



August 15, 2023

**Via Electronic Filing**

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

**Re: Petition of Philadelphia Gas Works for Approval of Demand-Side Management Plan for FY 2024-2026; Philadelphia Gas Works Universal Service and Energy Conservation Plan for 2014-2016, 52 Pa. Code § 62.4 – Request for Waiver  
*Docket No. P-2014-2459362***

Dear Secretary Chiavetta:

Please find the attached *Prehearing Memorandum of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania* in the above referenced proceeding.

As indicated on the attached Certificate of Service, service on the parties was accomplished by email only.

Respectfully,



John W. Sweet, Esq.  
*Counsel for CAUSE-PA*

CC: *Administrative Law Judge F. Joseph Brady (via email)*  
*Certificate of Service*

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Philadelphia Gas Works for	:	
Approval of Demand-Side Management	:	
Plan for FY 2024-2026	:	
	:	P-2014-2459362
Philadelphia Gas Works Universal Service	:	
and Energy Conservation Plan for 2014-2016,	:	
52 Pa. Code § 62.4 – Request for Waivers	:	

---

**PREHEARING MEMORANDUM  
OF THE COALITION FOR AFFORDABLE UTILITY SERVICES  
AND ENERGY EFFICIENCY IN PENNSYLVANIA**

---

On August 3, 2023, The Honorable F. Joseph Brady, Administrative Law Judge, issued a Prehearing Conference Order setting a telephonic prehearing conference for August 16, 2023, at 10 a.m. in the above captioned matter, and requiring the submission of a prehearing conference memorandum on or before noon on Tuesday, August 15, 2023. In response, the Coalition for Affordable Utility Services and Energy Efficiency (CAUSE-PA), through its counsel at the Pennsylvania Utility Law Project, hereby files this Prehearing Conference Memorandum.

**I. Background**

On June 16, 2023, Philadelphia Gas Works (“PGW” or “Company”) filed a Demand Side Management Implementation Plan for Fiscal Years 2024-2026 (“FY24-26 Plan”) in the above referenced docket, which described program budgets and implementation details that PGW will follow to implement its EnergySense Demand-Side Management Portfolio from September 1, 2023, to August 31, 2026. PGW filed this DSM Implementation Plan at its 2014 Docket (captioned above), through which PGW’s prior DSM Plan for 2016-2020 was reviewed and approved.

CAUSE-PA was an active party in the above captioned docket with regard to the review and approval of PGW's DSM Plan for 2016-2020.

On August 3, 2023, The Honorable F. Joseph Brady, Administrative Law Judge, issued a Prehearing Conference Order setting a telephonic prehearing conference for August 16, 2023, at 10 a.m.

On July 5, 2023, CAUSE-PA filed a Petition to Intervene requesting that it be granted full, active party status in the Commission's review of PGW's DSP Implementation Plan for Fiscal Years 2024-2026.

## **II. Issues to be Presented**

CAUSE-PA preliminarily reviewed PGW's Petition and Plan and has identified a number of issues presented by the filing which potentially affect its members. CAUSE-PA anticipates that additional issues may arise as a more comprehensive review of the Petition and Plan is undertaken, stakeholder collaborative meetings continue, discovery is conducted, and testimony is provided and reviewed. Among the issues identified by CAUSE-PA include:

1. Whether PGW's proposed enhanced rebates for low income customers will provide an actual accessible benefit considering the prohibitive upfront cost of measures.
2. Whether PGW's proposed DSM IV will provide an appropriate level of benefits to properly incentivize adoption of energy efficiency measures in multifamily buildings.
3. Whether PGW has proposed an appropriate and equitable program budget to ensure that all PGW customers, including those of limited economic means, will be able to reasonably and equitably access programming under the DSM Implementation Plan.
4. Whether PGW offers a proportionate level of programming within its voluntary DSM for

PGW's low income consumers.<sup>1</sup>

5. Whether PGW's reliance on gas equipment rebates (as opposed to building shell measures) is just, reasonable, and equitable.
6. Whether PGW's proposal contains adequate plans for coordination with other necessary entities and complementary weatherization and energy efficiency programming.

### **III. Witnesses and Testimony**

CAUSE-PA is working to identify an expert witness for this case, and will provide prompt notice to Your Honor and the parties upon identification.

### **IV. Proposed Schedule**

CAUSE-PA is currently engaged with the other parties in discussions about a mutually agreeable procedural schedule. In the event that the parties are unable to agree upon a procedural schedule, CAUSE-PA recommends the following:

<b>Item</b>	<b>Date</b>
Prehearing Conference	August 16, 2023
PGW Direct Testimony	September 27, 2023
Non-Company Direct Testimony	November 13, 2023
Rebuttal Testimony	December 14, 2023
Surrebuttal Testimony	January 11, 2024
Evidentiary Hearings/Rejoinder	January 17-18, 2024
Main Briefs	February 20, 2024
Reply Briefs	March 12, 2024

### **V. Service on CAUSE-PA**

CAUSE-PA is represented in this proceeding by:

John W. Sweet, Esq., PA ID: 320182  
Elizabeth R. Marx, Esq., PA ID: 309014  
Ria M. Pereira, Esq., PA ID: 316771  
Lauren N. Berman, Esq., PA ID: 310116

---

<sup>1</sup> See 66 Pa. C.S. § 2806.1(b)(i)(G).

