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PHILADELPHIA GAS COMMISSION
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PGW's PROPOSED FISCAL YEAR 2026
CAPITAL BUDGET, FORECAST FOR FISCAL YEARS
2027 TO 2031, AND RELATED MATTERS
- - -
Tuesday, April 15, 2025
10:02 a.m.

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

- - -
BEFORE: CHRISTY BRADY, Chairwoman
MIKE DRISCOLL, Vice Chairman
CURTIS J. JONES, JR. (Via Teams)
EVAN URBANIA
BILL RUBIN, Alternate
Commissioners

- - -
VERITEXT LEGAL SOLUTIONS
MID-ATLANTIC DIVISION

1 APPEARANCES:

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

4
5 ANDRE C. DASENT, ESQ. (Via Teams)
Counsel to Philadelphia Gas Works
6 COMMUNITY LEGAL SERVICES, INC.

7 BY: ROBERT W. BALLENGER, ESQ. (Via Teams)
JOLINE PRICE, ESQ.
Counsel to Public Advocate

8
9 PRESENT ON BEHALF OF PGC:

10
11 GEMELA N. McCLENDON, ESQ.
Executive Director
12 HEIDI L. WUSHINSKE, ESQ.
Hearing Examiner

13
14 ROSLYN BELL, ESQ.
Hearing Examiner
15 ANNA M. CORRADO ROWE
Senior Analyst

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

19
20 PRESENT ON BEHALF OF PGW:

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

1 PRESENT ON BEHALF OF THE CITY CONTROLLER:

2

FRANK IANNUZZI, ESQ.

3

4 PRESENT ON BEHALF OF CITY COUNCIL:

5

THOMAS P. FORKIN (Via Teams)

6

6th District Chief of Staff

7

PRESENT ON BEHALF OF THE PUBLIC:

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9

MITCH CHANIN (Via Teams)

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1 CHAIRWOMAN BRADY: The second item on
2 the agenda is PGW's proposed fiscal year
3 2026 Capital Budget and related matters.

4 Section 4.2.b of the City-PFMC
5 Management Agreement requires PFMC to
6 prepare an annual capital budget which must
7 be satisfactory to the Gas Commission and
8 include a funding plan. Under that same
9 section we must review PGW's capital budget
10 proposals and submit our recommendations to
11 City Council.

12 Section IV.2.c provides that PGW must
13 spend in accordance with approved budgets.

14 These and other applicable legal and
15 governance standards are detailed in the
16 Recommended Decision. The procedural
17 history of this matter prior to issuance of
18 the Recommended Decision is detailed in that
19 document.

20 On January 2nd, 2025, PGW filed a
21 proposed fiscal year 2026 Capital Budget and
22 related forecast together with testimony and
23 a supporting PFMC Board Resolution and
24 various supporting schedules and

1 departmental budgets.

2 Formal and informal discovery took
3 place. Informal discovery meetings were
4 held virtually on January 15th and February
5 4th. The Public Advocate witness filed
6 direct testimony on February 14th. A public
7 hearing was held on February 18th.

8 PGW and the Advocate filed their
9 respective Briefs on March 4th, which will
10 be marked respectively as Gas Works Exhibit
11 #1 and Public Advocate Exhibit #1.

12 - - -

13 (Whereupon PGW Exhibit #1 and PA
14 Exhibit #1 were marked for identification.)

15 - - -

16 CHAIRWOMAN BRADY: On March 18th
17 Executive Director Gemela McClendon and
18 Hearing Examiners Heidi Wushinske and Roslyn
19 Bell issued a Recommended Decision. They
20 recommended various line item adjustments
21 and reporting and filing requirements. The
22 Recommended Decision will be marked as Gas
23 Commission Exhibit #2.

24 - - -

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

3 - - -

4 CHAIRWOMAN BRADY: On March 20th PGW
5 filed exceptions to the Recommended
6 Decision, which will be marked as PGW
7 Exhibit #2.

8 - - -

9 (Whereupon PGW Exhibit #2 was marked
10 for identification.)

11 - - -

12 CHAIRWOMAN BRADY: To facilitate our
13 preparation for today's meeting Commission
14 Staff developed a Briefing Guide. This
15 document outlines the Hearing Examiners'
16 recommended budget adjustments and other
17 recommendations. A draft of this document
18 was shared with participants. No
19 participant submitted comments on it.

