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- - -
PHILADELPHIA GAS COMMISSION

- - -
FY 2023 OPERATING BUDGET
PUBLIC HEARING

- - -
June 29, 2022
10:10 a.m

- - -
Via Zoom Videoconference

- - -
BEFORE: HEIDI L. WUSHINSKE, ESQ.
Hearing Examiner

- - -
VERITEXT LEGAL SOLUTIONS
MID-ATLANTIC DIVISION
1801 Market Street - Suite 1800
Philadelphia, Pennsylvania 19103

Page 2

1 APPEARANCES: (Via Zoom)
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 3 ANDRE C. DASENT, ESQ.
 4 Counsel to Philadelphia Gas Works
 5 COMMUNITY LEGAL SERVICES, INC.
 6 BY: ROBERT W. BALLENGER, ESQ.
 7 JOLINE PRICE, ESQ.
 8 Counsel to Public Advocate
 9
 10 EARTHJUSTICE
 11 BY: DEVIN McDUGALL, ESQ.
 12 Counsel to POWER
 13
 14 PRESENT ON BEHALF OF PGC: (Via Zoom)
 15
 16 ANNA M. CORRADO ROWE
 17 Senior Analyst
 18 TIMOTHY MURTHA
 19 Financial Analyst/Internal Auditor
 20
 21 PRESENT ON BEHALF OF PGW: (Via Zoom)
 22
 23 JOSEPH F. GOLDEN, JR.
 24 Executive Vice President and Chief
 Financial Officer
 WILLIAM J. GALLAGHER
 Vice President, Budget and Strategic
 Development
 BERNARD CUMMINGS
 Vice President, Customer Service and
 Collections
 MELANIE McCOTTRY
 Vice President, Corporate Communications
 and External Affairs
 ELLIOTT GOLD
 Vice President, Corporate Planning

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1 PRESENT ON BEHALF OF PGW: (Via Zoom - Cont'd)
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 4 Vice President, Operations, Resource
 Management, and Personnel
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 PRESENT ON BEHALF OF POWER INTERFAITH: (Via Zoom)
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1 PRESENT ON BEHALF OF THE PUBLIC: (Via Zoom)
 2
 3 ALLEN DREW, Hunting Park Community Solar
 Initiative
 4 AMANI REID, POWER Interfaith
 5 BEATRICE ZORICH, PSR PA
 6 BEN WEBSTER, Philly DSA
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 18 NADINE YOUNG
 19 PAMELA DARVILLE, POWER Interfaith
 20 PAT LIBBEY
 21 PETER WINSLOW
 22 PREETI REDDY
 23 ROBERT ELLIS
 24

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1 PRESENT ON BEHALF OF THE PUBLIC: (Via Zoom - Cont'd)
 2
 3 RUSSELL HICKS, POWER CJJ
 4
 5 STEVE GREENSPAN, POWER Interfaith
 6
 7 WALTER TSOU, PSR PA
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 9 ---
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1 HEARING EXAMINER WUSHINSKE: Good
 2 morning, everyone.
 3 Due to the current public health
 4 emergency, Gas Commission hearings are
 5 occurring remotely. We're using Zoom to
 6 make these remote hearings possible.
 7 Instructions for how the public may
 8 participate in these meetings are included
 9 in the public notices and can be found on
 10 the Gas Commission's website.
 11 Just a few housekeeping matters.
 12 Yesterday we circulated an Exhibits List.
 13 Did the Advocate, PGW, and POWER have a
 14 chance to review the Exhibits List?
 15 MR. DASENT: Yes, I looked at it
 16 briefly.
 17 HEARING EXAMINER WUSHINSKE: Okay. And
 18 any edits or changes at this time?
 19 MR. DASENT: None that I could see.
 20 HEARING EXAMINER WUSHINSKE: Okay.
 21 Thank you.
 22 For the Advocate, will we be hearing
 23 from Ms. Price, Mr. Ballenger, both?
 24 MS. PRICE: You'll be hearing from me.

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1 HEARING EXAMINER WUSHINSKE: Okay.
 2 MS. PRICE: Can you hear me?
 3 HEARING EXAMINER WUSHINSKE: Yes, I can
 4 hear you. Any edits to the Exhibits List at
 5 this time?
 6 MS. PRICE: I don't believe so.
 7 HEARING EXAMINER WUSHINSKE: Okay.
 8 Thank you.
 9 And for POWER I think we have
 10 Mr. McDougall.
 11 MR. McDOUGALL: Yes. I did review
 12 the Exhibits List and I'd like to give it some
 13 further review. On my initial review, I am
 14 not sure that I saw PGW's responses to POWER
 15 Set 4.
 16 HEARING EXAMINER WUSHINSKE: Okay.
 17 MR. McDOUGALL: I only saw POWER-1, 2,
 18 and 3. That's from my initial review. But
 19 I'll give it a further look as well.
 20 HEARING EXAMINER WUSHINSKE: Okay.
 21 Thank you. We'll make that change. And we
 22 will also be sending out a post-hearing
 23 Exhibits List as well.
 24 Okay. Thank you.

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1 So I will move now to Mr. Dasent for
 2 PGW, some general housekeeping and
 3 stipulations that were reached, if you could
 4 discuss those, please.
 5 MR. DASENT: Sure. Why don't we start
 6 with the adjustments?
 7 Based upon our review of the Public
 8 Advocate's testimony and the record so far
 9 based on discovery, we have about a half
 10 dozen potential adjustments. We circulated
 11 those in advance of the hearing.
 12 Those include the sort of traditional
 13 conditional expense adjustments for
 14 insurance, for environmental, it's 60,000,
 15 and that's Row 1; and the second row,
 16 builder's risk, 199,000; and I assume those
 17 are acceptable to the Public Advocate and
 18 hopefully there are no objections from
 19 POWER.
 20 Further down, adjustments to the
 21 income statement, Customer Service District
 22 Offices, Mr. Morgan made an adjustment of
 23 \$596,000 to bring the budget in line with
 24 the closed District Offices, and that's

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1 based upon Data Response PA-OB-1 and
 2 Mr. Morgan's statement at Pages 10 and 11
 3 and LKM-1.
 4 We should note that the Customer
 5 Service District Office adjustment also has
 6 a labor component to it and it assumes fewer
 7 FTEs in the customer service area, two
 8 management employees and seven union
 9 employees. So there may be some overlap
 10 between those and other adjustments, which
 11 we can discuss during the day.
 12 Going down to the next row,
 13 retirement benefit allocator, Mr. Morgan
 14 made an adjustment of \$308,370, reducing the
 15 anticipated retirees in fiscal '23 from 50
 16 to 39, and this adjustment is acceptable to
 17 the Company and tracks Exhibit LKM-1 in the
 18 Public Advocate's testimony.
 19 And, finally, there's a customer
 20 programs recommendation where Mr. Morgan is
 21 asking us to update the Commission and the
 22 parties with respect to applications for
 23 grants under the Infrastructure Investment &
 24 Jobs Act, tracking the testimony on that,

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1 dealing with weatherization assistance,
 2 Joline, and that's the focus of that
 3 particular adjustment that we are agreeable
 4 to.

5 I know it could be broader, but I
 6 just wanted to answer that question after
 7 consulting with the Company, and it is
 8 focused upon weatherization assistance
 9 because there's a significant amount of
 10 assistance to be granted to Pennsylvania
 11 according to our research for weatherization
 12 under the Infrastructure Investment & Jobs
 13 Act.

14 So we will report back to the
 15 Commission and the parties with respect to
 16 our applications and our success in that
 17 area.

18 Those are the various adjustments
 19 that are acceptable, and perhaps we can get
 20 a response from the Advocate and others.
 21 Price.

22 HEARING EXAMINER WUSHINSKE: Ms. Price,
 23 are those stipulations acceptable to the
 24 Advocate?

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1 MS. PRICE: So definitely the
 2 adjustment stipulations are acceptable. And I
 3 hear Mr. Dasent saying that PGW is agreeing to
 4 provide updates on applications for
 5 weatherization assistance under IJJA, which is
 6 slightly different than the weatherization
 7 assistance program, but I just wanted to
 8 confirm.

9 MR. DASENT: Yes, it is slightly
 10 different, yes.

11 MS. PRICE: Okay. So that would be
 12 acceptable.

13 HEARING EXAMINER WUSHINSKE: Okay.
 14 Thank you.

15 And, Mr. McDougall, does POWER have
 16 any comments on the stipulations?

17 MR. McDOUGALL: We don't have any issue
 18 with the proposed stipulations.

19 HEARING EXAMINER WUSHINSKE: Thank you.
 20 Okay. Moving on, I did, as a matter
 21 of fact, want to note that PGW, as I
 22 understand it, has a board meeting going on
 23 at the same time as this public hearing
 24 today, so because of that staff and

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1 witnesses may be unavailable at the time set
 2 forth on the agenda and we may have to
 3 deviate a bit. So I will be getting input
 4 from Mr. Dasent about who is available and
 5 how closely we can track this schedule.

6 I also wanted to offer the apologies
 7 of Executive Director McClendon that she
 8 can't be with us today.

9 So, Mr. Dasent, are we on track for
 10 Diversification/Geothermal/Sustainability/
 11 Emissions?

12 MR. DASENT: I'm hopeful that we can
 13 juggle the schedule a little bit because
 14 Mr. Gold is in that PFMC meeting, but he will
 15 be with us later.

16 HEARING EXAMINER WUSHINSKE: Okay.
 17 MR. DASENT: And if we can start with
 18 District Office closings, proceed to Lobbying,
 19 and then get to Diversification/
 20 Geothermal/Sustainability, that will
 21 accommodate his schedule and we won't have
 22 some dead air here.

23 I should also say, as a matter of
 24 housekeeping, we usually agree to

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1 authenticate the testimony of the respective
 2 parties so we don't go through that
 3 exercise, unless there are corrections to be
 4 made to the testimony --

5 HEARING EXAMINER WUSHINSKE: Okay.
 6 MR. DASENT: -- if that's acceptable to
 7 everyone.

8 HEARING EXAMINER WUSHINSKE: Thank you.
 9 For the Advocate, is that acceptable?
 10 MS. PRICE: Yes.
 11 HEARING EXAMINER WUSHINSKE: Thank you.
 12 And for POWER?
 13 MR. McDOUGALL: That's acceptable.
 14 Thanks.

15 HEARING EXAMINER WUSHINSKE: Thank you.
 16 Okay. So, Sue, if you could swear in
 17 Mr. Cummings, I think we're going to be
 18 moving to what was scheduled for 11 o'clock
 19 on our agenda, the District Office closings.
 20 - - -
 21 (Whereupon, the witness, BERNARD
 22 CUMMINGS, was duly sworn.)
 23 - - -
 24 MR. DASENT: Mr. Cummings, thank you

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1 for being here. I know you're out of town.
 2 We want to focus on the Customer
 3 Service District Offices adjustment. We
 4 agreed for that as a part of this
 5 stipulation, but I thought you might be able
 6 to flesh out the labor aspect of it a little
 7 bit because, as I understand it, there are
 8 two management employees and seven union
 9 employees that are moved from your area to
 10 some other area in the Company with respect
 11 to this particular adjustment, which was
 12 agreed to. Am I right?
 13 MR. CUMMINGS: That is correct as you
 14 stated, yes.
 15 MR. DASENT: Okay. So most of the
 16 adjustment is directed to, it looks like,
 17 office rent and things of that nature, but
 18 there is a labor component as well.
 19 With that, I tender the witness for
 20 cross-examination.
 21 HEARING EXAMINER WUSHINSKE: Thank you.
 22 For the Advocate, do you have
 23 questions for Mr. Cummings?
 24 MS. PRICE: Yes.

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1 If I could ask, Mr. Cummings, those
 2 employees, they moved to other departments?
 3 MR. CUMMINGS: That is correct. We
 4 reallocated up to seven union employees, we
 5 reallocated them to the Universal Service
 6 Department and also to the Commercial Resource
 7 Center; and of the management employees, we
 8 did the same thing, one supervisor went to the
 9 Commercial Resource Center and the other
 10 supervisor went to the Universal Service
 11 Department.
 12 MS. PRICE: Okay. Was there any
 13 decline in the overall headcount associated
 14 with closing the offices?
 15 MR. CUMMINGS: Not really, outside of
 16 the reallocation. Obviously that reduced the
 17 headcount from going from one area to two
 18 different departments. But currently right
 19 now we are staffing up to the levels that we
 20 need to be to move forward.
 21 MS. PRICE: So you don't need to staff
 22 the specific offices, right, because they are
 23 closed?
 24 MR. CUMMINGS: No, we don't have to

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1 staff the offices. However, we do have to
 2 staff the Call Center because the Call Center
 3 will now receive, you know, calls that may
 4 have potentially gone to the District Offices,
 5 so we have to staff the Call Center
 6 accordingly.
 7 MS. PRICE: Okay. Unless Mr. Ballenger
 8 has any questions...
 9 MR. BALLENGER: Before we move on, I
 10 just wanted to be clear about the Call Center,
 11 Mr. Cummings.
 12 I feel like we have talked about this
 13 before so I'm kind of just drawing from my
 14 recollection, but I thought at one point in
 15 time that calls were routed through the Call
 16 Center potentially to the District Offices
 17 if there was a need for overflow. Is that
 18 how that was handled in the past?
 19 MR. CUMMINGS: Yes. In the past that
 20 was more of a business continuity approach.
 21 If for whatever reason there was an issue,
 22 like a fire drill in the 800 building or the
 23 1800 building, we had the ability through our
 24 phone technology to route calls to the

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1 District Offices. We used that primarily for
 2 business continuity issues.
 3 MR. BALLENGER: Okay. And so you're
 4 basically trying to staff up to where you
 5 ideally would want the Call Center regardless
 6 of whether you had the District Offices then;
 7 right?
 8 MR. CUMMINGS: That is correct. That
 9 is correct.
 10 MR. BALLENGER: Okay. That's helpful.
 11 Thank you.
 12 Now, I guess just one more question.
 13 I know you're always bringing in new classes
 14 of potential employees and stuff. Can you
 15 just give us an update as to where things
 16 stand right now?
 17 MR. CUMMINGS: Of course. So at this
 18 point you have very good timing in your
 19 question. On Monday we actually onboarded a
 20 new class of 15 and, if you remember, it's a
 21 nine-week training class, so we expect them to
 22 be done sometime in mid to late August.
 23 We will have another training class
 24 in the early fall, late September/October

