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May 17, 2010

Via Hand Delivery

Rosemary Chiavetta, Secretary
PA Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

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PA PUBLIC
UTILITY COMMISSION
SECRETARY'S BUREAU

Re: PA Public Utility Commission v. Philadelphia Gas Works
Docket Nos. R-2009-2139884 and P-2009-2097639

Dear Secretary:

On behalf of Philadelphia Gas Works ("PGW") enclosed please find the original and three copies of its Stipulation for Admission of Evidence with regard to the above-referenced matter. Copies have been served in accordance with the attached Certificate of Service.

Very truly yours,

Carl Shultz

CS/lww
Enclosure

cc: Hon. Charles Rainey, Esq.
Cert. of Service w/enc.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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PENNSYLVANIA PUBLIC UTILITY COMMISSION	:	
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	:	
v.	:	Docket No. R-2009-2139884
	:	
PHILADELPHIA GAS WORKS	:	
	:	
PENNSYLVANIA PUBLIC UTILITY COMMISSION	:	
	:	
	:	
v.	:	Docket No. P-2009-2097639
	:	
PHILADELPHIA GAS WORKS	:	

STIPULATION FOR ADMISSION OF EVIDENCE

**TO THE HONORABLE CHARLES E. RAINEY, JR., ADMINISTRATIVE LAW
JUDGE:**

Philadelphia Gas Works (“PGW” or the “Company”), Office of Trial Staff (“OTS”), Office of Consumer Advocate (“OCA”), Office of Small Business Advocate (“OSBA”), Philadelphia Housing Authority (“PHA”), Philadelphia Industrial and Commercial Gas Users Group (“PICGUG”), Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia (“TURN, *et al.*”), Clean Air Council (“CAC” or “Council”), and Retail Energy Supply Association (“RESA”) (collectively, the “Settling Parties”), are parties to the Joint Petition for Settlement in the above-captioned proceeding.

The Settling Parties hereby:

(1) stipulate to the authenticity of the Statements and accompanying Exhibits listed in Attachment 1 to this Stipulation (the “Listed Statements and Exhibits”), which were previously served upon all of the active parties and upon Administrative Law Judge Charles E. Rainey, Jr. (the “ALJ”);

(2) stipulate that the Listed Statement and Exhibits were prepared by their respective sponsoring witness or prepared under said sponsoring witnesses’ supervision;

(3) stipulate that if their sponsoring witness were asked the same questions at the hearing as the questions contained in their respective testimony included in the Listed Statements and Exhibits that their answers would be the same;

(4) stipulate that answers of their respective sponsoring witnesses are true and correct to the best of their respective sponsoring witnesses’ knowledge and belief;

(5) acknowledge and agree that they waive cross-examination of the witnesses whose testimony is included in the Listed Statements and Exhibits (unless the Commission should disapprove the *Joint Petition for Partial Settlement* or the *Joint Petition for Partial Settlement* is otherwise withdrawn in accordance with its terms), and

(6) further stipulate that the Listed Statements and Exhibits should be admitted into the record in this case.

**Statements and Exhibits for Admission into the Evidentiary Record
at PUC Docket Nos. R-2009-2139884 and P-2009-2097639**

A. Philadelphia Gas Works (“PGW”)

1. Steven P. Hershey
 - a. PGW St. 1, Direct Testimony of Steven P. Hershey.
 - b. PGW St. 1R, Rebuttal Testimony of Steven P. Hershey.
2. Joseph R. Bogdonavage
 - a. PGW St. 2, Direct Testimony of Joseph R. Bogdonavage, together with Exhibit JRB-1, Exhibit JRB-2A, Exhibit JRB-2B, Exhibit JRB-3.
 - b. PGW St. 2R, Rebuttal Testimony of Joseph R. Bogdonavage, together with Exhibit JRB-4, Exhibit JRB-5, Exhibit JRB-6, Exhibit JRB-7.
3. Barbara C. Bisgaier
 - a. PGW St. 3, Direct Testimony of Barbara C. Bisgaier.
 - b. PGW St. 3R, Rebuttal Testimony of Barbara C. Bisgaier.
4. Samuel M. Kikla
 - a. PGW St. 4, Direct Testimony of Samuel M. Kikla, together with Exhibit SMK-1, Exhibit SMK-2, Exhibit SMK-3, Exhibit SMK-4 and Exhibit SMK-5.
5. Kenneth S. Dybalski
 - a. PGW St. 5, Direct Testimony of 5. Kenneth S. Dybalski, together with Exhibit KSD-1, Exhibit KSD-2, Exhibit KSD-3, Exhibit KSD-4, and Exhibit KSD-5.
 - b. PGW St. 5R, Rebuttal Testimony of Kenneth S. Dybalski, together with Exhibit KSD-6.