**Pennsylvania Utility Law Project**

118 Locust Street

Harrisburg, PA 17101

Telephone: 717-236-9486

Facsimile: 717-233-4088

E-mail: [pulp@pautilitylawproject.org](mailto:pulp@pautilitylawproject.org)

Counsel for CAUSE-PA consents to the service of documents by electronic mail to [pulp@pautilitylawproject.org](mailto:pulp@pautilitylawproject.org) as provided in 52 Pa. Code § 1.54(b)(3).

**VI. Discovery**

CAUSE-PA is not proposing any discovery modifications at this time.

**VII. Settlement**

CAUSE-PA is 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 encourages the parties to engage in settlement early in the process.

Respectfully submitted,

**PENNSYLVANIA UTILITY LAW PROJECT**  
*Counsel for CAUSE-PA*



---

John W. Sweet, Esq., PA ID: 320182  
Elizabeth R. Marx, Esq., PA ID: 309014  
Ria M. Pereira, Esq., PA ID: 316771  
Lauren N. Berman, Esq., PA ID: 310116  
118 Locust Street  
Harrisburg, PA 17101  
Tel.: 717-236-9486  
[pulp@pautilitylawproject.org](mailto:pulp@pautilitylawproject.org)

Date: August 15, 2023.

**BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Philadelphia Gas Works for	:	
Approval of Demand-Side Management	:	
Plan for FY 2024-2026	:	
	:	P-2014-2459362
Philadelphia Gas Works Universal Service	:	
and Energy Conservation Plan for 2014-2016,	:	
52 Pa. Code § 62.4 – Request for Waivers	:	

---

**Certificate of Service**

I hereby certify that I have this day served copies of the **Prehearing Memorandum of the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania** upon the parties of record in the above captioned proceeding in accordance with the requirements of 52 Pa. Code § 1.54.

**VIA EMAIL**

The Honorable F. Joseph Brady  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
801 Market Street, Suite 4063  
Philadelphia, PA 19107  
[fbrady@pa.gov](mailto:fbrady@pa.gov)

Daniel Clearfield, Esq.  
Deanne M. O’Dell, Esq.  
Lauren M. Burge, Esq.  
Eckert Seamans Cherin & Mellott, LLC  
213 Market Street  
8th Floor  
Harrisburg, PA 17101  
[dclearfield@eckertseamans.com](mailto:dclearfield@eckertseamans.com)  
[dodell@eckertseamans.com](mailto:dodell@eckertseamans.com)  
[lburge@eckertseamans.com](mailto:lburge@eckertseamans.com)

Christy M. Appleby, Esq.  
Laura J. Antinucci, Esq.  
Darryl A. Lawrence, Esq.  
Office of Consumer Advocate  
555 Walnut Street, 5<sup>th</sup> Floor  
Harrisburg, PA 17101-1923  
[cappleby@paoca.org](mailto:cappleby@paoca.org)  
[dlawrence@paoca.org](mailto:dlawrence@paoca.org)  
[lantinucci@paoca.org](mailto:lantinucci@paoca.org)

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

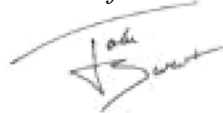
Carrie B. Wright, Esq.  
Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor  
Harrisburg, PA 17120  
[carwright@pa.gov](mailto:carwright@pa.gov)

Joline Price, Esq.  
Robert W. Ballenger, Esq.  
Daniela Rakhilins Powsner, Esq.  
Community Legal Services, Inc.  
1424 Chestnut Street  
Philadelphia, PA 19102  
[jprice@clsphila.org](mailto:jprice@clsphila.org)  
[rballenger@clsphila.org](mailto:rballenger@clsphila.org)  
[drp@clsphila.org](mailto:drp@clsphila.org)

Joseph Minott, Esq.  
Logan Welde, Esq.  
Clean Air Council of Philadelphia  
135 South 19th St., Suite 300  
Philadelphia, PA 19103  
[joe\\_minott@cleanair.org](mailto:joe_minott@cleanair.org)  
[lwelde@cleanair.org](mailto:lwelde@cleanair.org)

Charis Mincavage, Esq.  
Adelou Bakare, Esq.  
Jo-Anne Thompson, Esq.  
McNEES, WALLACE, NURICK  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
[cmincava@mwn.com](mailto:cmincava@mwn.com)  
[ABakare@mwn.com](mailto:ABakare@mwn.com)  
[jthompson@mcneeslaw.com](mailto:jthompson@mcneeslaw.com)

Respectfully Submitted,  
**PENNSYLVANIA UTILITY LAW PROJECT**  
*Counsel for CAUSE-PA*



John W. Sweet, Esq., PA ID 320182  
118 Locust Street  
Harrisburg, PA 17101  
717-710-3825  
[pulp@pautilitylawproject.org](mailto:pulp@pautilitylawproject.org)

August 15, 2023.