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PHILADELPHIA GAS COMMISSION
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PGW'S FY 2025 CAPITAL BUDGET
AMENDMENT REQUEST

- - -
January 14, 2025
10:08 a.m.

- - -
Hybrid Meeting held on the
18th Floor - 1515 Arch Street
and Virtually via Teams

- - -
BEFORE: ROYAL E. BROWN, Chairman (Via Teams)
MIKE DRISCOLL (Via Teams)
EVAN URBANIA
CHRISTY BRADY, City Controller
BILL RUBIN, Alternate
Commissioners

- - -
VERITEXT LEGAL SOLUTIONS
MID-ATLANTIC DIVISION

1 APPEARANCES:

2 JAMES C. KELLETT, ESQ.
3 Deputy City Solicitor
4 Counsel to Philadelphia Gas Commission

5 ANDRE C. DASENT, ESQ. (Via Teams)
6 BROOKE DARLINGTON, ESQ. (Via Teams)
7 Counsel to Philadelphia Gas Works

8 COMMUNITY LEGAL SERVICES, INC.
9 BY: ROBERT W. BALLENGER, ESQ. (Via Teams)
10 Counsel to Public Advocate

11 PRESENT ON BEHALF OF PGC:

12 HEIDI L. WUSHINSKE, ESQ.
13 Hearing Examiner
14 ANNA M. CORRADO ROWE
15 Senior Analyst

16 TIMOTHY MURTHA
17 Financial Analyst/Internal Auditor
18 SANDRA FONTANEZ (Via Teams)
19 Administrative Assistant

20 PRESENT ON BEHALF OF PGW: (Via Teams)

21 WILLIAM J. GALLAGHER
22 Vice President, Budget and Strategic
23 Development

24 STEPHEN SCHUMMER
25 Manager, Budget Reporting
26 MARY LYNN O'BOYLE
27 Administrative Assistant

1 PRESENT ON BEHALF OF THE CITY CONTROLLER:

2 FRANK IANNUZZI

3
4 PRESENT ON BEHALF OF CITY COUNCIL: (Via Teams)

5 THOMAS P. FORKIN
6 6th District Chief of Staff

7 PRESENT ON BEHALF OF THE WATER RATE BOARD:

8
9 SONNY POPOWSKY
Chairman

10 DANIEL CANTU-HERTZLER, ESQ.

11
12 PRESENT ON BEHALF OF THE PUBLIC:

13 KAREN MELTON (Via Teams)

14 LANCE HAVER

15 LINNEA BOND (Via Teams)

16 MITCH CHANIN (Via Teams)

17 PATRICK HOUSTON (Via Teams)

18 SULTAN (Via Teams)

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1 CHAIRMAN BROWN: Are we ready to get
2 started? Can you hear me?

3 ALL PRESENT: Yes.

4 CHAIRMAN BROWN: Is Heidi there?

5 HEARING EXAMINER WUSHINSKE: I'm
6 here, Gene.

7 CHAIRMAN BROWN: Are we ready to get
8 started?

9 HEARING EXAMINER WUSHINSKE: Yes, we
10 are.

11 CHAIRMAN BROWN: Okay. Thank you.
12 Good morning, everyone.

13 ALL PRESENT: Good morning.

14 CHAIRMAN BROWN: This meeting is
15 being held in a hybrid format to enhance
16 public participation. Instructions for
17 virtual participation are included in the
18 public meeting notices and can be found on
19 the Gas Commission's website.

20 I would like to acknowledge the
21 presence of a quorum with the participation
22 of Commissioners Brady, Driscoll, and
23 Urbania.

24 I would like to have the agenda read,

1 marked, and entered into the record as Gas
2 Commission Exhibit #1.