6. Randall Gyory
 - a. PGW St. 6, Direct Testimony of Randall Gyory.
 - b. PGW St. 6R, Rebuttal Testimony of Randall Gyory.
7. Cristina Coltro
 - a. PGW St. 7, Direct Testimony of Cristina Coltro, together with Exhibit CC-1 and Exhibit CC-2.
 - b. PGW St. 7R, Rebuttal Testimony of Cristina Coltro.
8. Howard S. Gorman
 - a. PGW St. 8, Direct Testimony of Howard S. Gorman, together with Attachment A, Exhibit HSG-1, Exhibits HSG-1A to 1B, Exhibit HSG-2, Exhibit HSG-3, Exhibits HSG-4A to 4H, Exhibits HSG-5A to 5D, Exhibit HSG-6, Exhibits HSG-7A to 7D, and Exhibit HSG-8.
 - b. PGW St. 8A, Supplemental Direct Testimony of Howard S. Gorman together with Attachment A, Exhibit HSG-1, Exhibits HSG-1A to 1B, Exhibit HSG-2, Exhibit HSG-3, Exhibits HSG-4A to 4H, Exhibits HSG-5A to 5D, Exhibit HSG-6, Exhibits HSG-7A to 7D, and Exhibit HSG-8.
 - c. PGW St. 8R, Rebuttal Testimony of Howard S. Gorman together with Exhibit HSG-9, Exhibit HSG-10, Exhibit HSG-12, and Exhibit HSG-13.
9. Frank J. Hanley
 - a. PGW St. 9, Direct Testimony of Frank J. Hanley, together with Attachment A, Exhibit FJH-1, Schedules 1 to 6.
 - b. PGW St. 9R, Rebuttal Testimony of Frank J. Hanley, together with Appendix A, Exhibit FJH-2, Schedules 1 to 3.
10. John J. Plunkett
 - a. PGW St. 10, Direct Testimony of John J. Plunkett, together with Exhibit JJP-1, Exhibit JJP-2, Exhibit JJP-3, Exhibit JJP-4, Exhibit JJP-5, and Exhibit JJP-6.
 - b. PGW St. 10R, Rebuttal Testimony of John J. Plunkett, together with Exhibit JJP-7, Exhibit JJP-8, Exhibit JJP-9, and Exhibit JJP-10.
 - c. PGW St. 10SR, Surrebuttal Testimony of John J. Plunkett, together with Exhibit JJP-11.
11. Paul L. Chernick

- a. PGW St. 11, Direct Testimony of Paul L. Chernick, together with Exhibit PLC-1, Exhibit PLC-2, and Exhibit PLC-3.
 - b. PGW St. 11R, Rebuttal Testimony of Paul L. Chernick, together with Exhibit PLC-4.
12. William C. Muntzer
- a. PGW St. 12, Rebuttal Testimony of William C. Muntzer, together with Exhibit WCM-1.
13. Douglas A. Moser
- a. PGW St. 13, Rebuttal Testimony of Douglas A. Moser, together with Exhibit DAM-1, Exhibit DAM-2, Exhibit DAM-3 and Exhibit DAM-4.
14. Public Input Hearing Exhibit 1