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1 time frame. The goal is to have a class of
 2 20. And then somewhere at the end of the
 3 winter or the end of the year, December time
 4 frame, we will shoot to have another class
 5 of 20.
 6 MR. BALLENGER: Okay. And the goal of
 7 having 20, that's all dependent on
 8 applications; right?
 9 MR. CUMMINGS: Yes.
 10 MR. BALLENGER: And whoever you find
 11 out there are looking for jobs.
 12 MR. CUMMINGS: To put this in
 13 perspective, the goal was 20 for the most
 14 recent class that started on Monday. We
 15 netted a class of 14 that actually started in
 16 the training class as we speak.
 17 MR. BALLENGER: Gotcha. That's
 18 helpful. I know you're always going through
 19 that, Mr. Cummings. This is just where things
 20 stand at the moment.
 21 MR. CUMMINGS: Correct.
 22 MR. BALLENGER: Thank you.
 23 MR. CUMMINGS: No problem.
 24 MR. BALLENGER: I don't have any

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1 additional questions. I'd like to make sure
 2 if Mr. Morgan has any questions.
 3 MR. MORGAN: I just have one quick
 4 question to clarify.
 5 With respect to the costs that have
 6 been removed, those budgeted costs included
 7 the costs of employees that were
 8 specifically District Office employees and
 9 not necessarily Customer Service/Information
 10 Services employees; is that correct?
 11 MR. CUMMINGS: Yes. So what happened
 12 was during the pandemic, when the District
 13 Offices were closed, the only employees that
 14 we're speaking of, the nine, were assigned to
 15 Call Center duties.
 16 When we made the decision to close
 17 the District Offices, those employees were
 18 originally from the District Offices who
 19 were temporarily assigned to the Call Center
 20 and then had to get reassigned to other
 21 areas of Customer Affairs due to the closing
 22 of the District Offices.
 23 MR. MORGAN: Yes. And just so that at
 24 least I'm crystal clear, the budgeted costs

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1 included the nine employees only; is that
 2 correct?
 3 MR. CUMMINGS: That is correct, it's
 4 the budgeted costs of those nine employees.
 5 MR. MORGAN: All right. Thank you.
 6 HEARING EXAMINER WUSHINSKE: Any
 7 further questions for Mr. Cummings from the
 8 Advocate?
 9 MS. PRICE: No. Thank you.
 10 HEARING EXAMINER WUSHINSKE: Okay.
 11 Thank you.
 12 Mr. McDougall, any questions for
 13 Mr. Cummings?
 14 MR. McDOUGALL: No. Thank you.
 15 HEARING EXAMINER WUSHINSKE: Thank you.
 16 MR. DASENT: If I might, just one
 17 question on redirect?
 18 HEARING EXAMINER WUSHINSKE: Sure.
 19 MR. DASENT: Just for clarity of the
 20 record, Mr. Cummings, in addition to the nine
 21 full-time employees that were reassigned,
 22 there is a bunch of other costs associated
 23 with rent and bank fees and so many other
 24 things that are itemized in PA-OB-1.

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1 MR. CUMMINGS: That is correct.
 2 MR. DASENT: Okay. Thank you.
 3 HEARING EXAMINER WUSHINSKE: Okay.
 4 Anything further, Mr. Dasent?
 5 MR. DASENT: Nothing more. Thank you.
 6 HEARING EXAMINER WUSHINSKE: Okay.
 7 Thank you.
 8 Any questions for Mr. Cummings from
 9 Commission Staff?
 10 ---
 11 (No response.)
 12 ---
 13 HEARING EXAMINER WUSHINSKE: Okay.
 14 Thank you, Mr. Cummings.
 15 MR. CUMMINGS: Thank you. Everybody
 16 have a good day.
 17 HEARING EXAMINER WUSHINSKE: Thank you.
 18 You, too.
 19 ---
 20 (Witness excused.)
 21 ---
 22 HEARING EXAMINER WUSHINSKE:
 23 Mr. Dasent, I don't know what order you have.
 24 MR. DASENT: Melanie would be next,

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1 Lobbying would be the next issue, and
 2 hopefully she's in the room.
 3 HEARING EXAMINER WUSHINSKE: Let me see
 4 if I can see her name.
 5 I don't see her name, Mr. Dasent.
 6 MR. DASENT: Bill, you'll have to tell
 7 me your backup plan.
 8 MR. GALLAGHER: We are trying to get
 9 ahold of her.
 10 MR. McDOUGALL: While we are waiting, I
 11 see a comment in the chat about the public
 12 comment process.
 13 HEARING EXAMINER WUSHINSKE: Thank you,
 14 Mr. McDougall.
 15 So it will be the same as in our past
 16 meetings where at the conclusion of the
 17 participants' part of this hearing, the
 18 public will be able to have two minutes to
 19 offer comments on PGW's operating budget.
 20 We do ask that the comments be directly
 21 related to the fiscal year '23 operating
 22 budget.
 23 MR. DASENT: Another alternative is to
 24 switch to DBE/MBE if we can get someone from

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1 that office; if not Dr. Erica, her deputy.
 2 HEARING EXAMINER WUSHINSKE: I think
 3 that would be a good idea because I see we
 4 have a fair amount of public joining us who
 5 would like to offer comment, so if we could
 6 keep things moving, I think that would be
 7 best.
 8 MR. CAMPBELL: Yes. Craig Campbell is
 9 here so I can speak to the issues.
 10 MR. DASENT: Okay. Good morning,
 11 Mr. Campbell. Erica Patterson spoke to this
 12 issue at the informal discovery, but there may
 13 be something you can offer in the way of
 14 supplementing that particular testimony or
 15 giving us some insight as to developments
 16 because we are always interested in your
 17 issue.
 18 HEARING EXAMINER WUSHINSKE: Thank you.
 19 And, Mr. Campbell, before you answer, we would
 20 like to have our court reporter swear you in,
 21 please.
 22 - - -
 23 (Whereupon, the witness, CRAIG
 24 CAMPBELL, II, was duly sworn.)

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1 - - -
 2 MR. DASENT: Mr. Campbell, can you give
 3 us an update?
 4 MR. CAMPBELL: Sure.
 5 So our overview of the FY '2023
 6 operating budget DBE forecast, for the DBE
 7 low we came up with 12.28%, which is a
 8 dollar value of \$13,256,150; and then we had
 9 a DBE high of 27.21%, which is a dollar
 10 value of \$29,380,700.
 11 Some of our new procurement practices
 12 are our electronic bidding, which is our
 13 ProcureWare system. We are pushing best
 14 value for all of our construction projects.
 15 We increased the diverse and local business
 16 enterprise spend dollar threshold from 75 to
 17 100K.
 18 We're pushing DBE compliance
 19 internally and externally. Our DBE goal for
 20 FY 2022 was 25%. Right now we're currently
 21 exceeding that goal at 26.99%. We're very
 22 happy about that.
 23 Awards recognition in 2020 to 2021.
 24 We're looking to participate in the 2022

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1 awards program for EMSDC and WBENC.
 2 We have some new strategic
 3 partnerships. Some of those are the
 4 Philadelphia Chamber Diversity Procurement
 5 Collaborative, the DPC; also the IBA, which
 6 is the National Gay and Lesbian Chamber of
 7 Commerce.
 8 Some new potential initiatives in DBE
 9 opportunities that we have coming up are
 10 department trainings with Supply Chain best
 11 practice, which we're doing in April and May
 12 of '22. We have some B2B networking events
 13 we're looking to do in '22 and '23. Of
 14 course, OEO's Med Week October 2022 we'll be
 15 participating in.
 16 One of the big things, our company
 17 HMI Henkels & McCoy was acquired by MasTec.
 18 Also Carr & Duff, which is our big
 19 construction contractor, they were acquired
 20 by an MBE, which is IMB Partners. So those
 21 two acquisitions definitely are going to
 22 positively impact our DBE numbers and be a
 23 potential boost in spend with these
 24 acquisitions.

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1 And on June 6th we did a
 2 meet-and-greet with the new OEO deputy
 3 director, Lynn Newsome. We're going to have
 4 quarterly meetings with them as well as the
 5 PGC and OEO to resume soon.
 6 Those are all the updates I currently
 7 have. Any questions?
 8 HEARING EXAMINER WUSHINSKE: PGW, do
 9 you have any further direct questions for
 10 Mr. Campbell?
 11 MR. DASENT: No direct questions. We
 12 do tender the witness for cross.
 13 HEARING EXAMINER WUSHINSKE: Thank you.
 14 Public Advocate, do you have any
 15 questions for Mr. Campbell?
 16 MS. PRICE: I do not but wanted to see
 17 if Mr. Morgan had any questions.
 18 MR. MORGAN: I don't.
 19 HEARING EXAMINER WUSHINSKE: Thank you.
 20 And, POWER, any questions for the
 21 witness?
 22 MR. McDOUGALL: No. Thank you.
 23 HEARING EXAMINER WUSHINSKE: Thank you.
 24 Commission Staff?

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1 ---
 2 (No response.)
 3 ---
 4 HEARING EXAMINER WUSHINSKE: Okay.
 5 Anything further from PGW?
 6 MR. DASENT: Nothing further. Thank
 7 you.
 8 HEARING EXAMINER WUSHINSKE: Okay.
 9 Thank you very much, Mr. Campbell, and
 10 congratulations on the awards and recognitions
 11 and goal-setting. You've been doing some
 12 great work there.
 13 MR. CAMPBELL: Thank you, all.
 14 Everyone have a great day.
 15 HEARING EXAMINER WUSHINSKE: Thank you.
 16 You, too.
 17 ---
 18 (Witness excused.)
 19 ---
 20 MR. DASENT: I believe I see
 21 Ms. McCottry now is in attendance and we can
 22 call her as the next witness.
 23 HEARING EXAMINER WUSHINSKE: Very good.
 24 Thank you, Mr. Dasent.

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1 Good morning, Ms. McCottry. We will
 2 have our court reporter swear you in and
 3 then you will be PGW's witness.
 4 MS. McCOTTRY: Thank you. Good
 5 morning.
 6 HEARING EXAMINER WUSHINSKE: Good
 7 morning.
 8 ---
 9 (Whereupon, the witness, MELANIE
 10 McCOTTRY, was duly sworn.)
 11 ---
 12 MR. DASENT: Good morning,
 13 Ms. McCottry. Our questions today really are
 14 focused on the Public Advocate's testimony on
 15 lobbying expense.
 16 Have you reviewed the Public
 17 Advocate's testimony in this context?
 18 MS. McCOTTRY: Yes.
 19 MR. DASENT: He's made a \$100,000
 20 reduction as an adjustment in the budget. Do
 21 you agree with his recommendation?
 22 MS. McCOTTRY: I disagree with the
 23 recommendation.
 24 MR. DASENT: Can you tell us why?

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1 MS. McCOTTRY: I disagree with the
 2 recommendation. You know, I am new to
 3 managing this particular portion for PGW as of
 4 this year but understand that this has been
 5 raised several times in the past and that our,
 6 you know, position at PGW has remained the
 7 same: that the vital benefit to these
 8 advocacy expenditures to our ratepayers is
 9 very, very important to a litany of items
 10 which I have outlined in my responses to
 11 inquiries during this process and it's the
 12 same that we have shared in the past.
 13 Related to specifically LIHEAP, in
 14 the responses I had provided previously, you
 15 know, we so far at that point had achieved
 16 \$33 million in LIHEAP funding for the year.
 17 That number is now \$34 million.
 18 So that's vital to our customers and
 19 the advocacy expenditures assist us greatly
 20 in being able to secure those funds and also
 21 support pipeline improvement, weatherization
 22 goals, and many, many others.
 23 MR. DASENT: With that statement, the
 24 witness is tendered for cross-examination.

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1 HEARING EXAMINER WUSHINSKE: Thank you,
 2 Mr. Dasent.
 3 Public Advocate?
 4 MS. PRICE: Thank you.
 5 Hi, Ms. McCottry. I have just one
 6 question.
 7 Would you be able to give a breakdown
 8 of the \$100,000 by the various initiatives
 9 you identified in terms of how much will be
 10 spent on LIHEAP advocacy, pipeline
 11 improvement, weatherization, the various
 12 other things?
 13 MS. McCOTTRY: Well, at this point it's
 14 our budget, so it will depend on what
 15 priorities come forward in the next year. So
 16 I'm not able to provide a breakdown at this
 17 time.
 18 MS. PRICE: So just to clarify, you
 19 don't know how much of the \$100,000 will go to
 20 LIHEAP advocacy?
 21 MS. McCOTTRY: No. The \$100,000 is a
 22 budget amount.
 23 MS. PRICE: And how does the budget
 24 amount work? It's a contract?

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1 MS. McCOTTRY: We work with different
 2 vendors to help us to support our advocacy
 3 spending throughout the year depending on what
 4 issues are raised. Our goal is to obviously
 5 not exceed the budget but to meet the needs of
 6 our customers with the activities that we
 7 conduct in the next year.
 8 MS. PRICE: So I'm a little new to
 9 this. I'm trying to understand. The \$100,000
 10 is budgeted. What is that spent on?
 11 MS. McCOTTRY: Spent on advocacy
 12 expenditures related to items, you know, that
 13 could impact our ratepayers.
 14 Like specifically, you know, LIHEAP,
 15 every year we spend significant time on that
 16 issue making sure that our ratepayers are
 17 aware of opportunities for funding and that
 18 we work towards making sure that we're doing
 19 everything we can to secure those funds for
 20 our customers.
 21 MS. PRICE: Traditionally you've used
 22 Gmerek as the lobbyist you pay with this
 23 \$100,000.
 24 MS. McCOTTRY: That is a vendor we have

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1 used in the past.
 2 MS. PRICE: Do you know if you'll be
 3 using them in the future?
 4 MS. McCOTTRY: Yes, we are contracted
 5 to work with them.
 6 MS. PRICE: I would ask, Mr. Morgan, if
 7 you have any questions.
 8 MR. MORGAN: No, I don't.
 9 MS. PRICE: Unless Mr. Ballenger has
 10 any questions, I believe that's it.
 11 MR. BALLENGER: Yes, if I could, for a
 12 minute.
 13 Ms. McCottry, I guess what I heard
 14 Ms. Price asking was maybe not so much about
 15 the budget as it is about the actual, you
 16 know, payments to these lobbyists and I
 17 guess what I think we were trying to figure
 18 out a little bit better is how that
 19 structure works.
 20 Like if you have a contract with
 21 Gmerek, are you paying them based on the
 22 initiative and coming to an agreement as to,
 23 you know, we'll pay you \$10,000 to lobby for
 24 X, Y, and Z?