3 HEARING EXAMINER WUSHINSKE: "The
4 Philadelphia Gas Commission will hold its
5 regularly scheduled meeting on Tuesday,
6 January 14th, at 10:00 a.m. in the
7 Commission's hearing room on the 18th Floor,
8 1515 Arch Street, Philadelphia,
9 Pennsylvania, with a virtual option for
10 those who cannot attend in person, for the
11 purpose of considering:

12 "1. The Philadelphia Gas Works'
13 FY 2025 Capital Budget amendment request;
14 and

15 "2. Such other business as may
16 properly be brought before this Commission."

17 - - -

18 (Whereupon PGC Exhibit #1 was marked
19 for identification.)

20 - - -

21 CHAIRMAN BROWN: Thank you, Heidi.
22 I'm sorry; go ahead.

23 HEARING EXAMINER WUSHINSKE: No.
24 That's okay. Go ahead.

1 CHAIRMAN BROWN: Is that it?

2 HEARING EXAMINER WUSHINSKE: Yes.

3 CHAIRMAN BROWN: Okay.

4 The first item on the agenda is PGW's
5 amendment to its proposed fiscal year 2025
6 Capital Budget which would extend the
7 lifespan, with no increase in funding, for
8 the Line Item #72-01-2-08 (South Operations
9 Center or SOC).

10 Section I.6 of the Management
11 Agreement/Ordinance imposes on the
12 Philadelphia Facilities Management
13 Corporation the duty to apply the highest
14 standards of management practice and
15 diligence to the operation of PGW.

16 Section VI.7 requires PFMC to keep
17 the Gas Commission fully informed of its
18 plans for operation, improvement, extension,
19 and betterment of PGW.

20 Section VI.9 vests the Gas Commission
21 with the responsibility for overseeing
22 PFMC's operation of PGW.

23 The procedural history of the Capital
24 Budget lifespan extension request review is

1 detailed in the Recommended Decision
2 Memorandum.

3 On December 4th, 2024, PGW filed a
4 petition seeking a 12-month lifespan
5 extension for its SOC project, along with a
6 PFMC resolution approving the request.

7 In its filing PGW explained that it
8 was seeking the extension because the
9 project would not be completed within the
10 previously approved two-year lifespan. PGW
11 did not request any increase in funding for
12 the SOC.

13 In a subsequent conference call PGW
14 explained that the project's delays were
15 caused by uncertainty with development plans
16 for a neighboring property, which could have
17 impacted PGW's SOC plans. Now that the
18 adjacent property owner has finalized these
19 plans, PGW stated that it was ready to
20 proceed with the SOC.

21 On December 18th Executive Director
22 Gemela McClendon and Staff issued a
23 Recommended Decision Memorandum which will
24 be marked as Gas Commission Exhibit #2.

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(Whereupon PGC Exhibit #2 was marked for identification.)

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CHAIRMAN BROWN: No participant filed exceptions to the Recommended Decision.

We would like to provide the participants with the opportunity to make a brief presentation before we call the question to vote.

First, we will call on Mr. Dasent.

MR. DASENT: Good morning, Chairman Brown.

This is a very noncontroversial item. We at PGW have requested a time-only extension for the SOC project. There is no new money involved.

We were being prudent in our timing on the project to deal with the construction, as you mentioned, at an adjacent property. Now that that's all resolved, we are ready to proceed and no additional monies are being requested, as I indicated before.

1 CHAIRMAN BROWN: Not hearing any,
2 we'll proceed.

3 Thank you all very much. We
4 appreciate your participation as we
5 deliberate on PGW's SOC lifespan extension
6 request.

7 All the identified exhibits will be
8 entered into the record of this meeting.
9 This matter is now before us for action. I
10 will call on Commissioner Urbania for a
11 recommendation and motion.

12 COMMISSIONER URBANIA: Thank you,
13 Mr. Chairman.

14 My Motion is set out in a written
15 document and I ask it be marked and entered
16 into the record as Gas Commission Exhibit
17 #3.

18 - - -

19 (Whereupon PGC Exhibit #3 was marked
20 for identification.)

21 - - -

22 COMMISSIONER URBANIA: A draft was
23 circulated to the Commissioners in advance
24 of this meeting. This Motion was

1 distributed to the participants just prior
2 to the start of this meeting. I ask that
3 this written Motion be incorporated into and
4 made a part of the following verbal motion
5 as if set forth at length.

