments in Section IV (under the heading “Petition to Intervene”) and, therefore, are inextricably related; and (3) answering all the numbered paragraphs of the Petition and Protest will assist the presiding Administrative Law Judge and the Commission in analyzing the averments made therein.

In further support of this Motion for Leave, UGI Gas states as follows:

1. On February 6, 2026, UGI Gas filed the above-captioned Application (“UGI Gas Application”) for the issuance of a certificate of public convenience and associated affiliated interest approvals to transfer the Auburn City Gate Station to an affiliated entity.

2. On March 9, 2026, BKV filed the Petition and Protest as a single, consolidated document. The averments of the Petition and Protest are set forth under seven separate headings. Section IV of the Petition and Protest appears under the heading “Petition to Intervene,” and Section V thereof appears under the heading “Protest.”¹

3. Section IV of the Petition and Protest consists of only four numbered paragraphs² that make high-level, general, and conclusory averments that: (1) BKV would be “directly affected” and “bound by” the Commission’s decision in this case; (2) BKV is an alleged “competitor” of UGI Gas; (3) BKV’s interest in this proceeding allegedly “arises” under a Gathering Agreement between BKV and UGI Energy Service Services, LLC (“UGIES”); and (4) the Gathering Agreement sets forth certain “commitments” by UGIES for “gathering and delivery” that include a “right to request additional unused Auburn capacity” under a “right-of-first-refusal.”

4. Section V of the Petition and Protest, on the other hand, consists of Paragraph Nos. 28 through 58. Those 31 paragraphs set forth detailed averments supplementing and elaborating

¹ Other headings of the Petition and Protest consist of: Section I (Introduction); (2) (Background); (3) (Petitioner Information and Standing); Section VI (Legal Representation); and Section VII (Conclusion).

² Only three paragraphs contain substantive information. Paragraph No. 27 is a prayer for relief.

upon the general and conclusory statements in Section IV. To cite just one example, Paragraph Nos. 33, 37, 39, and 49 set forth BKV's specific averments concerning "receipt points" and "adverse pressure impacts" underlying BKV's broadly stated averment of "anticompetitive and discriminatory outcomes" (*see* Paragraph No. 1) based upon its claim of being a "competitor" of UGI Gas (*see* Paragraph No. 24 of Section IV).

5. The broadly stated averments in Section IV of the Petition and Protest are intertwined with the much more detailed averments set forth in Section V thereof. BKV chose to file its Petition and Protest in this form and format.

6. Because of the interrelationship between the averments in Sections IV and V of the Petition and Protest, answering all the numbered paragraphs of the Petition and Protest will assist the Administrative Law Judge and the Commission in analyzing the averments made therein.

7. The Commission's regulations at 52 Pa. Code §§ 1.1 *et seq.*, which set forth its Rules of Practice and Procedure, apply to this proceeding.

8. The Commission's regulation at 52 Pa. Code § 1.2(a) provides that its Rules of Practice and Procedure "shall be liberally construed to secure the just, speedy and inexpensive determination of every action or proceeding." To that end, Section 1.2(a) states that the Commission or a presiding Administrative Law Judge "at any stage of an action or proceeding may disregard an error or defect of procedure which does not affect the substantive rights of the parties." Similarly, Section 1.2(c) states that the Commission or a presiding Administrative Law Judge "at any stage of an action or proceeding may waive a requirement of this subpart when necessary or appropriate, if the waiver does not adversely affect a substantive right of a party."

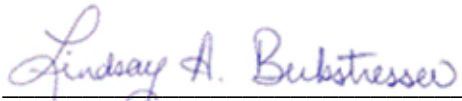
9. There are good and valid reasons, as set forth in Paragraph Nos. 2-6, above, for UGI Gas to file, and the Commission to accept for filing, an Answer to the averments set forth in Section

V of the Petition and Protest. However, the Commission's regulations do not explicitly authorize an Applicant to file an Answer to a Protest. Accordingly, in an abundance of caution and to allay any doubt about the propriety of UGI Gas filing an Answer to the averments set forth in Section V of BKV's consolidated Petition and Protest, UGI Gas is filing this Motion for Leave to file an Answer to those averments.

10. The Prehearing Conference in this case is scheduled for April 15, 2026, and therefore has not yet been held. Pleadings have not yet closed, and various outstanding procedural and substantive matters remain to be addressed by the presiding Administrative Law Judge. Given the early stage of this proceeding and the benefits of UGI Gas filing an Answer to Section V of the Petition and Protest to sharpen and clarify the issues, granting this Motion will not have any adverse effect upon a substantive right of any party. *See* 52 Pa. Code § 1.2(c).

WHEREFORE, UGI Gas respectfully requests that this Motion for Leave to File an Answer to Section V of BKV's Petition and Protest be granted and UGI Gas's Answer and New Matter to all the averments and numbered paragraphs of the Petition and Protest be accepted for filing.

Respectfully submitted,



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Date: March 30, 2026