20 The final version of the Briefing
21 Guide will be marked as Gas Commission
22 Exhibit #3.

23 - - -

24 (Whereupon PGC Exhibit #3 was marked

1 for identification.)

2 - - -

3 CHAIRWOMAN BRADY: I would like to
4 ask Ms. McClendon to provide an overview of
5 the recommended budget and the issue areas
6 still in dispute.

7 EXEC. DIR. McCLENDON: Thank you,
8 Chair Brady.

9 Commission Staff, after its standard
10 review and due diligence of PGW's proposed
11 fiscal year 2026 Capital Budget, is
12 recommending that the Commission approve and
13 endorse for City Council's approval an FY
14 2026 budget in a total not-to-exceed amount
15 of \$185,212,000.

16 Of this amount, \$150,305,000 would
17 reflect spending authority available to PGW
18 for purposes of expenditure and/or
19 commitment at the start of fiscal year 2026
20 on September 1st, 2025, and \$34.9 million
21 would require the Commission's release
22 approval and/or the satisfaction of certain
23 conditions prior to its commitment and
24 expenditure.

1 A portion of that money is
2 recommended to be conditioned upon PGW
3 satisfying certain conditions. PGW did file
4 exceptions to those conditions and the
5 Commission Staff recommends rejection of
6 those exceptions at this time.

7 Thank you.

8 CHAIRWOMAN BRADY: Thank you.

9 Although the participants have
10 clearly set forth their positions in their
11 written submissions, we would like to
12 provide them with the opportunity to make a
13 brief comment if they wish to do so.

14 First we will hear from PGW.

15 Mr. Dasent?

16 MR. DASENT: Good morning, Chairwoman
17 Brady, and congratulations on your election.

18 CHAIRWOMAN BRADY: Thank you.

19 MR. DASENT: We just want to briefly
20 comment that concerning the fiscal '26
21 Capital Budget, on the advanced meter
22 infrastructure issue, we did indicate our
23 concerns about safety being elevated to a
24 point that we pursue the acquisition of the

1 new meters.

2 The AMI meters are much safer and our
3 study and evaluation of their use for the
4 future is consistent with industry practice
5 and our concern to avoid calamities like
6 Merrimack Valley in Massachusetts. So we
7 emphasize that and sort of separate
8 ourselves from arguments to the contrary
9 that were made in the record.

10 In addition to that, we saw an
11 internal inconsistency in the AMI portion of
12 the Recommended Decision because the Hearing
13 Officers seemed to agree that we shouldn't
14 invest in old meters, which will be
15 obsolescent in the near term, because we're
16 moving to AMI infrastructure new equipment;
17 and their particular allocation or approval
18 of \$2.96 million to purchase meters will
19 fall short of what we need, which was the
20 \$4.96 million expenditure.

21 We thought that might be an internal
22 inconsistency that they overlooked in
23 issuing the order and so we ask that that be
24 revisited because we need to provide to meet

1 PUC requirements 21,000 meters. The old
2 meters would cost approximately
3 \$2.96 million. The new meters will cost a
4 bit more, and we would like to have a budget
5 that allows us to purchase the meters.

6 Now, there may be some pushback on
7 that in terms of how much we need to buy now
8 as opposed to later in the fiscal year. But
9 our view of it is that we need to have the
10 authorization now so that we can meet the
11 PUC requirements and secure the necessary
12 meters.

13 We want to use the AMI meters, which
14 the new technology is more safety-oriented
15 and will allow us to protect customers from
16 incidents like Merrimack Valley. So that's
17 our concern in this context.

18 In addition to that, there was a
19 PHMSA grant, which is a federal grant that
20 we use for infrastructure improvement
21 pipeline replacement, and we get a grant for
22 \$25 million.

23 We don't get the grant. We get paid
24 in arrears for the grant. In other words,

1 it's authorized first, we spend the money,
2 and then we're repaid for that by the
3 Federal Government.

4 We get all but I think it's about 86%
5 that we get reimbursed for. The additional
6 14% needs to be approved plus the order
7 needs to recognize that we get paid in
8 arrears.

9 With those two considerations, that
10 clarification, we're good. And we are
11 trying to make that statement in both this
12 proceeding and in the Capital Budget
13 amendments.

14 So we're hopeful that both of those
15 can be reconciled, particularly the
16 clarification that we request, but in
17 addition to that, the AMI authorization
18 should be higher if possible.

