

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, Pennsylvania 17105-3265

**Pennsylvania Public Utility
Commission, Law Bureau Prosecutory
Staff v. UGI Utilities, Inc.**

**Public Meeting – May 6, 2010
2037411-OSA
Docket No. M-2010-2037411**

DISSENT IN PART OF VICE CHAIRMAN TYRONE J. CHRISTY

During my tenure at the Commission I consistently have advocated that, in lieu of imposing civil penalties on utilities involving violations, or alleged violations, of the Public Utility Code or the Commission's Regulations, the greater public good is served by applying these dollar amounts elsewhere. These monies should be directed toward deserving utility-related social agencies and programs, thereby positively affecting those truly in need. I will continue to advocate for applying these monies to well run programs such as the Dollar Energy Fund and other related programs.

Today the Commission considered the Joint Settlement Agreement (Settlement) filed on January 28, 2010, by UGI Utilities, Inc. (UGI or the Company) and the Commission's Law Bureau Prosecutory Staff (Prosecutory Staff). The Settlement, among other things, provides for a civil penalty of \$15,000.¹

By an Opinion and Order entered March 30, 2009, (March 30 Order), the Commission requested comments on the Settlement.² In a Statement dated March 25, 2010, I expressed my preference to redirect this civil penalty as follows, "... I request that interested parties who submit comments regarding this Settlement address the appropriateness of directing \$15,000 to UGI's Operation Share hardship fund to supplement UGI's existing budget for this program."

I am in the minority today in my desire to redirect this civil penalty. If applied to UGI's Operation Share hardship fund program, this additional funding would help approximately 50 low-income customers maintain their service, assuming an average grant of about \$300. I believe that providing additional assistance to low-income customers is an important consideration, particularly during these tough economic times during which many individuals are

¹ In addition, the Settlement requires that UGI review and modify its Damage Protection Program to address the issues described in the Settlement. The Settlement further requires UGI to review its mapping system to ensure that all UGI-owned master meter operators (up to and including the master meter) are correctly mapped.

² On March 26, 2010, the Dollar Energy Fund filed comments expressing its support for redirecting the civil penalty of \$15,000 to UGI's Operation Share Program in order to supplement the existing program funding for UGI's low-income customers, consistent with my Statement regarding the *March 30, 2010 Order*. On April 19, 2010, the OCA filed Comments to the Settlement supporting my Statement regarding the *March 30, 2010 Order*.

being forced to choose between paying for utility service and paying for other essentials for their families.

I respectfully dissent from the majority's decision to the extent, and for the reasons, discussed above.

DATE

TYRONE J. CHRISTY, VICE CHAIRMAN