



COMMONWEALTH OF PENNSYLVANIA

March 6, 2020

E-FILED

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Pennsylvania Public Utility Commission v. Philadelphia Gas Works 2020 Base Rate Filing / Docket No. R-2020-3017206

Dear Secretary Chiavetta:

Enclosed please find the Complaint, Public Statement, and Verification, on behalf of the Office of Small Business Advocate ("OSBA"), in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Daniel G. Asmus".

Daniel G. Asmus
Assistant Small Business Advocate
Attorney ID No. 83789

A handwritten signature in blue ink that reads "Sharon E. Webb".

Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995

Enclosures

cc: Robert D. Knecht
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket Nos. R-2020-3017206
	:	
Philadelphia Gas Works	:	

**COMPLAINT OF THE
SMALL BUSINESS ADVOCATE**

1. The Complainant is:

John R Evans
Small Business Advocate
Forum Building
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525

2. The names and addresses of the Complainant's attorneys are:

Sharon E. Webb
Daniel G. Asmus
Assistant Small Business Advocates
Office of Small Business Advocate
Forum Building
555 Walnut Street, 1st Floor
300 North Second Street
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)
swebb@pa.gov
dasmus@pa.gov

3. The respondent utility is:

Philadelphia Gas Works
800 W. Montgomery Avenue
Philadelphia, PA 19122

4. The Complainant is authorized and directed by the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50, to represent the interests of small business consumers of utility services in matters before the Pennsylvania Public Utility Commission (“Commission”).

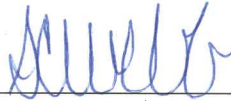
5. This Complaint is filed against the rates, terms, and other provisions of Supplement No. 128 to Philadelphia Gas Work’s Gas Service Tariff –Pa. P.U.C. No. 2 (“Supplement No. 128”), and proposed Supplement No. 85 to Philadelphia Gas Works Supplier Tariff- Pa. P.U.C. No. 1 (“Supplement No. 85”) which were filed on February 28, 2020. The proposed Tariffs, if approved by the Commission, would increase the retail distribution rates of Philadelphia Gas Works (“PGW” or “Company”) by \$70 million per year. After preliminary review of the materials filed by the Company in support of the proposed Tariff, Complainant believes, and therefore avers, that those materials may be insufficient to justify the rate increase requested and that the Company’s present and proposed rates, rules, and conditions of service may be unjust, unreasonable, unduly discriminatory, and otherwise contrary to law, particularly as they pertain to small business customers.

6. Complainant believes, and therefore avers, that PGW’s proposed rates, rate design, and cost and revenue allocation are or may be unjust, unreasonable, and unlawfully discriminatory in violation of, *inter alia*, Sections 1301 and 1304 of the Public Utility Code, 66 Pa.C.S. §§1301 and 1304, and contrary to appropriate public policy and sound ratemaking considerations, and may not be supported by the materials filed by PGW.

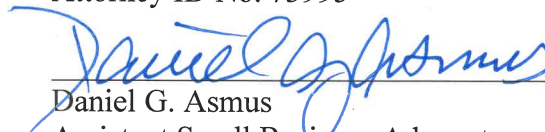
7. In view of the foregoing, the Small Business Advocate respectfully requests that the Pennsylvania Public Utility Commission:

- A. Suspend and investigate the operation of Supplement No. 128 to PGW's Gas Service Tariff –Pa. P.U.C. No. 2;
- B. Suspend and investigate the operation of Supplement No. 85 to PGW's Supplier Tariff –Pa. P.U.C. No. 1;
- B. At the conclusion of such investigation, reject the proposed new rates and other tariff changes in Supplement No. 128 to PGW's Gas Service Tariff – Pa. P.U.C. No. 2, and proposed Supplement No. 85 PGW's Supplier Tariff No. 1, to the extent required to insure that PGW's rates are lawful, just, reasonable, and not unduly discriminatory; and
- C. Grant such other relief as may be necessary or appropriate.

Respectfully submitted,



Sharon E. Webb
Assistant Small Business Advocate
Attorney ID No. 73995



Daniel G. Asmus
Assistant Small Business Advocate
Attorney ID No. 83789

For: John R. Evans
Small Business Advocate

Office of Small Business Advocate
Forum Place
555 Walnut Street, 1st Floor
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)

Dated: March 6, 2020

rate increase indicates that the costs claimed by the utility for ratemaking purposes may be excessive. A thorough inquiry by the Commission into all elements of PGW's request for a rate increase is necessary to ensure that PGW's rates, including any new rates that may result from this proceeding, are just, reasonable, and non-discriminatory.

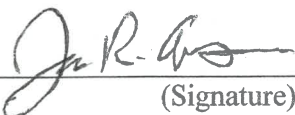
In view of the foregoing, the Small Business Advocate will participate in proceedings before the Commission to investigate the reasonableness of the proposed rates in PGW's Tariff No. 2 ("Supplement No. 128") and PGW's Supplier Tariff No. 85 ("Supplement No. 85"). The Small Business Advocate will ask the Commission to deny any proposed rate increase or other changes in PGW's present tariffs that apply to small business customers that are not proven by PGW to be lawful, just, reasonable and non-discriminatory.

Dated: March 6, 2020

VERIFICATION

I, John R. Evans, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: 03/06/20



(Signature)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :
 :
 v. : **Docket No. R-2020-3017206**
 :
 Philadelphia Gas Works :

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email and/or First-Class mail (*unless otherwise noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Tanya J. McCloskey, Esquire
Acting Consumer Advocate
Office of Consumer Advocate
555 Walnut Street, 5th Floor
Harrisburg, PA 17101
tmccloskey@paoca.org
(Counsel for OCA)

Richard Kanaskie, Esquire
Bureau of Investigation & Enforcement
400 North Street
Commonwealth Keystone Building
Harrisburg, PA 17120
rkanaskie@pa.gov
(Counsel for BIE)
(Counsel for PGW)


Daniel Clearfield, Esquire
Sarah Stoner, Esq.
Eckert Seamans Cherin & Mellott, LLC
213 Market Street
8th Floor
Harrisburg, PA 17101
dclearfield@eckertseamans.com
sstoner@eckertseamans.com
(Counsel for PGW)

Gregory J. Stunder
Vice President, Regulatory &
Legislative Affairs
Philadelphia Gas Works
800 West Montgomery Avenue
Philadelphia, PA 19122
Gregory.Stunder@pgworks.com

Graciela Christlieb, Esquire
Legal Department, PGW
800 W. Montgomery Ave
Philadelphia, PA 19122
Graciela.christlieb@pgworks.com

The Honorable Charles E. Rainey Jr.
Chief Administrative Law Judge
Pennsylvania Public Utility Commission
400 North Street
Commonwealth Keystone Building
Harrisburg, PA 17120
crainey@pa.gov

DATE: March 06, 2020


Sharon E. Webb Attorney ID No. 73955
Daniel G. Asmus Attorney ID No. 83789
Assistant Small Business Advocates