**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

Columbia Industrial Intervenors : C-2022-3032178

Jose A. Serrano : C-2022-3031821

Constance Wile : C-2022-3031749

Richard C. Culbertson : C-2022-3032203

 :

 v. :

 :

Columbia Gas of Pennsylvania, Inc :

**ORDER ADMITTING LATE IDENTIFIED EVIDENCE**

**OF THE RESA/NGS PARTIES**

On March 18, 2022, Columbia Gas of Pennsylvania, Inc. (Columbia or Respondent), 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. Columbia’s filing is docketed at R-2022-3031211.

 On March 22, 2022, Erika L. McLain, Esq., entered a Notice of Appearance at docket number R-2022-3031211 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 to the proposed rate increase at docket number R-2022-3031211. The Complaint was docketed at C-2022-3031632.

 On April 1, 2022, Jose A. Serrano filed a formal Complaint to the proposed rate increase at docket number R-2022-3031211. The Complaint was docketed at C-2022-3031821.

On April 4, 2022, Constance Wile filed a formal Complaint to the proposed rate increase at docket number R-2022-3031211. 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 to the proposed rate increase at docket number R-2022-3031211. The Complaint was docketed at C-2022-3031767.

 On April 8, 2022, the Pennsylvania Weatherization Providers Task Force, Inc. (Task Force) filed a Petition to Intervene at docket number R-2022-3031211.

 On April 11, 2022, the Retail Energy Supply Association, Shipley Choice, LLC, and NRG Energy, Inc. (RESA/NGS Parties) filed a Petition to Intervene at docket number R-2022-3031211.

 On April 12, 2022, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) filed a Petition to Intervene at docket number R-2022-3031211.

 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 at docket number R-2022-3031211. 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 at docket number R-2022-3031211 was assigned to Deputy Chief Administrative Law Judge Christopher P. Pell.

 On April 15, 2022, the Pennsylvania State University (PSU) filed a formal Complaint to the proposed rate increase at docket number R-2022-3031211. The Complaint was docketed at C-2022-3031957.

 On April 27, 2022, the Columbia Industrial Intervenors (CII) filed a formal Complaint to the proposed rate increase at docket number R-2022-3031211. The Complaint was docketed at C-2022-3032178.

 Also on April 27, 2022, The Natural Resources Defense Council (NRDC) filed a Petition to Intervene at docket number R-2022-3031211.

 On April 28, 2022, Richard C. Culbertson filed a formal Complaint to the proposed rate increase at docket number R-2022-3031211. The Complaint was docketed at C-2022-3032203.

 A Call-in Telephonic Prehearing Conference for the proceeding at docket number R-2022-3031211 was held on April 29, 2022. Counsel for Columbia, I&E, OCA, OSBA, PSU, the Pennsylvania Weatherization Provider’s Task Force, Inc., RESA/NGS Parties, CAUSE-PA, NRDC, CII, and Richard C. Culbertson participated.

 On May 2, 2022, Administrative Law Judge John Coogan was assigned to co-preside at the proceeding docketed at R-2022-3031211.

 On May 3, 2022, we issued Prehearing Order #1 for the proceeding at docket number R-2022-3031211. Prehearing Order #1 granted the Petitions to Intervene of the Pennsylvania Weatherization Task Force, Inc., the RESA/NGS Parties and CAUSE-PA, and established a schedule for the submission of pre-served testimony and scheduled evidentiary hearings for August 2, 3, and 4, 2022.

 On May 6, 2022, Columbia filed a Motion for Protective Order at docket number R-2022-3031211.

 On May 11, 2022, we issued Prehearing Order #2 granting Columbia’s Motion for Protective Order at docket number R-2022-3031211.

By Prehearing Order #4 dated May 17, 2022, we granted NRDC’s Petition to Intervene.

On May 31, 2022, a telephonic Public Input Hearing was held at 6:00 p.m. One person registered to provide testimony during that Public Input Hearing but that person failed to call in as scheduled.

On June 1, 2022, a second telephonic Public Input Hearing was held at 6:00 p.m. Two people registered to provide testimony during this Public Input Hearing. Both people called in and provided sworn testimony.

At the request of the parties, the hearing scheduled for August 2, 2022 was cancelled to allow the parties additional time for settlement negotiations.

The evidentiary hearing was held as scheduled on August 3, 2022. During the hearing, the RESA/NGS Parties cross-examined one Columbia witness. All other witnesses were excused from appearing at the hearing since no parties requested to cross examine them, and also because we did not have questions for them. Columbia, OCA, I&E, OSBA, RESA/NGS Parties, PSU, the Task Force, CAUSE-PA and CII each moved to have their witnesses’ testimonies and exhibits entered into the record. As there were no objections, all parties’ testimonies and exhibits were admitted into the record during the hearing.