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1 MS. McCOTTRY: No, it is not assigned
 2 that way.
 3 MR. BALLENGER: Okay. How is it
 4 assigned?
 5 MS. McCOTTRY: That at any given time,
 6 you know, they are monitoring legislation and,
 7 you know, making sure that we are aware of
 8 items that could be of interest to our
 9 ratepayers to make sure that if there are
 10 things that we should be advocating
 11 specifically for, that we are aware of that
 12 and that we are working here internally at PGW
 13 to make sure that we're not missing out on
 14 dollars that could help to, you know, lessen
 15 the financial burden on our customers, which
 16 is always our goal.
 17 MR. BALLENGER: Yes. So if there is
 18 nothing going on, do they get paid anyway?
 19 MS. McCOTTRY: Can you ask that
 20 question again? If there's nothing going on?
 21 MR. BALLENGER: Let's say everyone in
 22 Harrisburg goes home. Does Gmerek still get
 23 paid? There's nothing, no bills are
 24 introduced, there's nothing going through the

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1 General Assembly at all. In that circumstance
 2 do they still get paid?
 3 MS. McCOTTRY: We follow the orderings
 4 of a contract --
 5 MR. BALLENGER: Okay.
 6 MS. McCOTTRY: -- which we have
 7 several, and we honor the contract that we
 8 have with them and that we agreed to when it
 9 was agreed upon.
 10 MR. BALLENGER: So am I right then that
 11 it's structured as they get paid the contract
 12 amount regardless of how much activity there
 13 is to monitor?
 14 MS. McCOTTRY: I think that there's a
 15 long history and track record of there
 16 continuing to be a need for -- and I keep
 17 drawing on LIHEAP, but that is consistent and
 18 that has not changed and we anticipate that
 19 that will continue.
 20 We understand the customer base that
 21 we serve and the challenges that they
 22 experience, especially financially, so we
 23 anticipate and want to make sure that we are
 24 acting proactively and so we have put a

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1 contract in place to make sure that we are
 2 doing that.
 3 MR. BALLENGER: Okay. I mean, it
 4 sounds to me -- and we've talked about this so
 5 many times over so many budgets --
 6 MS. McCOTTRY: Yes. And I suggest
 7 obviously that the lawyers, you know, brief
 8 this issue again. But I hope also that the
 9 Commission should continue to note the
 10 multitude of benefits that this has provided
 11 to PGW and its ratepayers every single year
 12 and that has been long-standing and
 13 unchanging.
 14 MR. BALLENGER: Well, I think you
 15 anticipate where it's going, on briefs,
 16 Ms. McCottry. So I think this is all
 17 sufficiently gelatinous for purposes of
 18 briefing at this point. So I'll let it go for
 19 now. Thanks.
 20 HEARING EXAMINER WUSHINSKE: To the
 21 Advocate, does Mr. Morgan have any questions
 22 for Ms. McCottry?
 23 MR. MORGAN: I think just one quick
 24 followup.

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1 I know you've mentioned LIHEAP as
 2 being one of the issues that you may lobby
 3 for. But to the extent that there is an
 4 issue that comes about that PGW may not
 5 agree with, just in this instance, let's say
 6 emissions, PGW can disagree with the
 7 regulation that came about regarding
 8 emissions, would these dollars be the same
 9 dollars that would be used to lobby against
 10 it?
 11 MR. DASENT: Is this a hypothetical
 12 question? -- because I have not heard this
 13 issue identified.
 14 MR. MORGAN: So it's a hypothetical and
 15 I can make it broader and say that with
 16 respect to the lobbying dollars, they are not
 17 specific for LIHEAP; it could be any issue
 18 that PGW seeks to pursue.
 19 MS. McCOTTRY: We work on behalf of our
 20 ratepayers in representing the best interests
 21 for our ratepayers. So on issues that are in
 22 the best interest of our ratepayers, that's
 23 what we work on.
 24 MR. MORGAN: Okay. Thanks.

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1 HEARING EXAMINER WUSHINSKE: Anything
 2 more from the Public Advocate?
 3 MR. BALLENGER: I guess I'm curious as
 4 to whether Mr. Dasent has questions of
 5 Mr. Morgan on his testimony about this subject
 6 and, if so, whether Mr. Morgan should be sworn
 7 at this point. I don't know what Mr. Dasent's
 8 plan is.
 9 MR. DASENT: I was planning to brief
 10 the issue, truthfully. But I'm hopeful
 11 Mr. Morgan will be sworn on other issues, like
 12 staffing.
 13 HEARING EXAMINER WUSHINSKE: Okay.
 14 Thank you.
 15 So, Mr. McDougall, do you have
 16 questions for PGW's witness?
 17 MR. McDOUGALL: No. Thank you.
 18 HEARING EXAMINER WUSHINSKE: Thank you.
 19 I just have one question for you,
 20 Ms. McCottry. Just to kind of follow up
 21 with the Advocate's question about would
 22 Gmerek get paid if nothing was going on, has
 23 that happened in the past? Do you know, in
 24 your time has there been a year where there

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1 was nothing going on?

2 MS. McCOTTRY: I want to speak to my

3 tenure and I can say that that has not been my

4 experience.

5 HEARING EXAMINER WUSHINSKE: Okay.

6 Thank you. I just wanted to know if we had

7 any real-life situation to draw on there.

8 MR. BALLENGER: I'm sorry; I think

9 that's not quite what we were trying to get

10 at. I was trying to get at how they're

11 compensated and what the contract provides

12 for. And I think what we've established is

13 that it's a pretty vague commitment to pay

14 them without any clue as to what they may or

15 may not do.

16 I'm sorry; I wasn't looking for a

17 real-world example, although I don't know as

18 we sit here today -- maybe Ms. McCottry can

19 help us -- are they paid monthly by PGW?

20 MS. McCOTTRY: Yes.

21 MR. BALLENGER: When the General

22 Assembly is not in session then, they receive

23 payment?

24 MS. McCOTTRY: Yes.

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1 MR. BALLENGER: Okay. Thank you.

2 MR. DASENT: I think we will brief this

3 issue. That's where we left it a few moments

4 ago and that's where it should be.

5 MS. McCOTTRY: Yes. You know, we're 24

6 hours/365. There are always issues that are

7 important to our ratepayers all year-round.

8 HEARING EXAMINER WUSHINSKE: Okay.

9 Mr. Dasant, do you have any more

10 questions for Ms. McCottry?

11 MR. DASENT: None. Thank you.

12 HEARING EXAMINER WUSHINSKE: Okay.

13 Thank you.

14 Thank you, Ms. McCottry.

15 MS. McCOTTRY: Thank you, all. Thank

16 you.

17 MR. DASENT: Thank you.

18 - - -

19 (Witness excused.)

20 - - -

21 HEARING EXAMINER WUSHINSKE: So,

22 Mr. Dasant, I will defer to you whether we

23 have --

24 MR. DASENT: I see Mr. Gold, I see

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1 Mr. Gold.

2 HEARING EXAMINER WUSHINSKE: Okay.

3 MR. DASENT: And if he's ready, this

4 would be a good time.

5 Good morning.

6 MR. GOLD: Good morning.

7 MR. DASENT: This witness hasn't

8 been --

9 HEARING EXAMINER WUSHINSKE: Yes. I

10 was just going to say, Mr. Gold, if you are

11 ready, the court reporter will swear you in.

12 MR. GOLD: Of course.

13 - - -

14 (Whereupon, the witness, ELLIOTT

15 GOLD, was duly sworn.)

16 - - -

17 MR. DASENT: Good morning, Mr. Gold.

18 MR. GOLD: Good morning.

19 MR. DASENT: Your testimony today is

20 basically focused on the response to POWER and

21 their statements by Mr. Kleinginna and I

22 wanted to start you off with: Have you

23 reviewed the testimony that POWER has

24 presented on the greenhouse gas emissions,

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1 specifically tracking and reporting and

2 developing the greenhouse gas target; and if

3 that's true, could you please comment on the

4 testimony?

5 MR. GOLD: Yes, I have. I believe in

6 general POWER agrees with PGW on our overall

7 objectives here that we've been proactively

8 working towards on our own for years now.

9 As POWER's testimony acknowledges,

10 we've been working towards these targets,

11 completing our Scope 1 and Scope 2 emission

12 inventories; setting of our own volition a

13 commitment to develop in our FY '23 set our

14 Scope 3 inventory and emission reduction

15 plans.

16 POWER's testimony says they support

17 these activities and, in fact, POWER is

18 recommending approval of our proposed

19 funding line of them to support our next

20 steps in these endeavors; and we agree with

21 that recommendation.

22 We do not agree with POWER's

23 additional recommendations beyond approving

24 of the line item and imposing additional

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1 requirements and arbitrary and unrealistic
 2 timeline milestones at this point, which is
 3 premature in the process.
 4 We believe their recommendations are
 5 both premature based on where we're at in
 6 the process and also overly prescriptive at
 7 this point in time that we think are only
 8 going to derail efforts which POWER is
 9 supportive of and recommends be funded.
 10 Again, we have been proactively
 11 working towards these emission inventories
 12 and reduction goals for years now.
 13 In going after our Scope 3
 14 emissions -- our Scope 3 emissions are
 15 indirect emissions outside our direct
 16 control, upstream emissions and our
 17 downstream emissions, including our
 18 customers' combustion -- in going after our
 19 Scope 3 emissions, we have placed ourselves
 20 among the vanguard of those going the
 21 furthest in reducing overall emissions as
 22 greatly as possible.
 23 We are developing our workplan for
 24 this FY '23 project right now. As a

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1 municipally owned and highly regulated
 2 entity, we provide public reports routinely.
 3 And on our own we developed and published
 4 our Scope 1 methane reduction plan last
 5 year, I believe it was, for reducing our own
 6 Scope 1 methane emissions, 80% by 2050. We
 7 did that because we wanted to do it and of
 8 course we put that out as a public plan.
 9 After performing all of these efforts
 10 to develop technically sound emission
 11 inventories and reduction targets, of course
 12 we're going to publish our public plans,
 13 just as we have in the past.
 14 There is no need at this point in the
 15 process for imposing specific reporting
 16 requirements over and beyond what we're
 17 already performing and would perform and not
 18 to the level of detail and frequency
 19 recommended by POWER.
 20 Similarly, there is no need for
 21 imposing specifically prescribed stakeholder
 22 engagement activities at this point in the
 23 process before we've developed our workplan
 24 and our stakeholder engagement plan.

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1 We perform stakeholder engagement
 2 routinely. We would do so going forward.
 3 We are proposing to have a chance to develop
 4 our own plan based on our own experience and
 5 expertise on how we address stakeholder
 6 engagement routinely.
 7 We also believe that some of the
 8 milestones set unrealistic timelines. As I
 9 mentioned, we're developing our workplan
 10 right now for achieving the emission
 11 inventory and reduction targets.
 12 If we determine a vendor is needed,
 13 we're going to have to go through that
 14 highly regulated procurement process,
 15 selection and contractor or vendor
 16 contracting.
 17 And then we get into the actual
 18 project itself, which based on our current
 19 understandings may take as long as nine
 20 months.
 21 The only reason we're able to hit our
 22 current timelines is because, again, of our
 23 own volition, we have developed these
 24 targets for ourselves and these plans and

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1 we've been working towards them.
 2 POWER agrees with our approach. They
 3 want to add more specifically prescribed
 4 requirements at this point and they want us
 5 to do it five months sooner than we had been
 6 planning for.
 7 Finally, PGW also disagrees with the
 8 recommendation for filing a supplementary
 9 budget exam. POWER is essentially making a
 10 late discovery request with this one. PGW
 11 has already provided with the filing and
 12 discovery as much detailed information
 13 concerning this initiative as we have
 14 available and, again, it's an initiative and
 15 a line item which POWER supports.
 16 MR. DASENT: Okay. That covers a large
 17 swath of what I wanted to talk with you about
 18 this morning, Mr. Gold.
 19 But quarterly reporting and
 20 stakeholder engagement I guess was also
 21 addressed with what you're saying. Are you
 22 saying as a part of our planning we will
 23 provide whatever reporting and stakeholder
 24 engagement we would propose and at that

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1 point public input would be invited?

2 MR. GOLD: We are happy to share our

3 reporting and engagement plans as they

4 develop.

5 MR. DASENT: Okay. That's all we have.

6 The witness is tendered for cross-examination.

7 HEARING EXAMINER WUSHINSKE: Thank you,

8 Mr. Dasent.

9 Ms. Price, do you have any questions

10 for Mr. Gold?

11 MS. PRICE: I don't believe I do.

12 Mr. Morgan, do you have any

13 questions?

14 MR. MORGAN: I don't.

15 HEARING EXAMINER WUSHINSKE:

16 Mr. Ballenger?

17 MR. BALLENGER: I guess just one.

18 Mr. Gold, you talked about, I think

19 when you closed, you said you were happy to

20 share these things as they develop, the

21 reports and status and whatnot.

22 Who are you happy to share that with?

23 Are you happy to share that with this group?

24 Are you happy to share that by filing it

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1 with the Commission and serving, you know,

2 the Public Advocate and POWER going forward?

3 MR. GOLD: My response was happy to

4 share it with the Commission.

5 But, Andre, is there anything that

6 you would add to that in terms of the

7 typical process?

8 MR. DASENT: Typically the Commission

9 will tell us to give it to everyone, so I will

10 wait for that direction. But Heidi is very

11 predictable.

12 MR. BALLENGER: Okay. Yeah. I mean, I

13 think that would probably be a helpful step

14 here, just so that, you know, we actually have

15 some ongoing understanding of what you may be

16 doing with these objectives, and I certainly

17 don't feel like I have that at this point.

18 HEARING EXAMINER WUSHINSKE: Anything

19 further from the Advocate for Mr. Gold?

20 MR. BALLENGER: I don't think so.

21 HEARING EXAMINER WUSHINSKE: Okay.

22 Thank you.

23 Mr. McDougall, questions for

24 Mr. Gold?

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1 MR. McDOUGALL: Sure. Thank you.

