

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2020- 3017206
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	:	
Office of Consumer Advocate	:	C-2020-3019161
Office of Small Business Advocate	:	C-2020-3019100
Philadelphia Industrial and Commercial Gas User Group	:	C-2020-3019430
	:	
v.	:	
	:	
Philadelphia Gas Works	:	

**Prehearing Memorandum of the Tenant Union Representative Network  
and Action Alliance of Senior Citizens of Greater Philadelphia**

On April 16, 2020, Administrative Law Judges Darlene Heep and Marta Guhl issued a Prehearing Conference Order setting a telephonic prehearing conference for Tuesday, May 5, 2020 at 2:00pm, and requiring parties to file a Prehearing Memorandum no later than 11:00 am on Thursday, April 30, 2020. In response, the Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia (“TURN *et al.*”), through their attorneys at Community Legal Services, Inc., hereby file this Prehearing Conference Memorandum.

**I. Background**

On February 28, 2020, Philadelphia Gas Works (PGW) filed a request with the PUC to increase the distribution base rates charged to PGW’s residential, commercial and industrial customers. In its filing, PGW proposed to increase its distribution rates by approximately \$70 million per year, effective April 28, 2020. On April 10, 2020, TURN *et al.* filed a Petition to Intervene in this proceeding.

On April 16, 2020, the Commission entered a suspension and investigation Order suspending the PGW tariff by operation of law, and opening an investigation to determine the lawfulness, justness, and reasonableness of the rates, rules, and regulations contained therein.

**II. Discovery**

TURN *et al.* will work with the parties to develop appropriate modification to discovery rules that support the robust exchange of all relevant information.

**III. Settlement**

TURN *et al.* are willing and ready to engage in settlement discussions in an attempt to resolve or narrow the issues in this proceeding, with any and all parties, and encourage the parties to engage in settlement early in the process.

**IV. Issues to be Presented**

TURN *et al.* have preliminarily reviewed PGW's rate filing, and have tentatively identified the following issues:

1. Whether a rate increase will result in unjust and unreasonable rates for Philadelphia's tenants, seniors, and low-income residential customers and consumers, based on all relevant factors;
2. Whether PGW's proposal to increase its residential customer charge to \$19.25 is just and reasonable;
3. Whether PGW's proposal to increase the residential volumetric charge by approximately 11.2% is just and reasonable;
4. Whether PGW's request is reasonable in light of other non-base rate revenues, opportunities for other revenues, and/or reductions in operating expenses;
5. Whether a rate increase is justified given the quality of PGW's customer service;

6. Whether PGW's universal service program rules, policies and practices have been successful in mitigating the impact of PGW's high rates on low-income customers; and,

7. Whether PGW's termination and reconnection practices, payment agreement requirements, and collections policies, have impeded access to service.

TURN *et al.* reserve the right to examine any other issues that arise in the course of this proceeding.

**V. Witnesses and Testimony**

TURN *et al.* reserve the right to present the following witness to testify in this matter, as well as the right to call additional or substitute witnesses as may be warranted upon proper notice to Your Honors and the parties:

Harry S. Geller, Esq.  
118 Locust Street  
Harrisburg, PA 17101  
717-576-2282  
hgellerpulp@palegalaid.net

Mr. Geller may address some of the issues identified above and any other issues that may arise in the course of this proceeding.

**VI. Proposed Schedule**

TURN *et al.* have been in discussions with the parties regarding a schedule for this proceeding. TURN *et al.* are willing to continue discussions with Your Honors and the parties to establish a reasonable litigation schedule, including a schedule for written testimony and public input hearings. The schedule should provide adequate time and opportunity for a thorough analysis of PGW's filing and any discovery requests. TURN *et al.* are aware of the Expedited Motion of the Bureau of Investigation and Enforcement to Extend the Statutory Suspension Period, filed April 29, 2020 in this proceeding. TURN *et al.* reserve the right to file a separate

Answer to that motion, but note its support for an extended timeframe for this proceeding to allow PGW and the parties to assess the economic impact of COVID-19 on the proposed rates.

**VII. Public Input Hearings**

TURN *et al.* support the scheduling of public input hearings to receive testimony directly from customers and other interested parties about PGW's rate case filing. In light of the ongoing COVID-19 pandemic, TURN *et al.* submit that a telephonic or remote hearing process should be established to protect the public health and ensure robust public participation in this proceeding.

**VIII. Evidentiary Hearings**

In light of the ongoing COVID-19 pandemic, TURN *et al.* submit that a telephonic or remote process should be established for any evidentiary hearings in this proceeding. TURN *et al.*'s witness has indicated that he is unable to attend an in person technical hearing in this matter under the current circumstances. Should in-person hearings be tentatively scheduled, TURN *et al.* submit that continuing flexibility will be necessary given the ever-changing public health concerns and guidance regarding travel and social distancing due to the ongoing pandemic.

**Service on TURN *et al.***

TURN *et al.* are represented by the attorneys at Community Legal Services, Inc.

Electronic service of all documents should be served on TURN *et al.* as follows:

Josie B. H. Pickens, Esquire  
Joline R. Price, Esquire  
Robert W. Ballenger, Esquire

COMMUNITY LEGAL SERVICES, INC.