B. Office of Trial Staff (“OTS”)

1. Dorothy Morrissey
- a. OTS St. 1, Direct Testimony of Dorothy Morrissey, together with Appendix A, and Exhibit OTS-1, Schedules 1 to 23.
 - b. OTS St. 1R, Rebuttal Testimony of Dorothy Morrissey.
 - c. OTS St. 1SR, Surrebuttal Testimony of Dorothy Morrissey, together with Exhibit OTS-1SR, Schedules 1 to 4.
2. Emily Sears
- a. OTS St. 2, Direct Testimony of Emily Sears, together with Appendix A, and Exhibit OTS-2, Schedules 1 to 15.
 - b. OTS St. 2SR, Surrebuttal Testimony of Emily Sears.
3. Amanda Gordon
- a. OTS St.3, Direct Testimony of Amanda Gordon, together with Appendix A, and Exhibit OTS-3, Schedules 1 to 17.
 - b. OTS St. 3SR, Surrebuttal Testimony of Amanda Gordon.
4. Joseph Kubas
- a. OTS St.4, Direct Testimony of Joseph Kubas, together with Appendix A, and Exhibit OTS-4, Schedules 1 to 6.

- b. OTS St. 4SR, Surrebuttal Testimony of Joseph Kubas, together with Exhibit OTS-4SR, Schedules 1 and 2.

C. Office of Consumer Advocate (“OCA”)

- 1. Richard W. Lelash
 - a. OCA St. 1, Direct Testimony of Richard W. Lelash, together with Appendix A.
 - b. OCA St. 1R, Rebuttal Testimony of Richard W. Lelash.
 - c. OCA St. 1S, Surrebuttal Testimony of Richard W. Lelash.
- 2. Michael A. Bleiweis
 - a. OCA St. 2, Direct Testimony of Michael A. Bleiweis, together with Appendix A, Schedule MAB-1, Schedule MAB-2, Schedule MAB-3, Schedule MAB-4, Schedule MAB-5, Schedule MAB-6, Schedule MAB-7, Schedule MAB-8, Schedule MAB-9 and Schedule MAB-10.
 - b. OCA St. 2S, Surrebuttal Testimony of Michael A. Bleiweis, together with Schedule MAB-1S, Schedule MAB-2S, Schedule MAB-3S, Schedule MAB-4S, and Schedule MAB-5S.
- 3. Thomas S. Catlin
 - a. OCA St. 3, Direct Testimony of Thomas S. Catlin, together with Appendix A.
 - b. OCA St. 3S, Surrebuttal Testimony of Thomas S. Catlin.
- 4. Glenn A. Watkins
 - a. OCA St. 4, Direct Testimony of Glenn A. Watkins, together with Appendix A and Schedule GAW-1.
 - b. OCA St. 4R, Rebuttal Testimony of Glenn A. Watkins together with Schedule GAS-2.
 - c. OCA St. 4S, Surrebuttal Testimony of Glenn A. Watkins.

5. Rodger D. Colton
 - a. OCA St. 5, Direct Testimony of Rodger D. Colton, together with Appendix A and Appendix B.
 - b. OCA St. 5R, Rebuttal Testimony of Rodger D. Colton.
 - c. OCA St. 5S, Surrebuttal Testimony of Rodger D. Colton.
6. Dr. David Nichols
 - a. OCA St. 6, Direct Testimony of Dr. David Nichols, together with Exhibit DN-1.
 - b. OCA St. 6S, Surrebuttal Testimony of Dr. David Nichols.

D. Tenant Union Representative Network and Action Alliance of Senior Citizens of Greater Philadelphia (“TURN, *et al.*”)

1. Harry S. Geller
 - a. TURN, *et al.*, St. 1, Direct Testimony of Harry S. Geller, together with Exhibit HSG-1, Exhibit HSG-2, and Exhibit HSG-3.
 - b. TURN, *et al.*, St. 1SR, Surrebuttal Testimony of Harry S. Geller.