2 So what I'd like to do is just sort

3 of go piece by piece in the recommendations.

4 We did have a number of recommendations

5 about different areas and, Mr. Gold, I

6 appreciate you touched on many of them in a

7 cross-cutting way. But just to get clarity

8 on the specific parts, I'd like to kind of

9 go step by step, if we may.

10 Okay. So the first part of the

11 testimony talks about "Greenhouse Gas

12 Emissions Tracking, Reporting, and Reduction

13 Expenses."

14 And we start off in terms of the

15 recommendations on that with talking about

16 recommending filing requirements and there's

17 two parts to the recommendations there.

18 There's a request for a supplementary

19 filing that applies to FY '23 operating

20 budget planning and there's also a

21 recommendation about future filings

22 requirements for future operating budgets in

23 terms of specifically preparing a budget

24 exam that captures the resource allocation

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1 for greenhouse gas-related activity.

2 Now, to clarify, do you oppose both

3 the supplementary filing for FY '23 and the

4 filing requirement for future operating

5 budgets?

6 MR. GOLD: I believe our position is in

7 every single budget we provide our proposed

8 funding requests and as much detail as we have

9 available at that time and the very nature of

10 this proceeding allows all intervenors to ask

11 any questions and make any recommendations

12 that they have during the process. So I think

13 our proposal is going forward to follow the

14 same process that we have been following up

15 until now.

16 MR. McDOUGALL: Okay. So to be clear,

17 the answer is that you oppose both parts of

18 the recommendation, both the supplementary

19 filing and future filing requirements?

20 MR. GOLD: I don't think that's what I

21 said.

22 MR. McDOUGALL: Well, please, clarify.

23 MR. GOLD: I explained why we do oppose

24 the current-year supplemental filing and I

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1 explained how we are proposing to follow the
 2 same process going forward, which would allow
 3 any intervenors to make any requests and
 4 recommendations that they may have at that
 5 time.
 6 MR. McDOUGALL: Okay. So
 7 Mr. Kleinginna has recommended that the
 8 Commission require PGW, as a filing
 9 requirement for future operating budgets, to
 10 include a budget exam for business
 11 diversification initiatives. What is your
 12 position on that recommendation?
 13 MR. GOLD: I'm sorry; you jumped to
 14 business diversification initiatives?
 15 MR. McDOUGALL: I'm sorry; my mistake.
 16 Mr. Kleinginna has recommended that
 17 the Commission require PGW to, as a filing
 18 requirement for future operating budgets,
 19 include a budget exam for greenhouse gas
 20 activities. What's your position on that
 21 recommendation?
 22 MR. GOLD: I'd say similar to my
 23 previous response: Allow us the opportunity
 24 to develop our reporting plan and stakeholder

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1 engagement plan and share that with the
 2 Commission and develop future years' budgets
 3 and provide any information we have available
 4 in future years' budgets.
 5 MR. McDOUGALL: So with regard to the
 6 recommendation about the Commission taking
 7 action to impose a filing requirement for
 8 future budgets, your position is that the
 9 Commission should not do that; is that
 10 correct?
 11 MR. GOLD: Our position is that we are
 12 developing our proposed reporting requirements
 13 and we will share that, and we will provide
 14 any detail we have available and that is
 15 requested that we can respond to in future
 16 years' budgeting processes.
 17 MR. McDOUGALL: Okay. So as you sit
 18 here today, you're not willing to agree to
 19 provide a budget exam for next year's budget
 20 relating to greenhouse gas initiatives.
 21 MR. GOLD: Your question and a number
 22 of the other questions are asking us to commit
 23 to things that we don't know right now and a
 24 number of my responses are going to be a

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1 similar position of in general we are
 2 uncomfortable making commitments that we don't
 3 necessarily know that we're committing to and
 4 we haven't done all the analyses and we
 5 haven't developed the projects and the
 6 opportunities and the workplans. We have a
 7 lot of work that we have to get ahead of us
 8 before we're willing to make commitments for
 9 future years.
 10 MR. McDOUGALL: Okay. So there's too
 11 much uncertainty about whether PGW will
 12 allocate any resources at all to greenhouse
 13 gas emissions activities in FY '24 so you
 14 really can't commit to supplying a budget exam
 15 on it?
 16 MR. DASENT: Objection. He didn't say
 17 that.
 18 MR. McDOUGALL: I'm trying to
 19 understand the nature of the uncertainty that
 20 would sort of prevent committing to providing
 21 a budget exam on these initiatives.
 22 MR. GOLD: We have not yet developed
 23 the programming that will be involved in
 24 achieving whatever the emission reduction

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1 targets end up being that have not yet been
 2 set.
 3 We are uncomfortable committing to
 4 specific requirements about programming and
 5 reporting and stakeholder engagement that
 6 has not yet been developed yet but we are
 7 actively working on right now.
 8 MR. McDOUGALL: Understood. With this
 9 question I'm really trying to focus just on
 10 the filing requirement. You know, we'll get
 11 to the other recommendations.
 12 So I understand, including from the
 13 discovery responses, that work on reporting
 14 and stakeholder activities is underway; and
 15 I also understand that the greenhouse gas
 16 reduction planning is also underway.
 17 I believe the record reflects there's
 18 a substantial amount of existing activity
 19 relating to greenhouse gas tracking,
 20 reporting, and reduction planning,
 21 including, as you have shared in discovery,
 22 relating to Scope 1 and Scope 2.
 23 So I think the record reflects
 24 there's actually a substantial amount of

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1 activity that is already occurring and
 2 already has occurred.
 3 So given that there are resources
 4 being allocated, it's hard to see why it's
 5 premature to provide a budget exam that
 6 clarifies what the resource allocation is.
 7 MR. GOLD: So as one example, one of
 8 our main Scope 1 existing emission reduction
 9 programs is our main replacement program and
 10 that's a large part of how we'll achieve our
 11 80% reduction methane emissions by 2050.
 12 Part of my response was also the
 13 routine reporting and stakeholder engagement
 14 that we're already providing for the
 15 existing programming that's in place.
 16 So part of our position would be for
 17 main replacement programming and its
 18 inclusion in the methane reduction program,
 19 we are already putting out public reports.
 20 So I think we would continue to point
 21 towards and provide the public reporting
 22 that we're already doing and add to it going
 23 forward, based on new programming and new
 24 emission reduction targets, and we haven't

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1 determined what that new programming and
 2 reporting and stakeholder engagement would
 3 look like yet.
 4 MR. McDOUGALL: Thank you, Mr. Gold.
 5 It's helpful information about reporting and
 6 stakeholder engagement. However, my current
 7 line of questions is actually just focused on
 8 budget exams and filing requirements. We will
 9 get to reporting and stakeholder issues.
 10 But my question is really focused for
 11 the moment exclusively and entirely on
 12 budget filing requirements and specifically
 13 our expert's recommendation to provide a
 14 budget exam for greenhouse gas-related
 15 initiatives.
 16 And I hear from you that many of the
 17 greenhouse gas initiatives that PGW is
 18 contemplating for FY '23 are yet to be
 19 developed. And we've also heard from PGW
 20 during the discovery process that PGW has
 21 done a lot already, including, as you shared
 22 today, with some pride, PGW has done a lot
 23 of work in this area.
 24 So we're all in agreement that PGW

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1 has done a lot of work on greenhouse gases,
 2 you know, per your explanation.
 3 Now, my question is: Given that
 4 that's the case, why is it premature to
 5 provide a budget exam that clarifies what's
 6 the resource allocation for all that work
 7 that PGW has been doing?
 8 MR. DASENT: If I might jump in,
 9 Finance actually prepares the budget exam, as
 10 I understand the process. Mr. Gold will tell
 11 you what expenditures are made. For example,
 12 on GHG I saw \$170,000. The budget exam will
 13 be provided and directions as to where people
 14 can look in the filing for this information
 15 can be found, it sounds like, in a number of
 16 different places. When the Finance folks are
 17 on, we can ask for some clarification on that.
 18 But I'm hoping that sort of tells
 19 Mr. Gold also that, you know, he doesn't
 20 have complete responsibility in terms of
 21 reporting these things. But in terms of
 22 reporting and public engagement and all the
 23 substantive things, he's the boss.
 24 MR. McDOUGALL: Understood. Thank you,

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1 Mr. Dasent. I'm happy to and interested to
 2 talk to whoever at PGW is the right person for
 3 each of the issues.
 4 The reason that I was asking Mr. Gold
 5 questions about the budget requirement is
 6 that Mr. Gold took rather strong positions
 7 about the filing requirements. So my
 8 questions were a followup on that.
 9 But if he is not, you know, the right
 10 or the best person to talk to, I'm happy to
 11 talk to someone else.
 12 MR. DASENT: And he can correct me if
 13 I'm wrong, but I think the mechanics of the
 14 filing are really in Finance and they can sort
 15 of tell you what's going to happen next time
 16 in the process resembles what happened this
 17 time, which is we try to tell people what
 18 we're spending on what and give you the detail
 19 we have, as Mr. Gold has already stated.
 20 MR. McDOUGALL: Understood. You know,
 21 the question, of course, is about a
 22 recommendation for an additional filing
 23 requirement and, you know, the details that
 24 one has can be related to the details that one

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1 gathers, and that's the very essence of the
 2 issue.
 3 So with that, you know, Mr. Dasent,
 4 I'm happy to move to the other parts that
 5 are maybe more in Mr. Gold's purview.
 6 But I just want to just clarify for
 7 the record before we move on, Mr. Gold, you
 8 characterized Mr. Kleinginna's
 9 recommendations about budget filing
 10 requirements as a late discovery request.
 11 And, of course, there's two parts to the
 12 recommendation. One is a supplementary
 13 filing and one is a future filing
 14 requirement.
 15 Is it your position that both of
 16 those recommendations are in effect late
 17 discovery requests and, if so, could you
 18 explain why?
 19 MR. GOLD: My position is that the
 20 request for this current year's budget is late
 21 and my position is that for future years
 22 there's already a process for taking up those
 23 requests and recommendations and recommending
 24 that we continue to follow the process that is

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1 currently in place.
 2 MR. McDOUGALL: Okay. Do you recall
 3 our discussion during the Informal Discovery
 4 Conference No. 1 where I asked about resource
 5 allocation for business diversification
 6 initiatives?
 7 MR. GOLD: I recall.
 8 MR. McDOUGALL: And do you recall that
 9 you didn't have an answer to that?
 10 MR. GOLD: I believe I answered every
 11 question that was posed.
 12 MR. McDOUGALL: You provided an answer,
 13 but not to the specific question of what the
 14 resource allocation is, because you said that
 15 it would be sort of developed throughout the
 16 course of the year. I'm just trying to
 17 establish if you recall that this was asked
 18 about in discovery.
 19 MR. GOLD: I recall that you asked
 20 about staffing levels, I believe the question
 21 was, in informal discovery; yes.
 22 MR. McDOUGALL: Okay. So it's your
 23 position that if POWER believes the filing is
 24 incomplete on important issues, that

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1 requesting a supplementary filing is the same
 2 as a discovery request?
 3 MR. GOLD: I believe we had a process
 4 for POWER to ask for a number of responses, as
 5 you did, to the data requests; and we provided
 6 the data that we had available.
 7 MR. McDOUGALL: And to ask about a
 8 supplementary filing to correct an omission,
 9 you consider that no different from the
 10 discovery requests that POWER had already made
 11 on the same topic?
 12 MR. GOLD: At this time. There was a
 13 process for posing data requests and
 14 requesting responses. We went through that
 15 moment.
 16 MR. McDOUGALL: Okay. So would you say
 17 that all requests for supplementary filings on
 18 a budget are really just late discovery that
 19 should be denied or is that special to this
 20 issue?
 21 MR. GOLD: I don't think that's what I
 22 said. I said we have a process and we should
 23 follow the process, and this is coming after
 24 the process.

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1 MR. McDOUGALL: Right. Well, that's my
 2 question. Is this a position you're taking
 3 solely on this topic or do you view it as a
 4 general rule that if testimony requests a
 5 supplementary filing, then that's late
 6 discovery that should be disallowed?
 7 MR. GOLD: Oh, I'm in no position to
 8 take general rules. I'm not a lawyer and, as
 9 Mr. Dasent said, I'm not on the Finance team.
 10 All I can speak to is my purview.
 11 MR. McDOUGALL: Okay. I appreciate
 12 that.
 13 And so for the future filing requests
 14 that Mr. Kleinginna has recommended for FY
 15 '24, would you regard that as a late
 16 discovery request as well?
 17 MR. GOLD: I want to make sure I
 18 understand the question. What I'm saying is
 19 in the future years, just like this year,
 20 there is a process for posing any questions
 21 and recommendations that you might have.
 22 What you're suggesting is a
 23 hypothetical of if in a future year you do
 24 not pose a question or make a request during

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1 the typical process and then in a
 2 recommendation request supplemental
 3 information, how I would feel about that?
 4 MR. McDOUGALL: No. I'm sorry; perhaps
 5 I was unclear.
 6 To circle back, in Mr. Kleinginna's
 7 testimony on filing requirements there were
 8 two parts. One was a request for a
 9 supplementary filing about FY '23. The
 10 other was a request that the Commission
 11 instruct PGW for future operating budget
 12 filings to provide a budget exam on
 13 greenhouse gas initiatives.
 14 In the course of your rebuttal
 15 testimony I heard you to oppose all of
 16 Mr. Kleinginna's filing requirements
 17 recommendations on the grounds that they are
 18 late discovery requests.
 19 What I'd like to do to just sort of
 20 clarify the record is just confirm whether
 21 or not you view Mr. Kleinginna's
 22 recommendation that the Commission require
 23 PGW to file a greenhouse gas initiatives
 24 budget exam for FY '24, that you view that

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1 as a late discovery request.
 2 MR. DASENT: Just note our objection.
 3 This question has really been asked and
 4 answered. One, it's late. There's time for
 5 discovery. That's this case. The future, he
 6 said a minute ago, unneeded, there's already a
 7 process. That's your answer.
 8 MR. McDOUGALL: Mr. Dasent, if you
 9 would let the witness speak for himself, it
 10 would be helpful. The witness did during his
 11 rebuttal testimony oppose all filing
 12 requirements as late discovery requests and
 13 I'm just trying to clarify for the record what
 14 the meaning of that was.
 15 MR. DASENT: And he spoke to that issue
 16 just a moment ago and you're asking it again
 17 and again and again.
 18 MR. McDOUGALL: Well, I'm not --
 19 HEARING EXAMINER WUSHINSKE:
 20 Mr. McDougall, I think I would agree with PGW,
 21 it has been asked and answered. Perhaps you
 22 can rephrase the question in a way that
 23 advances your point and moves us along a
 24 little bit.

