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*Attorneys for Centre Park Historic  
District, Inc. and City of Reading*

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CENTRE PARK HISTORIC DISTRICT, :  
INC. :  
 :  
vs. : Docket No. C-2015-2516051  
 :  
UGI UTILITIES, INC. :

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City of Reading, :  
 :  
v. : Docket No. C-2016-2530475  
 :  
UGI Utilities, Inc. :

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**APPLICATION FOR MODIFICATION OF SIXTH PREHEARING ORDER**

**BEFORE ADMINISTRATIVE LAW JUDGE MARY D. LONG:**

Centre Park Historic District, Inc. (“CPHD”) and the City of Reading (“City”), by and through their attorneys, Eastburn and Gray, P.C. and Michael J. Savona, Esquire, Michael E. Peters, Esquire, and Michael T. Pidgeon, Esquire, hereby submit the following Application for Modification of Sixth Prehearing Order, and in support thereof aver as follows:

1. These matters were commenced by formal complaints filed by CPHD and the City on November 25, 2015, and February 17, 2016, respectively, and were consolidated by Order entered March 30, 2016.

2. Prehearing conferences were held on February 11, 2016, March 30, 2016, July 14, 2016, and March 16, 2017.

3. Following the March 16, 2017 prehearing conference, the Honorable Mary D. Long entered her Sixth Prehearing Order, which, *inter alia*, required the City and CPHD to create a spreadsheet containing certain information, and specifically:

That the Complainants will create a spreadsheet which includes a list of the contested meters in historic districts in a format substantially similar to the tables in Exhibit D which was attached to the City of Reading's formal complaint. In addition to the columns included in Exhibit D, the Complainants shall add columns to the table which include 1) the date a permit was issued, if one was issued; and 2) the date the meter was relocated. This spreadsheet shall be served on me and on the other parties on or before **April 20, 2017**.

That the Complainants shall create a spreadsheet which includes a list of the contested meters which are not located in historic districts in a format substantially similar to the tables in Exhibit D which was attached to the City of Reading's formal complaint. In addition to the columns included in Exhibit D, the Complainants shall add columns to the table which include 1) the date a permit was issued, if one was issued; and 2) the date the meter was relocated. The contested meters shall be organized by neighborhood or proximity. This spreadsheet shall be served on me and on the other parties on or before **April 20, 2017**.

4. At the time Judge Long issued her Sixth Prehearing Order, the City and CPHD had already performed a comprehensive survey of the meters at issue in this matter, and had already produced that survey to counsel for UGI. The spreadsheet contains specific details regarding violations of Section 59.18 for each of the relocated meters contested.

5. In compliance with the Sixth Prehearing Order, the City and CPHD have been amending the spreadsheet to include the permit issue date, if any, available for each meter.

6. For most relocations, two permits are required: a Street Cut permit and a Building and Trades Permit.

7. The City maintains issuance dates for Street Cut Permits in an easily manipulated format, that can be exported to an Excel file.

8. The requested chart has been updated to include the issuance date, if any, of all Street Cut Permits for the identified properties.

9. The City does not, however, maintain its Building and Trades Permits in a similar format. To obtain the date for each Building and Trades Permit, a member of City staff must enter an electronic database, search the individual property address, and manually input the date into the requested spreadsheet.

10. Data has been compiled for several hundred meters, but due to City staffing limitations the City and CPHD are concerned that not all Building and Trades Permit dates will be input by the deadline of April 20, 2017.

11. Following consultation with City staff, the City and CPHD believe that a short extension of one week, until April 27, 2017, will permit all available data to be input accurately and completely.

12. As a secondary issue, the City does not keep any record of the “date the meter was relocated”.

13. Although a final inspection may be performed, the date of that final inspection is not recorded. The City does not observe the actual meter relocation/installation.

14. The City is, therefore, without the information needed to provide the requested “date the meter was relocated” and therefore cannot comply with the terms of the Sixth Prehearing Order.

15. This information is more likely within the possession of UGI, if the information exists at all, since UGI contractors performed each and every meter relocation.

16. For the foregoing reasons, the City and CPHD respectfully request that the Sixth Prehearing Order be amended to allow sufficient time for input of all Building and Trades Permit data and so that the City and CPHD are not required to provide the “date the meter was relocated.”

WHEREFORE, the City and CPHD respectfully request that this Honorable Court amend the Sixth Prehearing Order as follows:

- (1) to permit a short extension of time, until April 27, 2017, for submission of the spreadsheet required by the Sixth Prehearing Order, and
- (2) so as not to require the City and CPHD to provide the “date the meter was relocated” on its spreadsheets.

**EASTBURN AND GRAY, P.C.**

/s/ Michael E. Peters

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Dated: April 14, 2017

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**CERTIFICATE OF SERVICE**

It is hereby certified that on April 14, 2017, Michael E. Peters, Esquire served, by electronic mail a true and correct copy of the application on the following:

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EASTBURN AND GRAY, P.C.

/s/ Michael E. Peters

By: \_\_\_\_\_  
Michael E. Peters, Esquire