**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission : R-2022-3031211

Office of Small Business Advocate : C-2022-3031632

Office of Consumer Advocate : C-2022-3031767

Pennsylvania State University : C-2022-3031957

Jose A. Serrano : C-2022-3031821

Constance Wile : C-2022-3031749

:

:

v. :

:

Columbia Gas of Pennsylvania, Inc :

**PREHEARING CONFERENCE ORDER**

On March 18, 2022, Columbia Gas of Pennsylvania, Inc. (Columbia), filed Supplement No. 337 to Tariff Gas Pa. P.U.C. No. 9 to become effective May 17, 2022, containing proposed changes in rates, rules, and regulations calculated to produce $82.2 million in additional annualrevenues. Under the proposed increase, the total bill for a residential customer who purchases 70 therms of gas from Columbia per month, would increase from $123.24 to $135.67 per month, or by 10.09%.

On March 22, 2022, Erika L. McLain, Esq., entered a Notice of Appearance on behalf of the Commission’s Bureau of Investigation and Enforcement (I&E).

On March 28, 2022, the Office of Small Business Advocate (OSBA) filed a Verification, Public Statement, a Notice of Appearance on behalf of Steven C. Gray, Esq., and a formal Complaint. The Complaint was docketed at C-2022-3031632.

On April 1, 2022, Jose A. Serrano filed a formal Complaint to the proposed rate increase. The Complaint was docketed at C-2022-3031821.

On April 4, 2022, Constance Wile filed a formal Complaint to the proposed rate increase. The Complaint was docketed at C-2022-3031749.

On April 5, 2022, the Office of Consumer Advocate (OCA) filed a Public Statement, a Notice of Appearance on behalf of Aron Beatty, Esq., Barrett C. Sheridan, Esq., Harrison W. Breitman, Esq., and Lauren E. Guerra, Esq., and a formal Complaint. The Complaint was docketed at C-2022-3031767.

On April 11, 2022, the Retail Energy Supply Association, Shipley Choice, LLC, and NRG Energy, Inc. filed a Petition to Intervene in this proceeding.

On April 12, 2022, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) filed a Petition to Intervene in this proceeding.

By Order entered on April 14, 2022, the Pennsylvania Public Utility Commission (Commission) instituted an investigation into the lawfulness, justness, and reasonableness of the proposed rate increase. Pursuant to Section 1308(d) of the Public Utility Code,

66 Pa. C.S.A. § 1308(d), Supplement No. 337 to Tariff Gas Pa. P.U.C. No. 9 was suspended by operation of law until December 17, 2022, unless permitted by Commission Order to become effective at an earlier date. In addition, the Commission ordered that the investigation include consideration of the lawfulness, justness, and reasonableness of Columbia’s existing rates, rules, and regulations. The matter was assigned to the Office of Administrative Law Judge for the prompt scheduling of hearings culminating in the issuance of a Recommended Decision.

In accordance with the Commission’s April 14, 2022 Order, the matter was assigned to Deputy Chief Administrative Law Judge Christopher P. Pell.

On April 15, 2022, the Pennsylvania State University filed a formal Complaint to the proposed rate increase. The Complaint was docketed at C-2022-3031957.

A Prehearing Conference is scheduled in this case for **Friday, April 29, 2022 at 9:00 a.m.** To participate in the hearing, you must dial the toll-free number listed below. You will be prompted to enter a PIN number, which is also listed below. You will be asked to speak your name and then the telephone system will connect you to the hearing.