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1 MR. McDOUGALL: Absolutely.
 2 If everyone is taking the
 3 understanding that Mr. Gold is not claiming
 4 that the future filing requirement is a late
 5 discovery request, I'm happy to move on. I
 6 just haven't heard that clearly from
 7 Mr. Gold, which is the reason I just wanted
 8 to clarify. But I'm happy to move on if it
 9 has indeed been clarified.
 10 Mr. Gold, is that satisfactory to
 11 you?
 12 MR. GOLD: I agree with Andre's
 13 characterization, Mr. Dasent's
 14 characterization, previously, a minute ago.
 15 MR. McDOUGALL: Okay. Very good.
 16 So in order to just kind of stay on
 17 track here, I would like to just move
 18 through the recommendations that were in
 19 Mr. Kleinginna's testimony and just sort of
 20 clarify what your take is on them
 21 specifically.
 22 So I believe that has really helped
 23 us clarify your position on the filing
 24 requirements and I think Mr. Dasent has also

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1 helped and suggested that maybe we ought to
 2 talk to the Finance folks to also get some
 3 light on that.
 4 So with regard to reporting
 5 requirements, the recommendation is to
 6 provide quarterly requirements on progress
 7 towards deliverables and milestones. And in
 8 your rebuttal testimony you stated that that
 9 would derail, quote/unquote, an initiative
 10 that POWER supports and I'm just wondering
 11 if you can say a little more on why
 12 providing quarterly reports on progress
 13 towards deliverables and milestones would
 14 derail PGW's greenhouse. Gas work.
 15 MR. GOLD: My primary point is that we
 16 are developing our workplan, we are developing
 17 our reporting plan, we are developing our
 18 stakeholder engagement plan. Routinely as a
 19 matter of course of our business we do all of
 20 those activities.
 21 What I believe I've said several
 22 times is that it's premature in the process
 23 to impose very specifically prescribed
 24 recommendations before we've had the chance

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1 to develop our workplan and our plans for
 2 each of those activities. Allow us the
 3 chance, as we always would do, to develop
 4 our own plans and share them with the
 5 Commission.
 6 My concern is being overly
 7 prescriptive with very specific and very
 8 potentially overly detailed reporting
 9 requirements before we've had the
 10 opportunity to develop them on our own is
 11 not the right sequencing and not the best
 12 use of time at this point in time.
 13 MR. McDOUGALL: Thank you. That's some
 14 helpful background. And I hear you to say
 15 that if PGW does it its own way, it's better.
 16 What I'd like to ask about is this
 17 concept of derailing because that's a very
 18 strong position. That's different from
 19 saying there might be other ways that are
 20 better.
 21 But to say that something would
 22 derail it is to say that having to do
 23 something will cause substantial negative
 24 impact, and I'm just wondering if you could

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1 just help us understand on kind of a
 2 business operations level why if it were to
 3 come to pass that PGW were required to
 4 provide quarterly updates, like how the
 5 derailing process would work, how the damage
 6 would hit, how bad it would be, and how it
 7 would all work if these quarterly reports
 8 were to come to pass.
 9 MR. GOLD: I believe it's about
 10 following the right process in the right
 11 sequencing and allowing us to develop the
 12 workplan and our proposed reporting and
 13 engagement plans and doing things out of order
 14 or before we've had the chance to develop the
 15 approach ourselves is an unnecessary use of
 16 time and not the most efficient use of time.
 17 I think everybody agrees that we're
 18 supportive of these targets and not only
 19 supportive of the targets but wants us to do
 20 them even quicker than we had been
 21 committing to for ourselves. So any time
 22 that is not efficiently spent, that is not
 23 the best use of time, is slowing us down to
 24 what we ultimately will get to.

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1 MR. McDOUGALL: Okay. I hear you on
 2 that.
 3 You know, another key set of concerns
 4 to Mr. Kleinginna is, as you know, the City
 5 has directly instructed PGW to provide
 6 regular updates on greenhouse gas
 7 initiatives and also business
 8 diversification initiatives, although we'll
 9 get to that later.
 10 You know, as it says in the Business
 11 Diversification Study, Page 6: "PGW should
 12 provide the City with regular progress
 13 updates on the status of its pilot programs
 14 to diversify its business and reduce
 15 greenhouse gas emissions, as well as regular
 16 updates on PGW's current and projected
 17 greenhouse gas emissions."
 18 And to confirm, you oppose the
 19 quarterly reporting even in light of the
 20 City's instruction to provide regular
 21 updates.
 22 MR. GOLD: We are proposing to allow us
 23 to continue our process of developing our
 24 workplan and our plan that we would always do

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1 for public reporting and stakeholder
 2 engagement that we would typically do.
 3 I think you're combining two
 4 questions there, the reporting and
 5 stakeholder engagement with the City
 6 directive. Do you want me to separately
 7 address the City directive, that letter from
 8 the Mayor?
 9 MR. McDOUGALL: Well, yes. I would
 10 like to kind of keep the lanes separate.
 11 We've got reporting requirements and we've got
 12 stakeholder engagement, and the City's letter
 13 of course provides directive on both those
 14 topics. I'd like to focus on just reporting
 15 now.
 16 And we also have, of course, both the
 17 City's letter and the Business
 18 Diversification Study, which the City and
 19 PGW co-released, which both speak to these
 20 directives.
 21 So what I'd like to focus on for now
 22 is just the idea of providing public
 23 progress reports on deliverables; and
 24 factoring in the City's instruction to PGW

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1 to do that, PGW is still opposing agreeing
 2 to a quarterly update schedule.
 3 MR. GOLD: Well, first, if we're
 4 referencing the Mayor's letter, I want to be
 5 clear -- and I've said this a few times -- the
 6 Mayor's letter was to the PFMC and I do not
 7 speak for the PFMC, so I want to be crystal
 8 clear on that.
 9 Also, I don't believe the Mayor's
 10 letter requests quarterly updates. I might
 11 be missing that.
 12 MR. McDOUGALL: Well, that's correct.
 13 The Mayor's letter requests regular updates,
 14 which I think could well be even more frequent
 15 than quarterly. I'm not sure that four times
 16 a year counts as regular.
 17 But our expert's recommendation in
 18 light of, you know, considering all of the
 19 factors is that quarterly reports would be a
 20 reasonable interpretation of the meaning of
 21 "regular updates" in this particular
 22 context.
 23 And I just want to clarify that
 24 regardless of the City's instructions to

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1 provide regular updates, PGW is not here
 2 today ready to agree to quarterly updates as
 3 a schedule.
 4 MR. GOLD: So your question is not
 5 about the Mayor's letter at this point. Your
 6 question is about our reporting.
 7 So if that's the case, my answer is
 8 the same that I've given, which is of course
 9 we will do reporting. We always do
 10 reporting. As we develop our workplan and
 11 our reporting plan, we will determine what
 12 that reporting schedule and level of detail
 13 and frequency looks like and, as already
 14 explained, we are happy to share that with
 15 the Commission as it's available.
 16 MR. McDOUGALL: Okay. Yeah, of course.
 17 But the question does refer to the Mayor's
 18 letter because it provides a policy directive
 19 on a critical City policy initiative and it
 20 underlines the importance of those regular
 21 updates.
 22 So I'm hearing your position is it's
 23 sort of to be determined and I'm happy to
 24 leave it there on that piece if that's the

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1 position of PGW on this issue.
 2 I would like to just clarify some
 3 other aspects of it. In response to POWER's
 4 written data requests, Set 2.13, you
 5 provided a response that said that PGW has
 6 not determined timelines or set plans for
 7 providing regular updates on greenhouse gas
 8 emissions or business diversification
 9 activities.
 10 And you've also said today a few
 11 times that of course PGW will be providing
 12 public updates on these topics.
 13 I'm wondering if you could just
 14 reconcile those two statements for me.
 15 MR. GOLD: We always do public
 16 reporting. We have a raft of public
 17 reporting, again, as a municipally owned and
 18 highly regulated entity. It's not a question
 19 of whether there's going to be reporting done.
 20 My one example was there was no/is no
 21 requirement for PGW to put together a
 22 methane reduction program and plan. We did
 23 that and of course we published that and
 24 that's just one example. Of course we're

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1 going to be reporting.
 2 What we're saying is that we haven't
 3 determined the specific reporting schedule
 4 and format and level of detail at this time,
 5 but we will.
 6 MR. McDOUGALL: Understood. And to
 7 help get a little clarity on what these
 8 reporting processes look like, I'd like to
 9 ask, you know, you said that PGW routinely
 10 provides these sort of updates.
 11 Has PGW provided any updates to any
 12 office or agency of the City on greenhouse
 13 gas-related matters since the release of the
 14 Diversification Study?
 15 MR. GOLD: The City? Can you pose that
 16 question again?
 17 MR. McDOUGALL: Sure.
 18 Has PGW provided any updates to any
 19 office or agency of the City on greenhouse
 20 gas-related initiatives since the release of
 21 the Diversification Study?
 22 MR. GOLD: I don't know all the
 23 conversations that may have been had. I don't
 24 know the answer to that question.

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1 MR. McDOUGALL: Okay. So you've been
 2 saying today that PGW provides regular updates
 3 because they're municipally owned, but you're
 4 not exactly sure what those updates are.
 5 MR. GOLD: We provide reporting on a
 6 whole range of business operations and
 7 reporting to different agencies for different
 8 purposes. The one example I used was the
 9 methane reduction plan was one example.
 10 My comment is broader than just
 11 emissions. I'm talking about our public
 12 reporting in general now that states what we
 13 do. We do stakeholder engagement as well.
 14 We would do/we will do public reporting on
 15 the emission reduction plan and progress, of
 16 course we will.
 17 That's why we've been going down this
 18 path, is for us to determine what our
 19 inventories are and what our reduction
 20 opportunities might be to allow ourselves to
 21 inform public reports and commitments.
 22 I don't know enough right now to tell
 23 you for a fact exactly what would be in
 24 these specific reports. We haven't

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1 determined that yet.
 2 MR. McDOUGALL: Okay. So you're not
 3 sure whether anyone has provided updates on
 4 greenhouse gas emission-related studies since
 5 the Diversification Study came out?
 6 MR. GOLD: I don't know that answer.
 7 MR. McDOUGALL: Okay. So let's --
 8 MR. GOLD: I will say, though, you're
 9 making it specific to the City and in our
 10 back-and-forth you also asked about our
 11 emission reporting in general.
 12 For instance, we do EPA reporting.
 13 We're required to do EPA reporting on our
 14 emissions annually. We provide that.
 15 That's a publicly available document.
 16 That's an example of, again, the
 17 range of reporting that we're required to
 18 do, that we do, that we will continue doing.
 19 MR. McDOUGALL: Yes. And I certainly
 20 appreciate that and you've provided us a very
 21 helpful response in discovery on that. So my
 22 questions today are sort of to help fill in
 23 the gaps rather than stuff that has already
 24 been answered through written data requests.

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1 A reasonable expectation further
 2 along on that topic, with regard to the
 3 PFMC, I'd like to ask: Has PGW or PGW
 4 Staff, to be more precise, provided any
 5 updates on greenhouse gas-related matters to
 6 the PFMC since the release of the
 7 Diversification Study?
 8 MR. GOLD: I can tell you that one
 9 conversation that I was a part of, we did
 10 provide an update on our diversification
 11 activities in a recent board meeting, which
 12 included emission reduction impacts. That's
 13 one specific example that I can provide.
 14 I can't speak to all of the
 15 conversations between PGW management and the
 16 PFMC.
 17 MR. McDOUGALL: Okay. Would you be
 18 able to provide a copy of that presentation?
 19 MR. GOLD: I'm not sure at this time.
 20 Let me speak with Mr. Dasent and others here
 21 at PGW just to determine what's permissible or
 22 not.
 23 MR. McDOUGALL: Yeah.
 24 Mr. Dasent, if I understand the rules

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1 and procedures correctly, a transcript
 2 request would be applicable and available;
 3 is that right?
 4 MR. DASENT: Yes. So we can mark this
 5 as TR-1, if Ms. Wushinske permits us, and it
 6 would be to request presentation made by
 7 Mr. Gold to PFMC board concerning GHG emission
 8 reductions and tracking? I'm trying to
 9 capture your request. So just tell me your
 10 request and I'll write it down.
 11 MR. McDOUGALL: Sure. Appreciate it.
 12 So I had asked Mr. Gold about updates provided
 13 to the board on greenhouse gas-related matters
 14 because that's the part of the testimony that
 15 we're still working towards.
 16 MR. DASENT: Okay.
 17 MR. McDOUGALL: We'll get to
 18 diversification in a little bit.
 19 And I think, Mr. Gold, you provided
 20 in response to that, you weren't sure if
 21 there had been updates to the PFMC on
 22 greenhouse gas-related activities, but that
 23 you did remember doing a presentation on
 24 business diversification initiatives. Did I

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1 get that right?

2 MR. GOLD: I recently participated in a

3 presentation on business diversification which

4 included emission reduction impacts. That's

5 the one example I remember recently.

6 MR. McDOUGALL: Thank you.

7 So, Mr. Dasent, if that --

8 MR. DASENT: Yeah, that's good.

9 MR. McDOUGALL: And, Mr. Gold, when you

10 say recently participated in, can you say when

11 this occurred?

12 MR. GOLD: Within the past month or

13 two.

14 MR. McDOUGALL: Okay. So I'd like to

15 follow up on something that we talked about

16 during the Informal Discovery Conference No. 1

17 and on that day we talked about the plan for

18 reducing Scope 3 greenhouse gas emissions and

19 you shared that not only is there internal

20 approval at PGW for this initiative, that

21 there is approval from the board of directors,

22 and with the board's approval that makes it a

23 requirement that we must achieve this

24 objective by FY '23 year end.

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1 And I wanted to ask if you could

2 clarify what the process was by which PGW

3 got this approved and what kind of

4 information PGW provided to PFMC in order to

5 get this approval.

6 MR. GOLD: We put together an annual

7 proposal for the PFMC that lays out our

8 proposed annual objectives, corporate

9 objectives, for each year and how they're in

10 support of our overall corporate goals.