19 That's all we have on this subject.
20 We'll have other points to raise on the CIS
21 Capital Budget amendment, a separate
22 discussion.

23 CHAIRWOMAN BRADY: Thank you,
24 Mr. Dasent.

1 Are there any statements on behalf of
2 the Advocate?

3 MR. BALLENGER: Good morning. Yes.
4 This is Robert Ballenger for the Public
5 Advocate and first and foremost,
6 congratulations to the new Chair,
7 Commissioner Brady, and the new Vice Chair,
8 Commissioner Driscoll.

9 I'm unfortunately out of town so I'm
10 going to ask that my colleague, Ms. Price,
11 who I believe is present in the room,
12 provide our brief comments on the 2026
13 Capital Budget. Thank you.

14 MS. PRICE: Hi, everyone. Joline
15 Price on behalf of the Public Advocate.
16 Just a few very brief comments.

17 As the Commission knows, while our
18 initial recommendation on the AMI meters was
19 to deny the request, we did not file
20 exceptions to the Recommended Decision. We
21 believe it was an appropriate compromise
22 between our position and that of PGW and
23 that nothing has changed. The associated
24 increase in spending is still uncertain and

1 we support the conditional funding proposal.

2 And on the PHMSA line item, we
3 appreciate, again, the Commission's
4 oversight given this relatively new source
5 of funding.

6 CHAIRWOMAN BRADY: Thank you,
7 Ms. Price.

8 Next we will take brief comments from
9 members of the public. Comments will be
10 limited to three minutes and should be on
11 the topic of PGW's fiscal year 2026 Capital
12 Budget.

13 EXEC. DIR. McCLENDON: Are there any
14 members of the public in the room now who
15 wish to offer comments?

16 - - -

17 (No response.)

18 - - -

19 EXEC. DIR. McCLENDON: Seeing none,
20 are there any members of the public who are
21 participating remotely who wish to offer
22 comments?

23 - - -

24 (No response.)

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EXEC. DIR. McCLENDON: Seeing and hearing none, we can move on.

CHAIRWOMAN BRADY: Okay. Thank you. Are there any comments or questions from any of the Commissioners at this point?

COMMISSIONER JONES: Yes, Madam Chair.

CHAIRWOMAN BRADY: Okay. You're recognized, Councilman Jones.

COMMISSIONER JONES: First and foremost, congratulations to you and my colleague, Councilmember Driscoll, on your nominations and elections.

My question is: Have we seen any indication from the grant world at the federal level that there might be interruptions based on policies that they may not approve of and are we keeping a close eye on those kinds of edicts that are being passed down from the Federal Government that might affect our Capital Budget?

MR. DASENT: Madam Chair, if I could

1 speak to that?

2 CHAIRWOMAN BRADY: Yes.

3 MR. DASENT: PGW is not aware of
4 problems with our PHMSA funding and that
5 grant in particular. We are keeping our
6 eye on that because that is a grant that's
7 very helpful to maintain safety on the
8 system. But as of right now we have no
9 negative news to report.

10 CHAIRWOMAN BRADY: Thank you.

11 COMMISSIONER JONES: Thank you, sir.
12 That's all.

13 CHAIRWOMAN BRADY: Are there any
14 other questions?

15 - - -

16 (No response.)

17 - - -

18 CHAIRWOMAN BRADY: Hearing none,
19 we'll proceed. Thank you all very much. We
20 appreciate your participation as we
21 deliberate on PGW's budget.

22 All the identified exhibits will be
23 entered into the record of this meeting.
24 This matter is now before us for action. I

1 call on Commissioner Driscoll for a
2 recommendation and motion.

3 VICE CHAIRMAN DRISCOLL: Thank you,
4 Madam Chair.

5 My Motion is set out in a written
6 document with two appendices and I ask that
7 it be marked and entered into the record as
8 Gas Commission Exhibit #4.

9 - - -

10 (Whereupon PGC Exhibit #4 was marked
11 for identification.)

12 - - -

13 VICE CHAIRMAN DRISCOLL: A draft was
14 circulated to the Commissioners in advance
15 of this meeting. This Motion was
16 distributed to the participants
17 electronically prior to the start of this
18 meeting. I ask that this written Motion be
19 incorporated into and made a part of the
20 following verbal motion as if set forth at
21 length.