E. Retail Energy Supply Association (“RESA”)

1. Orlando M. Magnani
 - a. RESA St. 1, Direct Testimony of Orlando M. Magnani (Proprietary Version), together with Confidential Exhibit 1.
 - b. RESA St. 1, Direct Testimony of Orlando M. Magnani (Public Version).
 - c. RESA St. 1SR, Surrebuttal Testimony of Orlando M. Magnani (Proprietary Version), together with Confidential Exhibit 1S, Exhibit 2S, Confidential Exhibit 3S, and Confidential Exhibit 4S.
 - d. RESA St. 1SR, Surrebuttal Testimony of Orlando M. Magnani (Public Version) together with Exhibit 2-S.
2. Teresa Ringenbach
 - a. RESA St. 2, Direct Testimony of Teresa Ringenbach.
 - b. RESA St. 2SR, Surrebuttal Testimony of Teresa Ringenbach.

F. Clean Air Council (“CAC”)

1. Joseph O. Minott
 - a. CAC St. 1, Direct Testimony of Joseph O. Minott, together with Exhibit CAC-1, Exhibit CAC-2 and Exhibit CAC-3.
 - b. CAC St. 2, Rebuttal Testimony of Joseph O. Minott.

G. Philadelphia Industrial and Commercial Gas Users Group (“PICGUG”)

1. Lewis Cohen
 - a. PICGUG St. 1R, Rebuttal Testimony of Lewis Cohen, together with Exhibit LCC-1.

H. Office of Small Business Advocate (“OSBA”)

1. Robert D. Knecht
 - a. OSBA St. 1, Direct Testimony of Robert D. Knecht, together with Exhibit IEc-1, Exhibit IEc-2, Exhibit IEc-3, Exhibit IEc-4, Exhibit IEc-5, Exhibit IEc-6, and Exhibit IEc-7.
 - b. OSBA St. 2, Rebuttal Testimony of Robert D. Knecht, together with Revised Exhibit IEc-4, Exhibit IEc-R1, Exhibit IEc-R2, Exhibit IEc-R3, and Exhibit IEc-R4.
 - c. OSBA St. 3, Surrebuttal Testimony of Robert D. Knecht, together with Exhibit IEc-SR1, Exhibit IEc-SR2 and Exhibit IEc-SR3.

I. Philadelphia Housing Authority (“PHA”)

1. Kirk Dorn
 - a. PHA St. 1, Direct Testimony of Kirk Dorn, together with Exhibit PHA-1-1.
2. Robert E. Pender
 - a. PHA St. 2, Direct Testimony of Robert E. Pender, together with Attachment A (and Exhibits A and B thereto), Exhibit PHA-2-1, Exhibit PHA-2-2 and Exhibit PHA-2-3.
 - b. PHA St. 3-SR, Surrebuttal Testimony of Robert E. Pender, together with Pender Exhibit 1-SR.

Stipulated and agreed this 2nd day of May 2010.

Of Counsel:

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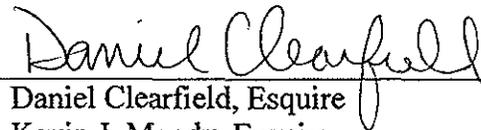


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Stipulated and agreed this ____ day of May 2010.

Of Counsel:

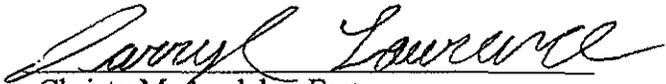
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Stipulated and agreed this 12 day of May 2010.

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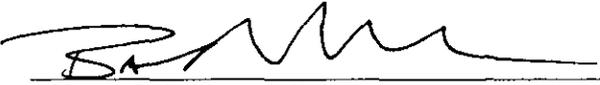
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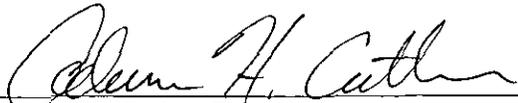
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Counsel for Philadelphia Housing Authority

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the Stipulation for Admission of Evidence upon the participants listed below in accordance with the requirements of § 1.54 (relating to service by a participant):

VIA E-MAIL & FIRST CLASS MAIL

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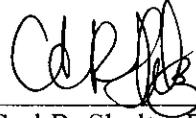
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Carl R. Shultz, Esq.

Dated: May 17, 2010