1410 West Erie Avenue

Philadelphia, PA 19140

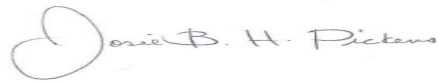
Telephone: 215-227-4378

Facsimile: 215-981-0435

E-mail: [jpickens@clsphila.org](mailto:jpickens@clsphila.org); [jprice@clsphila.org](mailto:jprice@clsphila.org); [rballenger@clsphila.org](mailto:rballenger@clsphila.org)

WHEREFORE, TURN *et al.* respectfully submit this Prehearing Conference  
Memorandum.

Respectfully submitted,

A handwritten signature in cursive script that reads "Josie B. H. Pickens".

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Josie B. H. Pickens, Esquire (Attorney ID: 309422)  
Joline R. Price, Esquire (Attorney ID: 315405)  
Robert W. Ballenger, Esquire (Attorney ID: 93434)

Counsel for TURN *et al.*

COMMUNITY LEGAL SERVICES, INC.  
1410 West Erie Avenue  
Philadelphia, PA 19140  
Telephone: 215-227-4378  
Facsimile: (215) 599-1711 (fax)

April 30, 2020

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	:	
Philadelphia Gas Works	:	

**Certificate of Service**

I hereby certify that I have this day served copies of the **Prehearing Memorandum of Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia** upon the parties of record in the above captioned proceeding in accordance with the requirements of 52 Pa. Code §1.54 in the manner and upon the persons listed below.

**VIA EMAIL**

Gregory J. Stunder, Esq.  
Philadelphia Gas Works  
800 West Montgomery Avenue  
Philadelphia, PA 19122  
[Greg.Stunder@pgworks.com](mailto:Greg.Stunder@pgworks.com)

Darryl A. Lawrence, Esq.  
Christy M. Appleby, Esq.  
Santo G. Spataro, Esq.  
Office of Consumer Advocate  
555 Walnut Street  
Forum Place, 5<sup>th</sup> Floor  
Harrisburg, PA 17101-1923  
[OCAPGW2020@paoca.org](mailto:OCAPGW2020@paoca.org)

Sharon E. Webb, Esq.  
Daniel G. Asmus, Esq.  
Office of Small Business Advocate  
555 Walnut Street  
Forum Place, 1<sup>st</sup> Floor  
Harrisburg, PA 17101  
[swebb@pa.gov](mailto:swebb@pa.gov)  
[dasmus@pa.gov](mailto:dasmus@pa.gov)

Daniel Clearfield, Esq.  
Sarah Stoner, Esq.  
Eckert Seamans Cherin & Mellott, LLC  
213 Market Street  
8<sup>th</sup> Floor  
Harrisburg, PA 17101  
[dclearfield@eckertseamans.com](mailto:dclearfield@eckertseamans.com)  
[sstoner@eckertseamans.com](mailto:sstoner@eckertseamans.com)

John W. Sweet, Esq.  
Elizabeth R. Marx, Esq.  
Ria M. Pereira, Esq.  
Pennsylvania Utility Law Project  
118 Locust Street  
Harrisburg, PA 17101  
[pulp@palegalaid.net](mailto:pulp@palegalaid.net)

Charis Mincavage, Esq.  
Adeolu A. Bakare, Esq.  
Jo-Anne Thompson, Esq.  
McNees Wallace & Nurick LLC  
100 Pine Street  
P.O. Box 1166  
[cmincavage@mcneeslaw.com](mailto:cmincavage@mcneeslaw.com)  
[abakare@mcneeslaw.com](mailto:abakare@mcneeslaw.com)  
[jthompson@mcneeslaw.com](mailto:jthompson@mcneeslaw.com)

Graciela Christlieb, Esq.  
Philadelphia Gas Works  
800 West Montgomery Avenue  
Philadelphia, PA 19122  
[Graciela.christlieb@pgworks.com](mailto:Graciela.christlieb@pgworks.com)

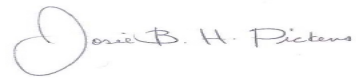
Carrie B. Wright, Esq.  
Bureau of Investigation & Enforcement  
PA Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
P.O. Box 3265  
Harrisburg, PA 17105  
[carwright@pa.gov](mailto:carwright@pa.gov)

Robert D. Knecht  
Industrial Economics Incorporated  
2067 Massachusetts Avenue  
Cambridge, MA 02140  
[rdk@indecon.com](mailto:rdk@indecon.com)

Todd S. Stewart, Esq.  
Hawke McKeon & Sniscak LLP  
100 North Tenth Street  
Harrisburg, PA 17101  
[Tsstewart@hmslegal.com](mailto:Tsstewart@hmslegal.com)

Honorable Darlene Heep  
Honorable Marta Guhl  
PA Public Utility Commission  
Suite 4063  
801 Market Street  
Philadelphia, PA 19107  
[dheep@pa.gov](mailto:dheep@pa.gov)  
[mguhl@pa.gov](mailto:mguhl@pa.gov)

Respectfully submitted,

A handwritten signature in cursive script that reads "Josie B. H. Pickens".

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Josie B. H. Pickens, Esquire  
Attorney for TURN *et al.*  
COMMUNITY LEGAL SERVICES, INC.  
1410 West Erie Avenue  
Philadelphia, PA 19140  
(215) 227-4378

April 30, 2020