11 We provide a presentation to the PFMC

12 that lays out all of the objectives and we

13 have our internal subject matter experts

14 present describing what the objectives are

15 and the rationale and underlying assumptions

16 available at that time and address any

17 questions or reactions that they might have

18 or modifications that they might have, and

19 we ask for any additional objectives that

20 they would have us add to our list for the

21 fiscal year.

22 We take their feedback, their

23 reactions and direction, back. We update

24 the set and then we come up the following

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1 month with the revised set of corporate

2 objectives that we similarly present to the

3 PFMC for their approval.

4 MR. McDOUGALL: Okay. Thanks. That's

5 very helpful.

6 So we had obtained in discovery the

7 FY '23 annual plan for PGW and it has been

8 attached to Mr. Kleinginna's testimony as

9 Exhibit MDK-2.

10 Is it correct that this annual plan

11 reflects the document that you described at

12 the end of that process that PFMC has

13 approved and reviewed or is what you were

14 talking about a different document?

15 MR. GOLD: A different document that

16 comes earlier, different materials that come

17 earlier, in the process.

18 The PFMC approves our overall

19 corporate objectives. That year I think we

20 had eight objectives for FY '23. So we

21 provide a presentation that describes what

22 the objectives are, the language for each,

23 and we present again what the underlying

24 assumptions and rationales are and any

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1 initiatives that we are aware of at that

2 time.

3 Once we obtain the PFMC approval,

4 then we go through the internal planning

5 process, which is identifying and beginning

6 to firm up what these supporting initiatives

7 would need to be in order to achieve each

8 objective, and that process results in the

9 annual plan that you're referring to.

10 That's where we not only lay out all

11 of our objectives, but we identify the

12 supporting initiatives that we're planning

13 for at this point, impacts on corporate

14 risks, estimated financial impacts that are

15 available at this point.

16 The idea here is to complete all of

17 that work before we go into the budgeting

18 process so that the budgets are informed on

19 our annual plan of how we are going to

20 achieve our corporate objectives and address

21 our corporate goals.

22 MR. McDOUGALL: Okay. That's helpful.

23 So for the PFMC's approval of the

24 plans for any Scope 3 greenhouse gases being

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1 developed and implemented by 2023, is that
 2 approval conveyed in a written form?
 3 MR. GOLD: There is an approval
 4 resolution, yes.
 5 MR. McDOUGALL: Okay. Would you be
 6 able to provide a copy of that approval
 7 resolution?
 8 MR. GOLD: If my lawyer says it's okay,
 9 I'm happy to.
 10 MR. McDOUGALL: Mr. Dasent?
 11 MR. DASENT: We'll ask PFMC if they'll
 12 release the resolution that approves it.
 13 MR. McDOUGALL: Sorry; Mr. Dasent, can
 14 you clarify, if PGW has a copy of the
 15 resolution, having received it to know that
 16 it's approved, why you would need to ask PFMC
 17 about it?
 18 MR. DASENT: Because that's what I'm
 19 going to do. I told you as openly as I could,
 20 here's the process I'm going to observe, I'm
 21 going to ask them and see if I can get it
 22 released. If you want me to argue about it,
 23 I'm happy to do that, but I'm just trying to
 24 agree with you.

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1 MR. McDOUGALL: No, no. It's not about
 2 necessarily arguing but just sort of
 3 understanding the flow of information so that
 4 I can get my expectations right.
 5 I mean, my expectation is under the
 6 normal process of discovery, if PGW has a
 7 document in its files that is the subject of
 8 a valid discovery request, it's obliged to
 9 provide it.
 10 And the way that you're talking
 11 about, you know, sort of, quote/unquote,
 12 releasing the document makes it sound like
 13 there might be additional steps of approval
 14 and I'm going to ask what those steps might
 15 be.
 16 MR. DASENT: I'm going to ask my client
 17 for the direction and I'll provide the
 18 document if they say yes, and I expect them to
 19 say yes.
 20 MR. McDOUGALL: Thank you. That's
 21 helpful context. The interactions of PFMC and
 22 PGW are, I think everyone can agree, somewhat
 23 complex, so I appreciate the context.
 24 MR. DASENT: Yes.

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1 HEARING EXAMINER WUSHINSKE: Mr. Dasent
 2 and Mr. McDougall, do you think it's helpful
 3 to make this a transcript request with the
 4 condition that, Mr. Dasent, you're going to
 5 ask if this information can be released?
 6 MR. DASENT: Yes. That's fine.
 7 HEARING EXAMINER WUSHINSKE: Okay.
 8 And, Mr. McDougall, you wanted the
 9 resolution from PFMC? I want to make sure I
 10 get your language right.
 11 MR. McDOUGALL: Well, perhaps Mr. Gold
 12 can help make sure I've understood him right.
 13 Let me take a crack at it.
 14 It's a resolution approving drafting
 15 a plan to reduce Scope 3 greenhouse gas
 16 emissions by the end of FY '23. Do I have
 17 that right, Mr. Gold?
 18 MR. GOLD: If I could modify slightly,
 19 the resolution approves PGW's FY '23 corporate
 20 objectives, full set of corporate objectives,
 21 one of which is Objective #8, to reduce Scope
 22 1 and Scope 2 emissions. I'll read the whole
 23 thing if you want, but I think you know what
 24 I'm referring to.

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1 MR. McDOUGALL: Yes. I have it open on
 2 my desk.
 3 I just wanted to make sure that
 4 that's what you meant during the Informal
 5 Discovery Conference No. 1 when you said
 6 that the board has approved developing a
 7 plan to reduce Scope 3 greenhouse gas
 8 emissions and, as you put it, with the
 9 board's approval, that now makes it a
 10 requirement that we must achieve this by FY
 11 '23 year end.
 12 So what you described here is what
 13 you were referring to then?
 14 MR. GOLD: Correct.
 15 MR. McDOUGALL: Okay. Thanks.
 16 HEARING EXAMINER WUSHINSKE: Thank you.
 17 Mr. McDougall, before you continue, I
 18 just wanted to make a general announcement
 19 that Commission Staff can see that there are
 20 some comments being made back and forth in
 21 the chat and we would like to make sure we
 22 all get to hear what the public has to say,
 23 but the chat is not a way that Commission
 24 Staff or I think the participants can really

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1 review those comments because we are busy
 2 running the hearing and listening to the
 3 witness and the attorney questioning the
 4 witness.
 5 So if you would like your comments to
 6 be heard, we ask that you hold those for the
 7 public comment period at the end of the
 8 hearing.
 9 So thank you.
 10 MR. McDOUGALL: Okay. May I continue?
 11 HEARING EXAMINER WUSHINSKE: Yes.
 12 Please go ahead, Mr. McDougall.
 13 MR. McDOUGALL: Thank you.
 14 Okay. So on greenhouse gas emissions
 15 reporting -- and I think we can get wrapped
 16 up on this, Mr. Gold -- as you've shared,
 17 PGW has a process for reporting greenhouse
 18 gas emissions data to US EPA.
 19 And I just wanted to ask: Does PGW
 20 provide any greenhouse gas emissions data to
 21 any State government entities or to any City
 22 of Philadelphia entities?
 23 MR. GOLD: I don't know the answer off
 24 the top of my head as to the State. I do know

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1 for the City's data, when the City puts
 2 together their overall emission inventories,
 3 some of their source data for their reporting
 4 comes from PGW data.
 5 MR. McDOUGALL: Okay. So that's
 6 helpful.
 7 For the City Climate Action Playbook,
 8 should I understand that PGW provided
 9 greenhouse gas emissions data in relation to
 10 that project?
 11 MR. GOLD: I don't know that answer
 12 with certainty enough. I can't provide an
 13 answer right now.
 14 MR. McDOUGALL: Okay.
 15 Okay. So I think that's good on
 16 reporting and I'd like to shift gears to
 17 stakeholder engagement.
 18 I know that you have shared earlier
 19 today PGW's plan and expectations that PGW
 20 will do some form of stakeholder engagement
 21 but you are not in a position to provide any
 22 details on what that stakeholder engagement
 23 on greenhouse gas issues will look like in
 24 FY '23; is that correct?

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1 MR. GOLD: We have not developed that
 2 plan yet. We will be developing that plan
 3 and, as I said, we're happy to share it once
 4 we have it.
 5 MR. McDOUGALL: Okay. So when you say
 6 you're developing a plan, this is a plan with
 7 the goal of engaging stakeholders on PGW's
 8 greenhouse gas reduction efforts?
 9 MR. GOLD: Yes.
 10 MR. McDOUGALL: Okay. So PGW is
 11 committed to engage stakeholders on its
 12 greenhouse gas emissions reduction activities
 13 during FY '23; am I understanding that right?
 14 MR. DASENT: Are you referring to
 15 developing a plan or actually doing the
 16 engagement?
 17 MR. GOLD: That's why I am --
 18 MR. McDOUGALL: Yes. The question is
 19 what is the nature of the plan, and maybe I
 20 can try to run at it in a clearer way.
 21 Is it the plan to make a decision
 22 about whether there will be stakeholder
 23 involvement on greenhouse gas initiatives in
 24 FY '23 or has there been a decision made

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1 that there will be stakeholder engagement on
 2 greenhouse gas initiatives and the plan is
 3 to figure out what form that should take?
 4 MR. GOLD: We will engage stakeholders
 5 in our greenhouse gas emissions plan. We
 6 haven't figured out what that engagement looks
 7 like yet. We will do so.
 8 MR. McDOUGALL: Okay. So are you able
 9 to say whether or not any stakeholder
 10 engagement on greenhouse gas emissions will
 11 occur during FY '23 or is it too premature for
 12 you to say that yet?
 13 MR. GOLD: We haven't developed our
 14 plan yet. I don't feel comfortable committing
 15 to anything other than saying that of course
 16 we will develop a plan. I don't know what's
 17 going to be in that plan yet. Once we know,
 18 we'll share it.
 19 MR. McDOUGALL: Okay. So there's a
 20 general intention to some day do some
 21 stakeholder engagement on greenhouse gas
 22 emissions but no commitment that that occur in
 23 FY '23?
 24 MR. GOLD: We are committing to

<p style="text-align: right;">Page 90</p> <p>1 engaging our stakeholders as we always do.</p> <p>2 MR. McDOUGALL: Are you committing in</p> <p>3 FY '23?</p> <p>4 MR. GOLD: We haven't developed our</p> <p>5 plan yet.</p> <p>6 MR. McDOUGALL: Okay. Understood.</p> <p>7 So I wanted to ask some particulars</p> <p>8 on stakeholder engagement to get a sense of</p> <p>9 what it might look like.</p> <p>10 You have described PGW performing</p> <p>11 substantial amounts of stakeholder</p> <p>12 engagement in the past and I'm wondering if</p> <p>13 you can add some detail on that and ideally</p> <p>14 describe some instances where you believe</p> <p>15 that PGW succeeded at stakeholder</p> <p>16 engagement.</p> <p>17 MR. GOLD: I don't know if I want to</p> <p>18 speak to the success of previous stakeholder</p> <p>19 engagement initiatives as that has not been my</p> <p>20 responsibility. I have not directly led a</p> <p>21 stakeholder engagement process. I wouldn't</p> <p>22 want to speak to what has been successful or</p> <p>23 not.</p> <p>24 MR. McDOUGALL: Okay. Can you talk</p>	<p style="text-align: right;">Page 92</p> <p>1 MR. McDOUGALL: Okay. And are you able</p> <p>2 to share any high level on what form it's</p> <p>3 taking? Are we talking in-person meetings,</p> <p>4 online surveys, things like that?</p> <p>5 MR. GOLD: I wouldn't want to speak to</p> <p>6 the particulars because I'm not as close to it</p> <p>7 as they are.</p> <p>8 MR. McDOUGALL: Okay. The reason I ask</p> <p>9 is, you know, you have emphasized a number of</p> <p>10 times today that PGW does lots of stakeholder</p> <p>11 engagement, so that's why I'm asking to</p> <p>12 understand that a little better.</p> <p>13 But if it's other people at PGW that</p> <p>14 handle that and not yourself, you know, I</p> <p>15 can follow up with the appropriate folks.</p> <p>16 Is that the right course?</p> <p>17 MR. GOLD: That's right.</p> <p>18 MR. McDOUGALL: Okay. And you</p> <p>19 mentioned weatherization and a process of</p> <p>20 consulting with community members and you had</p> <p>21 mentioned that you had reviewed</p> <p>22 Mr. Kleinginna's testimony.</p> <p>23 I wanted to ask about a particular</p> <p>24 point in his testimony relating to the</p>
<p style="text-align: right;">Page 91</p> <p>1 about examples of stakeholder engagement that</p> <p>2 have occurred, period?</p> <p>3 MR. GOLD: Oh, sure. One example off</p> <p>4 the top of my head is we do a series of</p> <p>5 weatherization workshops with our customers</p> <p>6 every single year to engage our customers and</p> <p>7 help provide information and resources to help</p> <p>8 weatherize their homes.</p> <p>9 MR. McDOUGALL: Can you describe what</p> <p>10 that looked like in the most recent fiscal</p> <p>11 year?</p> <p>12 MR. GOLD: Not off the top of my head,</p> <p>13 but we can. It's stakeholder engagement</p> <p>14 outreach that we do routinely.</p> <p>15 MR. McDOUGALL: Okay. And who at PGW</p> <p>16 manages that particular stakeholder outreach</p> <p>17 initiative?</p> <p>18 MR. GOLD: I think that crosses our</p> <p>19 Regulatory area and our External Affairs area.</p> <p>20 MR. McDOUGALL: Okay. Is there an</p> <p>21 individual that's responsible for it?</p> <p>22 MR. GOLD: I think it would be the two</p> <p>23 vice presidents of those two areas, either</p> <p>24 Denise Adamucci or Melanie McCottry.</p>	<p style="text-align: right;">Page 93</p> <p>1 potential value add of engaging with</p> <p>2 community stakeholders, particularly as</p> <p>3 regards Scope 3 emissions, which, of course,</p> <p>4 are tied to customer end uses, through a</p> <p>5 process of helping talk to community groups</p> <p>6 about the most effective ways to drive down</p> <p>7 Scope 3 emissions through weatherization and</p> <p>8 so forth.</p> <p>9 Can you comment on this particular</p> <p>10 point in the testimony? Do you see a value</p> <p>11 in engaging community groups on greenhouse</p> <p>12 gas emissions, particularly on Scope 3?</p> <p>13 MR. GOLD: Do I see the value? We</p> <p>14 recognize the value of stakeholder engagement.</p> <p>15 That's why we perform it. That's why I'm</p> <p>16 saying that we would develop a stakeholder</p> <p>17 engagement plan.</p> <p>18 You're asking about customer</p> <p>19 weatherization engagement specifically. As</p> <p>20 I just mentioned, we do annual</p> <p>21 weatherization workshops for our customers</p> <p>22 every single year, and we also have a range</p> <p>23 of weatherization and energy-efficiency</p> <p>24 programs to help our customers weatherize</p>

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1 their homes and reduce their energy usage.
 2 We have a considerable program for
 3 our low-income customers and programming
 4 through rebates and grants for our market
 5 rate customers and a large part of that
 6 involves outreach and
 7 education/communication and marketing.
 8 MR. McDOUGALL: Okay. That's helpful
 9 context.
 10 The question is specifically about
 11 tying in weatherization to Scope 3 reduction
 12 planning because, you know, as you know,
 13 Scope 3 emissions result from customer end
 14 use and to address Scope 3 emissions really
 15 requires engaging with customers.
 16 The question that I am interested in
 17 getting your thoughts on is whether you see
 18 that value of talking with customers about
 19 ways that weatherization could help PGW meet
 20 its Scope 3 reduction planning goals.
 21 MR. GOLD: Scope 3 includes a number of
 22 categories outside our direct control and one
 23 of those categories is downstream customer
 24 combustion.