6 PGW's SOC lifespan extension request
7 is for time only, will not increase overall
8 spending, and is undisputed. I agree with
9 the Hearing Examiners that PGW's request is
10 timely, reasonable, and in compliance with
11 the requirements set forth in the applicable
12 Protocols.

13 I also agree that it was prudent to
14 delay construction on the SOC until
15 potential impacts from the neighboring
16 property were resolved.

17 I agree with the Hearing Examiners
18 that PGW's uncontested SOC lifespan
19 extension request should be approved subject
20 to conditions, which I will explain in
21 detail.

22 Therefore, I recommend that this
23 Commission urge City Council to approve
24 PGW's FY 2025 Capital Budget amendment,

1 which would approve a time-only lifespan
2 extension to the SOC line item.

3 Therefore, I move the Gas Commission
4 take the following actions:

5 1. I move that the Gas Commission
6 adopt the Recommended Decision Memorandum.

7 2. I move that the Gas Commission
8 acknowledge that PGW's reauthorization
9 request as filed on December 4th, 2024,
10 provided this Commission with required
11 notice of the Company's intent to extend the
12 SOC project's lifespan.

13 3. I move that the Gas Commission
14 recommend that City Council approve PGW's
15 lifespan extension request.

16 4. I move that the Gas Commission
17 endorse an amendment to PGW's fiscal year
18 2025 Capital Budget that will extend the
19 lifespan of Line Item #72-01-2-08 subject to
20 the following limitations.

21 This line item may not serve as a
22 source for any other line item transfer
23 transaction; this line item will expire as
24 of August 31st, 2025; and total spending for

1 this line item shall not exceed spending
2 authorization for the project in the
3 approved fiscal year 2024 Capital Budget.

4 5. I move that the Gas Commission
5 direct PGW to file an amended fiscal year
6 2025 compliance budget, including an
7 appropriately revised financing plan and an
8 updated forecast for fiscal year 2026
9 through 2030, within three business days of
10 the meeting at which the Commission acts on
11 this matter.

12 6. I move that the Gas Commission
13 direct PGW to file within ten business days
14 of the meeting at which the Commission acts
15 on this matter an updated disadvantaged
16 business enterprise forecast incorporating
17 the impacts of the endorsed amendments to
18 the fiscal year 2025 Capital Budget.

19 7. I move that the Gas Commission
20 direct Commission Staff along with the
21 Commission's assigned counsel from the Law
22 Department to prepare any additional
23 documentation needed to effectuate the
24 intent of this Motion.

1 This concludes my motion.

2 CHAIRMAN BROWN: Thank you.

3 Is there a second to the motion?

4 COMMISSIONER DRISCOLL: Second.

5 COMMISSIONER BRADY: Second.

6 CHAIRMAN BROWN: It has been moved
7 and properly seconded.

8 Is there any further discussion?

9 COMMISSIONER URBANIA: Mr. Chairman,
10 I'll just say for the public that this
11 Commission Staff and representative Staff
12 did tour this facility in the previous
13 months and we're very familiar with the
14 improvements that were approved previously
15 and the complications of the adjacent
16 property. So we're very comfortable and
17 have had our hands-on experience and sights
18 on this project and we're happy to move it
19 forward.

20 CHAIRMAN BROWN: Thank you,
21 Commissioner Urbania.

22 It has been moved and properly
23 seconded. All in favor of the motion?

24 Aye.

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COMMISSIONER BRADY: Aye.

COMMISSIONER URBANIA: Aye.

COMMISSIONER DRISCOLL: Aye.

CHAIRMAN BROWN: Any opposition?

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(No response.)

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CHAIRMAN BROWN: The motion passes.

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(Whereupon the motion was unanimously
carried.)

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Reported By: Susan Marie Migatz, RMR, CRR

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PHILADELPHIA GAS COMMISSION EXHIBITS

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