After the conclusion of the evidentiary hearing on August 3, 2022, we received an e-mail from counsel for the RESA/NGS Parties, advising us that the RESA/NGS Parties’ pre-served Exhibit DC-5 was omitted from the list of documents that the RESA/NGS Parties moved for admission into the record at the evidentiary hearing. Counsel for the RESA/NGS Parties stated that Exhibit DC-5 was provided to parties along with surrebuttal testimony, and counsel for the RESA/NGS Parties requested that Exhibit DC-5 be admitted into the record. By e-mail, we instructed parties to let us know by 2 p.m. on August 3, 2022 if there were any objections to the RESA/NGS Parties’ request that the late-identified Exhibit DC-5 be admitted into the record. We received no objections. Therefore, the RESA/NGS Parties’ Exhibit DC-5 is admitted into the record of this proceeding.

THEREFORE,

 IT IS ORDERED:

1. That the RESA/NGS Parties’ Exhibit DC-5 is admitted into the record of the proceeding at docket number R-2022-3031211.

Date: August 4, 2022 /s/

 Christopher P. Pell

 Deputy Chief Administrative Law Judge

 /s/

 John Coogan

 Administrative Law Judge

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

Docket Number R-2022-3031211

SERVICE LIST

Amy E. Hirakis, Esquire

ahirakis@nisource.com

Candis A. Tunilo, Esquire

ctunilo@nisource.com

NiSource Corporate Services Co.

800 N. Third St., Suite 204

Harrisburg, PA 17102

*Counsel for Columbia Gas*

Theodore J. Gallagher, Esquire

tjgallagher@nisource.com

Columbia Gas of Pennsylvania, Inc.

121 Champion Way, Suite 100

Canonsburg, PA 15313

*Counsel for Columbia Gas*

Michael W. Hassell, Esquire

mhassell@postschell.com

Lindsey A. Berkstresser, Esquire

lberkstresser@postschell.com

Post & Schell PC

17 North Second Street, 12th Floor

Harrisburg, PA 17101-1601

*Counsel for Columbia Gas*

Erika L. McLain, Esquire

ermclain@pa.gov

Bureau of Investigation & Enforcement

PA Public Utility Commission

400 North Street

Harrisburg, PA 17120

Steven C. Gray, Esquire

sgray@pa.gov

Office of Small Business Advocate

555 Walnut Street, 1st Floor
Harrisburg, PA  17101

Barrett C. Sheridan, Esquire

Lauren E. Guerra, Esquire

Harrison W. Breitman, Esquire

Aron J. Beatty, Esquire

OCAColumbiaGas2022@paoca.org

Office of Consumer Advocate

555 Walnut Street, 5th Floor

Forum Place

Harrisburg, PA 17101-1923

Todd S. Stewart, Esquire

tsstewart@hmslegal.com

Hawke McKeon & Sniscak, LLP

100 N. Tenth Street

Harrisburg, PA 17101

*Counsel for The Retail Energy Supply*

*Association, Shipley Choice, and NRG*

*Energy, Inc.*

Thomas J. Sniscak, Esquire

tjsniscak@hmslegal.com

Whitney E. Snyder, Esquire

wesnyder@hmslegal.com

Philip D. Demanchick, Jr., Esquire

pddemanchick@hmslegal.com

Hawke McKeon & Sniscak LLP

100 North 10th Street

Harrisburg, PA 17105

*Counsel for Pennsylvania State University*

Joseph L. Vullo, Esquire

jlvullo@bvrrlaw.com

1460 Wyoming Avenue

Forty Fort, PA 18704

*Counsel for Pennsylvania Weatherization*

*Provider’s Task Force, Inc.*

John W. Sweet, Esquire

Ria M. Pereira, Esquire

Lauren N. Berman, Esquire

Elizabeth R. Marx, Esquire

pulp@pautilitylawproject.org

118 Locust Street

Harrisburg, PA 17101

*Counsel for CAUSE-PA*

Mark C. Szybist, Esquire

mszybist@nrdc.org

1152 15th Street NW, Suite 300

Washington, DC 20005

*Counsel for Natural Resources*

*Defense Council*

Andrew J. Karas, Esquire

akaras@fairshake-els.org

John A. Heer, Esquire

jheer@fairshake-els.org

Fair Shake Environmental Legal Services

600 Superior Avenue East, Suite 1300

Cleveland, OH 44114

*Counsel for Natural Resources*

*Defense Council*

Jennifer E. Clark, Esquire

jclark@fairshake-els.org

Fair Shake Environmental Legal Services

100 S. Juniper Street, 3rd Floor

Philadelphia, PA 19107

*Counsel for Natural Resources*

*Defense Council*

Charis Mincavage, Esquire

cmincavage@mcneeslaw.com

Kenneth R. Stark, Esquire

kstark@mcneeslaw.com

McNees Wallace & Nurick, LLC

100 Pine Street, P.O. Box 1166

Harrisburg, PA 17108-1166

*Counsel for Columbia Industrial*

*Intervenors*

Jose A. Serrano

Jas673@hotmail.com

2667 Chadbourne Dr.

York, PA 17404

Constance Wile

cjazdrmr@yahoo.com

922 Bebout Rd.

Venetia, PA 15367

Richard C. Culbertson

Richard.C.Culbertson@gmail.com

1430 Bower Hill Road

Pittsburgh, PA 15243