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1 We have not determined what our Scope
 2 3 emission reduction plan is going to be,
 3 which categories we're going to go after,
 4 and we have not developed our stakeholder
 5 engagement plan yet.
 6 I understand you're asking a more
 7 specific question and all I can do is
 8 provide the same answer of we have not
 9 developed these plans yet. We are
 10 committing to doing so.
 11 MR. McDOUGALL: Okay. Understood.
 12 So I'd like to offer Mr. Kleinginna
 13 the opportunity to follow up on these
 14 questions or follow up generally on
 15 greenhouse gas-related topics.
 16 Mr. Kleinginna, would you like to add
 17 anything?
 18 MR. KLEINGINNA: I don't think so,
 19 Devin. I think we've covered it pretty well.
 20 MR. McDOUGALL: Okay.
 21 Well, with that, I would like to
 22 shift gears to the Business Diversification
 23 Study and business diversification
 24 initiatives, if we may, and I suspect,

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1 Mr. Gold, many of your cross-cutting answers
 2 will be applicable and we'll try to be as
 3 expeditious as we can while recognizing we
 4 have many members of the public that would
 5 like to be heard today as well.
 6 MR. KLEINGINNA: Hey, Devin, if I may,
 7 I apologize, but I do have sort of a question
 8 regarding the fact that the reporting and the
 9 budget exam was too prescriptive.
 10 At some point that's going to have to
 11 be prescriptive. Do you have a notion about
 12 when that will happen, when you'll be able
 13 to be prescriptive about the activities
 14 specifically that are going to be undertaken
 15 to set these 2025 reduction targets?
 16 MR. GOLD: We are developing the
 17 workplan now, which will involve setting the
 18 timelines and the milestones as well as
 19 developing the reporting plan and the
 20 stakeholder engagement plan that I mentioned,
 21 and we have set the target for ourselves of
 22 having completed our plan, the scope of the
 23 plan, by the end of FY '23.
 24 MR. KLEINGINNA: Okay. Thanks.

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1 MR. McDOUGALL: Okay. So I'd like to
 2 shift gears to PGW's business diversification
 3 expenses for FY '23 and before we get into it,
 4 I'd like to ask an agenda-related question.
 5 I noticed on the public hearing
 6 agenda the topic of Geothermal Feasibility
 7 (Conditional Funding) is separated out from
 8 the Business Diversification Expenses agenda
 9 item.
 10 I'm happy to talk about them
 11 separately. I think they are sort of
 12 separable, so to speak, and indeed that's
 13 how our testimony treats them.
 14 But I just wanted to clarify what the
 15 right or best sequence would be to sort of
 16 tackle these issues.
 17 HEARING EXAMINER WUSHINSKE:
 18 Mr. Dasent, because these are PGW's witnesses,
 19 were you planning that Mr. Gold also testify
 20 or respond to those issues or was that going
 21 to be another witness? I think that will
 22 dictate how we kind of organize this.
 23 MR. DASENT: I expect Mr. Gold can
 24 respond to it, but I think it does overlap

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1 with Finance a bit because of conditional
 2 funding and the nature of it.
 3 But, Mr. Gold, as long as you're
 4 comfortable, we're happy to proceed because
 5 you're the lead on this particular issue.
 6 MR. GOLD: Okay.
 7 HEARING EXAMINER WUSHINSKE:
 8 Understood. Why don't we proceed that way?
 9 And then if there are questions,
 10 Mr. Gold, that are outside your realm, of
 11 course, feel free to defer those to future
 12 witnesses, as you have been.
 13 MR. GOLD: Okay.
 14 HEARING EXAMINER WUSHINSKE: Thank you.
 15 MR. McDOUGALL: Okay.
 16 So, Mr. Gold, to give you a roadmap,
 17 my concept is to similarly just proceed
 18 sequentially through the recommendations in
 19 the testimony as we did with greenhouse
 20 gases.
 21 So, as you know, the testimony first
 22 treats the broader lane of business
 23 diversification initiatives with some
 24 recommendations that apply to that lane of

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1 work generally, and then it shifts gears to
 2 talk about the geothermal feasibility study
 3 line item with some particular
 4 recommendations notably on the scope of
 5 work.
 6 So starting with the general lane of
 7 work on business diversification
 8 initiatives, the first recommendation is for
 9 a budget exam on PGW's resource allocation
 10 to business diversification initiatives.
 11 In your rebuttal testimony you stated
 12 generally that such a filing requirement
 13 would derail PGW's work on that area and
 14 work that POWER supports, and I just wanted
 15 to confirm that you also believe that
 16 providing a budget exam on business
 17 diversification initiatives would derail
 18 work on that area.
 19 MR. GOLD: I want to make sure I'm
 20 understanding the question. Are you referring
 21 to this recommendation for providing the
 22 supplementary budget exam or the reporting?
 23 MR. McDOUGALL: I'd like to start with
 24 the filing requirements and building on your

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1 point, there are two parts to the filing
 2 requirement. There's a request for a
 3 supplementary filing for FY '23 and a request
 4 for a forward-looking plan requirement for
 5 future operating budgets, and I just wanted to
 6 clarify whether you view both of those
 7 recommendations as derailing PGW's work.
 8 MR. GOLD: We have the same exact
 9 position that we had earlier on the greenhouse
 10 gas emissions when we talked about the
 11 supplementary budget exam.
 12 MR. McDOUGALL: Okay. And that
 13 position is that it would derail PGW's work?
 14 MR. GOLD: That position is that this
 15 request is coming late in this year's process.
 16 There already was a moment for these requests
 17 and this proposal and future years' requests
 18 along these lines should happen in the future
 19 years' budgets, which allows for requests and
 20 recommendations along these lines.
 21 MR. McDOUGALL: Okay. So earlier you
 22 had said that having to do these requirements
 23 would derail PGW's work. Are you not sure
 24 about that anymore?

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1 MR. GOLD: I'm confused on whether you
 2 are asking about the supplementary budget exam
 3 or reporting. I think you're combining the
 4 two.
 5 MR. McDOUGALL: Well, your statement
 6 was rather general. You had stated that the
 7 filing requirements recommended by our expert
 8 would derail PGW's work and I'm trying to
 9 unpack specifically what you meant by that.
 10 MR. GOLD: I believe -- I could be
 11 mistaken, but I believe -- that when we had
 12 the back-and-forth on this earlier, that point
 13 was on the quarterly reporting, and the
 14 followup question that I addressed was about
 15 the inefficient use of time on a process that
 16 we're all committed to moving expeditiously
 17 forward.
 18 MR. McDOUGALL: We had talked about
 19 this concept in the context of quarterly
 20 reports. I believe you also raised these
 21 concerns as they relate to imposed filing
 22 requirements and I think we can try to be as
 23 efficient as we can, just sort of confirming
 24 that your position on filing requirements for

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1 business diversification initiatives is the
 2 same as your position on filing requirements
 3 for greenhouse gas initiatives. Is that
 4 correct?
 5 MR. GOLD: That's correct, that's
 6 correct.
 7 MR. McDOUGALL: Okay. And with regard
 8 to reporting requirements for business
 9 diversification initiatives, is your position
 10 the same as it was for reporting requirements
 11 on greenhouse gas initiatives?
 12 MR. GOLD: Correct.
 13 MR. McDOUGALL: Okay. And with regard
 14 to stakeholder engagement on business
 15 diversification initiatives, it's the same
 16 position as on stakeholder engagement for the
 17 greenhouse gas initiatives?
 18 MR. GOLD: I'm sorry; could you raise
 19 that last question again, which one it was?
 20 MR. McDOUGALL: Sure. It's just asking
 21 about stakeholder engagement requirements for
 22 PGW's business diversification initiatives and
 23 I'm putting the question in this way for
 24 purposes of expeditiousness, but asking you if

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1 your position on the recommendations of
 2 Mr. Kleinginna for recommended stakeholder
 3 engagement requirements for the business
 4 diversification initiatives is the same as
 5 your position on Mr. Kleinginna's
 6 recommendations about stakeholder engagement
 7 for greenhouse gas initiatives.
 8 MR. GOLD: That's correct. In this
 9 case we want the opportunity to identify what
 10 the diversification opportunities are for us,
 11 what's technically and legally and
 12 regulatorily possible for us, and what the
 13 financials look like.
 14 We want to come up with an approach
 15 of a proposed workplan and a proposed
 16 stakeholder engagement plan based on the
 17 ideas that we think are best available for
 18 us for moving forward and then, yes, we
 19 would develop the stakeholder engagement
 20 plan and, again, happy to share that with
 21 the Commission.
 22 MR. McDOUGALL: Okay. And also, just
 23 to confirm, is PGW able to commit to
 24 conducting stakeholder engagement on business

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1 diversification activities during FY '23?
 2 MR. GOLD: It's the same answer as
 3 before: We are going to develop a stakeholder
 4 engagement plan. We have not yet developed
 5 that plan yet so unable to commit to specifics
 6 of what might be included.
 7 MR. McDOUGALL: Okay. Yeah, just
 8 wanted to confirm that that's the position on
 9 the business diversification piece as well.
 10 So just to follow up on the question
 11 of updates relating to business
 12 diversification initiatives, you may find
 13 that some of these questions are similar. I
 14 just want to kind of close the loop on: Has
 15 PGW provided any updates to any office or
 16 agency of the City on business
 17 diversification initiatives since the
 18 release of the Diversification Study?
 19 MR. DASENT: Objection. This is
 20 irrelevant. I let it go by the first time,
 21 but we're getting so far afield of the budget
 22 process. And I recognize oversight is
 23 relevant here, but it just seems like we're
 24 running very far afield of what the objective

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1 of this proceeding is, which is to approve a
 2 budget. I've been holding back intentionally
 3 because you need some leeway.
 4 MR. McDOUGALL: Mr. Dasent, I
 5 appreciate that and I'm very close to the end
 6 of my questioning.
 7 The reason that I would like to ask
 8 this question is, I think, based on a couple
 9 factors: one, it directly relates to a
 10 contested issue in this case, which is our
 11 expert's recommendation about providing
 12 updates; and, two, it relates to Mr. Gold's
 13 representation in his rebuttal testimony
 14 today that PGW is providing regular updates
 15 on these topics.
 16 So I will try to keep it as brief as
 17 possible. I certainly understand the
 18 concern. But I would like to just close out
 19 the thread, if I may.
 20 HEARING EXAMINER WUSHINSKE: I
 21 understand your objection, Mr. Dasent.
 22 Mr. McDougall, if you are, in fact,
 23 wrapping up, I think we'll allow the
 24 question. I don't know what probative

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1 weight we'll give any answer that Mr. Gold
 2 has. But for now we'll allow the question
 3 to proceed.
 4 You can continue.
 5 MR. McDOUGALL: Thank you.
 6 Mr. Gold, would it be helpful if I
 7 repeat the question?
 8 MR. GOLD: Please.
 9 MR. McDOUGALL: So the question is
 10 analogous to the question about updates PGW
 11 has provided on the greenhouse gas initiatives
 12 and the question is: Has PGW provided updates
 13 to any office or agency of the City on
 14 business diversification initiatives since the
 15 release of the Diversification Study?
 16 MR. GOLD: I'm not aware of any formal
 17 updates to City offices on business
 18 diversification. I may not be aware of
 19 something that could have occurred. I'm not
 20 aware of any formal updates.
 21 We have informal conversations with
 22 our peers in City offices. I just want to
 23 put that out there that we speak, we have
 24 conversations. But I wouldn't put that in

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1 the category of formal updates.
 2 MR. McDOUGALL: Okay. So just so I
 3 understand your answer, can you clarify what
 4 you mean by what would be a formal update in
 5 the sense that you mean that?
 6 MR. GOLD: I guess a prepared
 7 presentation on our activities and initiatives
 8 and statuses and next steps, things along
 9 those lines.
 10 MR. McDOUGALL: Okay. Thank you. And
 11 my next and I believe final question on this
 12 is an analogous question related to the PFMC.
 13 And I think we may have touched on this a
 14 little earlier, but I just want to close it
 15 out.
 16 Has PGW provided any updates to the
 17 PFMC on the business diversification
 18 initiatives since the release of the
 19 Diversification Study?
 20 MR. GOLD: This was the update that I
 21 did refer to earlier that we gave a general
 22 business update on diversification at a recent
 23 board meeting.
 24 MR. McDOUGALL: Okay. Great. Thank

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1 you. I appreciate you answering all my
 2 questions patiently and very helpfully, so
 3 thank you.
 4 MR. GOLD: Of course.
 5 MR. McDOUGALL: No further questions.
 6 HEARING EXAMINER WUSHINSKE: Does the
 7 Public Advocate have any questions for
 8 Mr. Gold?
 9 MR. BALLENGER: Not at this time, but
 10 let me double-check with Lafayette.
 11 MR. MORGAN: I don't.
 12 HEARING EXAMINER WUSHINSKE: Thank you.
 13 And PGW?
 14 MR. DASENT: No further questions.
 15 HEARING EXAMINER WUSHINSKE: Thank you.
 16 Okay. So, Mr. Gold, thank you for
 17 your testimony today.
 18 MR. GOLD: Thank you.
 19 - - -
 20 (Witness excused.)
 21 - - -
 22 HEARING EXAMINER WUSHINSKE: I think we
 23 can move to our last formal set of witnesses
 24 on the agenda, which is PGW's staffing issues:

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1 Mr. Golden, Mr. Gallagher, and Mr. Ambrose.
 2 Are they available, Mr. Dasant?
 3 MR. DASENT: Mr. Golden I see. I'm not
 4 sure if Mr. Ambrose is on or not. He can
 5 identify himself.
 6 THE COURT REPORTER: I see his name
 7 listed.
 8 MR. AMBROSE: I am on, but I'm having
 9 camera issues.
 10 MR. DASENT: Okay.
 11 HEARING EXAMINER WUSHINSKE: Okay.
 12 Let's let the court reporter swear in the
 13 witnesses.
 14 THE COURT REPORTER: So everyone
 15 understands, Mr. Ambrose is attending, but he
 16 is having camera issues. So as long as we
 17 agree that he's raising his right hand, I will
 18 be happy to swear in him, Mr. Golden, and
 19 should I also swear Mr. Gallagher at this
 20 time?
 21 MR. DASENT: Yes.
 22 THE COURT REPORTER: Thank you.
 23 - - -
 24 (Whereupon, the witnesses, JOSEPH F.