Toll-free Bridge Number: 1.866.421.8851

PIN Number: 66640466

**You must call into the conference on the scheduled day and time. Failure of any party to attend the prehearing conference without good cause shall constitute a waiver of all objections to the agreements reached and matters decided at the prehearing conference. You will not be called by the Administrative Law Judge.**

The parties are hereby directed to comply with the following requirements:

1. That a request for a change of the scheduled Prehearing Conference date must state the agreement or opposition of other participants and must be submitted in writing no later than five (5) days prior to the Prehearing Conference. 52 Pa.Code § 1.15(b). Requests for changes of the Prehearing Conference date must be sent to me and all participants of record. My correct address is:

Commonwealth of Pennsylvania

Pennsylvania Public Utility Commission

801 Market Street, Suite 4063

Philadelphia, PA 19107

Telephone: 215-560-2105

Fax: 215-560-3133

1. That absent a continuance for good cause, all parties must be prepared to participate in the scheduled Prehearing Conference. Failure of a party to participate in the conference, after being served with notice of the date, time, and location thereof, without good cause shown, shall constitute a waiver of all objections to the agreements reached, and an order or ruling with respect thereto.
2. That the Commission’s regulation concerning prehearing conferences in rate proceedings is located at 52 Pa.Code § 5.224. Accordingly, we will discuss the following:
3. A proposed plan and schedule of discovery;
4. Possibility of settlement;
5. Issues;
6. Amount of hearing time needed;
7. Witnesses;
8. Schedule for submission of testimony, hearings, and briefs;
9. Public Input hearings; and
10. Any other appropriate matter.
11. That each active participant must file and serve, on or before 12:00 p.m., Wednesday, April 27, 2022, a prehearing conference memorandum which sets forth the history of these proceedings and addresses the agenda items listed above. **If more than one attorney represents a party, your prehearing memorandum should identify one attorney who will speak as the lead attorney for the purposes of the prehearing conference.** The following is my proposed schedule for hearings and briefs:

Hearings for cross-examination of all Week of August 1, 2022

witnesses, oral rebuttal/surrebuttal

Close of Record Thursday, August 4, 2022

Main Briefs Due Wednesday, August 24, 2022

Reply Briefs Due Friday, September 2, 2022

Public Meeting Thursday, December 8, 2022

End of Suspension Saturday, December 17, 2022

1. That the parties shall review the regulations relating to discovery, specifically 52 Pa.Code § 5.331(b), which provides, inter alia, that “[a] party shall initiate discovery as early in the proceeding as reasonably possible,” and 52 Pa.Code § 5.322, which encourages participants to exchange information on an informal basis. All participants are urged to cooperate in discovery. There are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa.Code §§ 5.361, 5.371-372.
2. That pursuant to 52 Pa.Code §§ 1.21-1.23, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted pro hac vice, represent you. However, if you are a partnership, corporation, trust, association, joint venture, other business organization, trust, trustee, legal representative, receiver, agency, governmental entity, municipality, or other political subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania or admitted pro hac vice represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall ensure that their appearance is entered in accordance with the provisions of 52 Pa.Code § 1.24(b).
3. That the parties must serve me directly with a copy of any document that they file in this proceeding. Also, if a party sends me any correspondence or document, that party must send a copy to all other parties that have declared they are actively participating in these proceedings. Parties may serve documents electronically by 4:30 p.m. to meet any required due date. Since documents can be submitted to me and the participants by e-mail, e-mail addresses are included on the attached service list. Please check the list for omissions and errors and contact my office to make corrections. My e-mail address is [CPell@pa.gov](mailto:CPell@pa.gov).
4. That the parties shall stipulate to any matters they reasonably can to expedite this proceeding, lessen the burden of time and expense in litigation on all parties and conserve precious administrative hearing resources. 52 Pa.Code §§ 5.232 and 5.234. All stipulations entered into by the parties shall be reduced to writing, signed by the parties to be bound thereby, and moved into the record during the hearings in this case. An exception to this requirement may occur when circumstances warrant. If so, an oral presentation of a stipulation is permissible, if it is followed by a reduction to writing as herein directed.
5. That the parties are to confer amongst themselves in an attempt to resolve all or some of the issues associated with this filing. The parties are reminded it is the Commission’s policy to encourage settlements. 52 Pa.Code § 5.231(a). The parties are strongly urged to seriously explore this possibility.

Date: April 20, 2022 /s/

Christopher P. Pell

Deputy Chief Administrative Law Judge

Pennsylvania Public Utility Commission v. Columbia Gas of Pennsylvania, Inc.

Docket Number R-2022-3031211

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