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March 11, 2019

**VIA ELECTRONIC FILING**

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

RE: Pennsylvania Public Utility Commission v. UGI Utilities, Inc. – Gas Division;  
Docket No. R-2018-3006814; **PREHEARING CONFERENCE  
MEMORANDUM OF THE NATURAL GAS SUPPLIER PARTIES AND  
THE RETAIL ENERGY SUPPLY ASSOCIATION**

Dear Secretary Chiavetta:

Enclosed for electronic filing with the Commission is the Prehearing Conference Memorandum of the Natural Gas Supplier Parties (“NGS Parties”) and The Retail Energy Supply Association (“RESA”) in the above-captioned docket. Copies of the Memorandum have been served in accordance with the attached Certificate of Service.

Thank you for your attention to this matter. If you have any questions related to this filing, please do not hesitate to contact my office.

Very truly yours,

Todd S. Stewart  
*Counsel for Natural Gas Supplier Parties  
and The Retail Energy Supply Association*

TSS/jld  
Enclosure

cc: Administrative Law Judge Christopher P. Pell (via electronic mail and overnight delivery)  
Per Certificate of Service

## 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 52 Pa. Code § 1.54 (relating to service by a party).

### VIA ELECTRONIC AND FIRST CLASS MAIL

The Honorable Christopher P. Pell  
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Todd S. Stewart

DATED: March 11, 2019

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2018-3006814
	:	
UGI Utilities, Inc – Gas Division	:	

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**PREHEARING CONFERENCE MEMORANDUM  
OF THE NATURAL GAS SUPPLIER PARTIES  
AND THE RETAIL ENERGY SUPPLY ASSOCIATION**

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**TO THE HONORABLE CHRISTOPHER P. PELL**

Pursuant to the Prehearing Order dated February 28, 2019 in the above-captioned matter and the Commission’s regulations at 52 Pa. Code §5.221, *et seq.*, Dominion Energy Solutions, Inc. (“DES”) and Shipley Choice LLC d/b/a Shipley Energy (“Shipley”) (“NGS Parties”) and The Retail Energy Supply Association,<sup>1</sup> (“RESA”) (collectively “NGS/RESA”), hereby submit their Prehearing Conference Memorandum.

**I. PROCEDURAL HISTORY**

1. On or about January 28, 2019, UGI filed its request to increase rates.

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<sup>1</sup> The positions taken in this proceeding represent the positions of the Retail Energy Supply Association (RESA) 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 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).

2. On February 21, 2019, NGS/RESA petitioned to intervene in the above-captioned proceeding. NGS/RESA have previously participated in UGI proceedings before this Commission and possess the requisite standing to participate in this proceeding as discussed below.

## **II. COUNSEL**

3. NGS/RESA are represented in this matter by the following counsel:

Todd S. Stewart  
Attorney I.D. No. 75556  
Hawke McKeon & Sniscak LLP  
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All parties are requested to hereafter serve said counsel with all documents served in this proceeding, including documents served prior to the date of intervention.

## **III. EXPECTED ISSUES**

4. NGS/RESA's primary concern is the new delivery rules that UGI has proposed in this proceeding, alleging they were the product of a collaborative process required by the settlement of its recent merger proceeding. While it is true that most of the changes were discussed in that collaborative, the approach proposed by UGI in this proceeding does not necessarily represent nor consider the opinions of suppliers that participated in the collaborative. Accordingly, NGS/RESA urges that such concurrence not be assumed. In addition to taking issue with a number of the proposed tariff rules that would combine the tariffs of the formerly three operating companies into a single tariff, NGS/RESA has concerns over the financial impact of the proposed rules.

#### **IV. PROPOSED WITNESSES**

5. NGS/RESA have not yet identified any witnesses for this matter but will do so and provide notice to Your Honor and the other parties at the earliest possible time. NGS/RESA reserve the right to offer additional witnesses as necessitated by the issues.

#### **V. LITIGATION SCHEDULE**

6. NGS/RESA are committed to working with the other parties and Your Honor to develop a schedule that meets all the parties' needs.

#### **VI. DISCOVERY**

7. NGS/RESA have submitted two sets of discovery as of the date of this prehearing memorandum and will endeavor to continue that process with all due haste. NGS/RESA will work cooperatively with the Company and all the other parties in order to minimize discovery issues that might require the attention of the Presiding Administrative Law Judge. Moreover, NGS/RESA would not object to the typical discovery modifications proposed by the Office of Consumer Advocate in cases such as this.

#### **VII. SETTLEMENT**

8. NGS/RESA are willing to engage in settlement discussions with any and all parties at any time during this proceeding and welcome the opportunity to do so at the earliest possible date.

**WHEREFORE,** NGS/RESA respectfully submit this Prehearing Conference Memorandum in anticipation of the Prehearing Conference currently scheduled to be held in person on Wednesday, March 13, 2019 at 1:30 p.m.

Respectfully submitted,



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*Counsel for Natural Gas Supplier Parties  
and The Retail Energy Supply Association*

DATED: March 11, 2019