22 To summarize, PGW's initial budget
23 request was \$185.962 million. In the
24 March 18th Recommended Decision the Hearing

1 Examiners recommended \$750,000 in downward
2 adjustments to PGW's proposed budget. The
3 Hearing Examiners also recommended rejection
4 of the Advocate's proposal to deny approval
5 of PGW's AMI meter infrastructure initiative
6 line items in the amount of \$5.113 million.

7 After reviewing the Recommended
8 Decision along with PGW's exceptions, I am
9 persuaded that PGW's exception regarding the
10 AMI project should be rejected. This is
11 thoroughly detailed in my written Motion.

12 I also recommend that the Recommended
13 Decision be modified to reconcile the
14 conditions of the PHMSA grant line item with
15 PGW's comments. These conditions include:

- 16 1. The line item may not serve as a
17 source for any line item transfer
18 transaction; 2. PGW must notify the Gas
19 Commission upon grant authorization from
20 PHMSA prior to release of funding; and 3.
21 Total spending for this line item shall not
22 exceed the amount actually received from the
23 Infrastructure Grant awarded by the Pipeline
24 and Hazardous Materials Safety

1 Administration (PHMSA) plus connected
2 non-reimbursable indirect costs associated
3 with the project in an amount not to exceed
4 approximately 15% of the project's total
5 costs.

6 Accordingly, I move that we adopt the
7 Recommended Decision as modified and:

8 1. Direct PGW to submit a compliance
9 fiscal year 2026 Capital Budget proposal
10 consistent with the Gas Commission-endorsed
11 line item adjustments within seven business
12 days of the Commission meeting at which
13 final action is taken on the proposed
14 budget.

15 Further, instruct PGW that its
16 compliance budget filing shall include a
17 revised forecast of capital budgets
18 incorporating the impacts of the adjustments
19 to the fiscal year 2026 Capital Budget which
20 are endorsed by the Commission.

21 2. Instruct PGW to submit a revised
22 capital financing plan that also reflects
23 the endorsed fiscal year 2026 Budget by the
24 same due date as the aforesaid compliance

1 budget filing.

2 3. Instruct PGW to submit within
3 seven business days of the Commission's
4 meeting at which final action is taken on
5 the proposed budget a revised disadvantaged
6 business enterprise participation forecast
7 that reflects the Commission-endorsed fiscal
8 year 2026 Budget.

9 4. Authorize the Executive Director
10 to work with PGW to reconcile any
11 differences between the compliance budget
12 proposal as filed by PGW and the calculation
13 of budget adjustments endorsed by the Gas
14 Commission and to incorporate within the
15 proposed form of budget ordinance
16 transmitted to City Council any necessary
17 mathematical corrections required to
18 effectuate the substance of such budget
19 adjustments.

20 5. Recommend that City Council adopt
21 the attached Capital Program Protocols in
22 conjunction with its approval of the fiscal
23 year 2026 Capital Budget.

24 6. Recommend that City Council

1 acknowledge receipt of PGW's revised
2 forecast of capital budgets.

3 7. Direct PGW to file an updated DBE
4 forecast concurrent with the fiscal year
5 2027 Capital Budget filing.

6 8. Take such other actions as are
7 detailed in the written Motion.

8 That concludes my motion, Madam
9 Chair.

10 CHAIRWOMAN BRADY: Thank you,
11 Commissioner Driscoll.

12 Is there a second to the motion?

13 COMMISSIONER JONES: Second.

14 CHAIRWOMAN BRADY: It has been moved
15 and properly seconded.

16 Is there any discussion?

17 - - -

18 (No response.)

19 - - -

20 CHAIRWOMAN BRADY: Hearing none, all
21 in favor of the motion, please signify by
22 saying aye.

23 VICE CHAIRMAN DRISCOLL: Aye.

24 COMMISSIONER JONES: Aye.

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CHAIRWOMAN BRADY: Aye.

COMMISSIONER URBANIA: Aye.

CHAIRWOMAN BRADY: Any opposition?

- - -

(No response.)

- - -

CHAIRWOMAN BRADY: The motion
unanimously carries.

- - -

(Whereupon the motion was unanimously
carried.)

- - -

Reported By: Susan Marie Migatz, RMR, CRR

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PHILADELPHIA GAS COMMISSION EXHIBITS

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PUBLIC ADVOCATE EXHIBITS

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