

# Buchanan Ingersoll & Rooney PC

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February 15, 2016

## **VIA E-FILING**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor  
Harrisburg, PA 17120

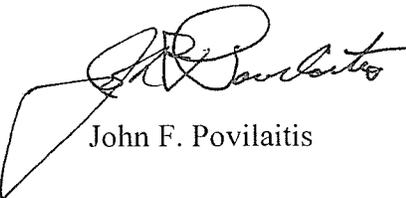
Re: Pennsylvania Public Utility Commission v. UGI Utilities, Inc. – Gas Division;  
Docket No. R-2015-2518438

Dear Secretary Chiavetta:

On behalf of Retail Energy Supply Association (“RESA”), enclosed for electronic filing is the Prehearing Conference Memorandum of the Retail Energy Supply Association, the above captioned matter.

Copies have been served on all parties as indicated in the attached Certificate of Service.

Very truly yours,



John F. Povilaitis

KOM/bb  
Enclosure

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	R-2015-2518438
	:	
UGI Utilities, Inc. – Gas Division	:	

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**PREHEARING CONFERENCE MEMORANDUM  
OF THE  
RETAIL ENERGY SUPPLY ASSOCIATION**

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TO ADMINISTRATIVE LAW JUDGES SUSAN D. COLWELL AND STEVEN K. HAAS:

The Retail Energy Supply Association (“RESA”)<sup>1</sup> hereby submits this Prehearing Conference Memorandum in accordance with 52 Pa. Code § 5.222 and the Prehearing Conference Order dated February 4, 2016 and provides the following information:

**I. INTRODUCTION**

On January 19, 2016, UGI Utilities, Inc.-Gas Division (“UGI”) filed Tariff Gas – PA P.U.C. Nos. 6 and 6-S (“Tariff”). UGI proposes to increase rates to produce additional annual operating revenues of \$58.6 million, which would be a 17.5% increase over present revenues. By Order entered February 11, 2016, the Commission suspended the proposed Tariff by operation of law until October 19, 2016, unless otherwise directed by Order of the Commission.

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<sup>1</sup> The comments expressed in this filing represent the position of the Retail Energy Supply Association as an organization but may not represent the views of any particular member of the Association. Founded in 1990, RESA is a broad and diverse group of more than twenty retail energy suppliers dedicated to promoting efficient, sustainable and customer-oriented competitive retail energy markets. RESA members operate throughout the United States delivering value-added electricity and natural gas service at retail to residential, commercial and industrial energy customers. More information on RESA can be found at [www.resausa.org](http://www.resausa.org).

UGI's filing includes proposals that may affect the viability of the competitive retail natural gas market and the business operations of natural gas suppliers ("NGSs") licensed by the Commission to furnish natural gas supply services to retail customers in UGI's service territory. Additionally, proposals by other parties made during the proceeding may raise issues impacting the competitive retail natural gas market and the operations of NGSs. On February 12, 2016, RESA filed a Petition to Intervene in this proceeding.

## **II. SERVICE OF DOCUMENTS**

RESA request that all documents be served on:

John F. Povilaitis  
Karen O. Moury  
Buchanan Ingersoll & Rooney  
409 North Second Street  
Suite 500  
Harrisburg, PA 17101-1357  
Phone: 717.237.4820  
Fax: 717.233.0852

RESA agrees to receive electronic service of documents in this proceeding. To the extent that materials are disseminated electronically, it is requested that copies be served on John F. Povilaitis at [john.povilaitis@bipc.com](mailto:john.povilaitis@bipc.com) and Karen O. Moury at [karen.moury@bipc.com](mailto:karen.moury@bipc.com).

## **III. DISCOVERY**

RESA proposes no modifications to the discovery rules that are set forth in the Commission's regulations. In addition, RESA has no objections to reasonable modifications of the discovery rules agreed to by other parties in the proceeding.

## **IV. PROPOSED SCHEDULE**

RESA will accept a reasonable procedural schedule proposed by UGI and agreed to by other parties.

**V. WITNESSES**

RESA anticipates calling one or more witnesses to address issues relating to the inclusion of gas supply procurement-related costs in proposed distribution rates; proposed changes to the Choice Supplier Tariff; existing language in the Choice Supplier Tariff; mid-cycle or off-cycle switches by retail customers; and participation by shopping customers in UGI's proposed Energy Efficiency and Conservation Plan. RESA will identify its witness or witnesses within a reasonable period of time prior to the testimony filing deadlines. RESA further reserves the right to call witnesses to address any other issues that are identified through discovery or are later raised during the course of the proceeding. RESA will likewise identify such additional witnesses within a reasonable period of time prior to the testimony filing deadlines.

**VI. ISSUES**

RESA is still reviewing UGI's filing and intends to focus on any issues raised by UGI's filing and testimony submitted by other parties that may have an adverse impact on the competitive natural gas retail market or the business operations of NGSs licensed to furnish natural gas supply services to retail customers in UGI's service territory. A particular issue of interest to RESA relates to the proposed recovery by UGI of any gas supply procurement costs through distribution charges. RESA will also address proposed changes to the Choice Supplier Tariff, as well as existing provisions in the Choice Supplier Tariff in an effort to ensure transparency and fairness in terms of their effect on NGSs and the functioning of the retail market. Further, RESA will pursue issues concerning the feasibility of permitting customers to switch to NGSs between meter readings. Additionally, RESA will review UGI's proposed Energy Efficiency and Conservation Plan to determine the impact on the competitive retail market. Since RESA is continuing to review UGI's filing and will review the proposals offered

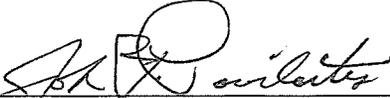
by other parties, this list is not exhaustive and will be revised as necessary and appropriate throughout the proceeding.

**VII. SETTLEMENT**

RESA is willing to participate in settlement discussions with the parties.

Respectfully submitted,

February 15, 2016

  
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*Attorneys for Retail Energy Supply Association*

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	R-2015-2518438
	:	
UGI Utilities, Inc. – Gas Division	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of § 1.54 (relating to service by a party).

**Via Email and U.S. Mail**

The Honorable Susan D. Colwell  
The Honorable Steven K. Haas  
Administrative Law Judges  
Pennsylvania Public Utility Commission  
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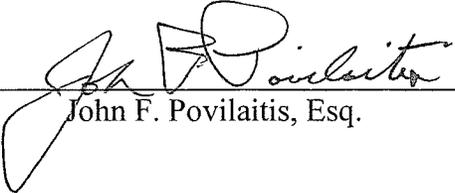
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Dated this 15<sup>th</sup> day of February, 2016.

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