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1 GOLDEN, JR., WILLIAM J. GALLAGHER, and
 2 WILLIAM AMBROSE, were duly sworn.)
 3 - - -
 4 MR. DASENT: I'd like to direct my
 5 questions to Mr. Ambrose.
 6 Mr. Ambrose, have you reviewed the
 7 Advocate's recommendation concerning
 8 staffing for fiscal 2023?
 9 MR. AMBROSE: Yes.
 10 MR. DASENT: Okay. And do you agree
 11 with Mr. Morgan's recommendation concerning
 12 budgeting for 1,600 full-time employees in
 13 fiscal '23?
 14 MR. AMBROSE: No.
 15 MR. DASENT: Okay. And can you explain
 16 why?
 17 MR. AMBROSE: We currently have 1,530
 18 employees. We are in the process of hiring
 19 another 117 employees, which will bring us to
 20 1,647 employees. Our objective is to get this
 21 completed by September 1st of 2023.
 22 MR. DASENT: Now, why is fiscal '23
 23 different from other recent years in terms of
 24 your accomplishing these things?

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1 MR. AMBROSE: One of our biggest issues
 2 was with COVID, you know, getting candidates
 3 and having all of our college fairs, all of
 4 our job fairs. You know, we worked with
 5 Community College on a program that brought in
 6 DWs, Distribution workers, for our area.
 7 That's been closed down.
 8 Everything is starting to open up.
 9 PGW started going to all the job fairs again
 10 the beginning of this year and we recently
 11 just had new hires brought in. We hired 15
 12 new CSR reps. We just hired five
 13 Distribution workers. We just hired three,
 14 I believe it was, Field Service technicians.
 15 And it's an ongoing process. We have
 16 classes scheduled in July, where we're
 17 bringing in another seven Field Service
 18 technicians and another five Distribution
 19 workers. And we have a scheduled class in I
 20 believe it's October, September/October, for
 21 another class of at least 15 to 20 CSR reps.
 22 MR. DASENT: Why are these additional
 23 employees needed in fiscal '23?
 24 MR. AMBROSE: We do have an issue with

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1 the supply chain, which affects what can be
 2 done in the street for our meter replacements.
 3 So as we're getting all the material in, we're
 4 ramping up our meter replacement programs. We
 5 need the additional people.
 6 We need the additional people in the
 7 Call Center to meet the PUC requirement and
 8 metrics that we're required to maintain.
 9 So, you know, we're working hard and, you
 10 know, our belief is we will have the staff
 11 available.
 12 MR. DASENT: Okay. Now, you mentioned
 13 job fairs and cadet classes. What other tools
 14 do you have available to help you reach 1,650?
 15 MR. AMBROSE: We're going to be
 16 reaching out to the technical schools to help
 17 us bring in especially the field technicians;
 18 also instrumentation specialists, which are
 19 used down at our plants and within our gas
 20 control processing. So, you know, we're
 21 trying to open additional avenues to bring in
 22 additional people.
 23 MR. DASENT: Okay. You mentioned where
 24 the headcount today would be 1,530. How many

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1 additional employees are in the pipeline?
 2 MR. AMBROSE: Right now -- I'm trying
 3 to remember -- with the class there are, well,
 4 seven for FSD, five for Distribution, which is
 5 a total of 13; and with the class starting in
 6 September or October, for another 20, that's
 7 33; and then we have various, you know,
 8 management and single union positions that
 9 we'll be hiring as we go through, professional
 10 levels.
 11 MR. DASENT: Now, the Public Advocate
 12 has mentioned sort of traditionally now that
 13 it's impossible to get there from here. Just
 14 mathematically, why do you believe that's not
 15 the case?
 16 MR. AMBROSE: Well, the residency
 17 requirement for PGW has changed, which is a
 18 big plus. It opens up the candidate pool for
 19 us. We have a larger volume of candidates
 20 we'll be able to bring in and test. You know,
 21 so that's one of the main reasons we feel that
 22 we'll achieve this by September 1st of 2023.
 23 MR. DASENT: That's all I have. The
 24 witness is tendered for cross-examination.

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1 HEARING EXAMINER WUSHINSKE: Thank you,
2 Mr. Dasent.
3 Public Advocate, do you have
4 questions for Mr. Ambrose?
5 MS. PRICE: Yes. Thank you.
6 So I just want to go back to what you
7 said. You said you are in the process of
8 hiring 117 employees; is that correct?
9 MR. GOLDEN: Can you please move your
10 mic a little closer to your mouth. It's very
11 hard to hear you.
12 MS. PRICE: I will try that, yes.
13 Is this better?
14 MR. GOLDEN: Yes.
15 MS. PRICE: Okay. I just wanted to
16 know: What does it mean when you say you are
17 in the process of hiring 117 employees? Have
18 you extended 117 offers?
19 MR. AMBROSE: We have not extended 117
20 offers. You have to go through testing.
21 There's criminal background checks. Certain
22 positions require drug testing under the DOT
23 regulations.
24 So there's a formal process that

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1 individuals have to go through, along with
2 being interviewed by the departments to
3 select the candidates they want to proceed
4 with.
5 MS. PRICE: All right. So this 117
6 number, that's 117 open positions?
7 MR. AMBROSE: Yes.
8 MS. PRICE: And I tried to write down
9 some of the numbers you were giving with seven
10 people coming on for Field Services, five for
11 Distribution, and then another 20 in October.
12 I'm just trying to get at: How do you get to
13 117 from those numbers?
14 MR. AMBROSE: We have 22 Distribution
15 workers we want to hire through September 1st,
16 '23. We have about 36 FSD technicians we want
17 to hire, another 15 to 20 customer service
18 reps. We're looking for engineers. We're
19 looking for Enterprise Windows engineers in
20 our IS and IT area. We're looking for
21 pressure controllers, about three pressure
22 controllers. We're looking for about five
23 instrumentation techs. We are looking for
24 four gas control instrumentation techs.

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1 And then we have 21 other various
2 single requisitions or positions that we're
3 looking for, which could be anywhere from
4 director levels, professional levels,
5 accountants. You know, the 21 is made up of
6 various different positions.
7 MS. PRICE: And --
8 MR. GOLDEN: Mr. Ambrose, this is Joe
9 Golden. I just have one question: When
10 you're saying September 1 of 2023, you mean
11 the beginning of fiscal '23, meaning
12 September 1 of '22, correct, just to clarify?
13 MR. AMBROSE: I'm sorry, Joe?
14 MR. GOLDEN: It sounds like you're
15 saying September 1st of '23. You really mean
16 September 1st of '22; correct?
17 MR. DASENT: That's the fiscal year
18 we're talking about.
19 MR. AMBROSE: Well, our hope is to have
20 it done by the end of the calendar year.
21 Right, we're talking about the fiscal year
22 2023 since the budget is for FY '23.
23 MR. GOLDEN: Correct. Okay. Thank
24 you.

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1 MR. DASENT: Our dates are a little
2 wrong, but just so the record is clear, the
3 fiscal year for fiscal '23 begins
4 September 1st, '22 --
5 MR. GOLDEN: Correct.
6 MR. DASENT: -- just for the record.
7 MS. PRICE: Okay. And that was, I
8 think --
9 MR. AMBROSE: I apologize.
10 MS. PRICE: -- a question that I also
11 wanted to confirm, that we're talking about
12 this fiscal year '23 budget, which starts
13 September 1st, 2022, and we're talking about
14 having an average of 1,650 employees starting
15 in a couple months; is that correct?
16 MR. DASENT: For the entire fiscal
17 year, which starts in a few months; yes.
18 MS. PRICE: Yes. Okay. And you listed
19 a number of positions that you're looking for,
20 but I just want to clarify: You don't have
21 candidates for all of those positions;
22 correct?
23 MR. AMBROSE: We have applications for
24 all those positions and we have ongoing

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1 testing that we're doing to fill those
 2 positions.
 3 MS. PRICE: I think those are all my
 4 questions, but I wanted to see if Mr. Morgan
 5 had any questions.
 6 MR. MORGAN: I do.
 7 The first question I have is with
 8 respect, you've stated a couple times a
 9 different set of numbers. I was trying to
 10 keep up with them in terms of how many
 11 positions you will be filling. Is there a
 12 way that we can get the listing of the
 13 positions that are open to be filled?
 14 MR. DASENT: Mr. Ambrose, could you
 15 provide that? I'm happy to help, but I don't
 16 know what information you have.
 17 MR. AMBROSE: I mean, what I have is
 18 the list that I had in front of me. I mean,
 19 we can provide them. I mean, is that a
 20 transcript request or --
 21 MR. DASENT: Sure. We can do a
 22 transcript request to provide a listing,
 23 whether it's the handwritten list you have in
 24 front of you or something more formal at a

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1 future time, within whatever timeline the
 2 Hearing Officer tells us.
 3 HEARING EXAMINER WUSHINSKE: I was
 4 hoping, do you think a week from today if we
 5 get these out right after the hearing? Is
 6 that reasonable? That would be Wednesday,
 7 July 6th. I know we have a holiday in there.
 8 MR. DASENT: Right. And I forget when
 9 the briefs are due. I don't want to be
 10 unfair.
 11 HEARING EXAMINER WUSHINSKE: Yes. I'll
 12 need to double-check our procedural schedule.
 13 MR. DASENT: If you do it right after
 14 the holiday, I should think selfishly that may
 15 help Mr. Ambrose.
 16 MR. AMBROSE: A week would be the 6th?
 17 MR. DASENT: Yes, it is.
 18 HEARING EXAMINER WUSHINSKE: It's the
 19 6th, which would be next Wednesday.
 20 Is that enough time, Mr. Dasant?
 21 MR. DASENT: Mr. Ambrose, can you do it
 22 by then?
 23 We'll try to meet that target. Let's
 24 use that as our target.

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1 HEARING EXAMINER WUSHINSKE: Okay.
 2 Thank you. And, as always, earlier responses
 3 are also appreciated if possible.
 4 MR. DASENT: Yes.
 5 HEARING EXAMINER WUSHINSKE: What was
 6 the wording of that transcript request?
 7 MR. DASENT: Provide a listing of
 8 positions to be filled? I mean, can you just
 9 help me, Mr. Morgan?
 10 MR. MORGAN: That's basically it. But
 11 as I sit here, I think it should be clarified
 12 because there appears to be some for the
 13 calendar year and the fiscal year, so I think
 14 we need to have that clarified by the period
 15 that these positions would be filled.
 16 HEARING EXAMINER WUSHINSKE: So,
 17 Mr. Morgan, were you seeking for the fiscal
 18 year?
 19 MR. MORGAN: No. What I'm trying to do
 20 is find out what period those numbers
 21 represent.
 22 For example, at one point it was said
 23 that 33 people could be filled, and over
 24 what period of time are those people being

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1 filled? During FY '23? '24? We don't know.
 2 So I'm trying to get a sense of what
 3 period those employees are going to be
 4 hired, in which period.
 5 HEARING EXAMINER WUSHINSKE: Okay. So
 6 maybe does it help you if we word it provide a
 7 listing of positions --
 8 MR. AMBROSE: These are open --
 9 HEARING EXAMINER WUSHINSKE: Sorry; is
 10 that Mr. Ambrose?
 11 Mr. Morgan --
 12 MR. AMBROSE: Yes.
 13 HEARING EXAMINER WUSHINSKE: -- does it
 14 get to your question to say provide a list of
 15 positions to be filled and the time period in
 16 which they will be filled?
 17 MR. MORGAN: Yes.
 18 MR. DASENT: Will do.
 19 HEARING EXAMINER WUSHINSKE: Okay.
 20 Thank you.
 21 And just to clarify, for the record,
 22 because of the Commission's numbering
 23 sequence, these are actually TR-5, 6, and 7.
 24 They continue with the numbering from the

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1 previous capital budget proceeding.
 2 MR. DASENT: Okay.
 3 HEARING EXAMINER WUSHINSKE: Okay.
 4 Thank you.
 5 So, Mr. Morgan, I believe you were
 6 questioning Mr. Ambrose. Did you have
 7 anything further for him?
 8 MR. MORGAN: Yes.
 9 The numbers that you provided, were
 10 those numbers net of the retirements that
 11 PGW is projecting?
 12 MR. AMBROSE: The numbers I'm providing
 13 are the existing open requisitions we have on
 14 file that are being requested by the
 15 department.
 16 MR. MORGAN: So if I factor in the 39
 17 people that are to retire, I would have to
 18 subtract the 39 from the number that you are
 19 projecting; isn't that right?
 20 MR. AMBROSE: Well, no. What would
 21 happen is after the retirements the department
 22 would submit a new requisition replacing those
 23 individuals, which would take place at the
 24 beginning of next year since they're aware of

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1 all their retirements on January 1st by
 2 December 1st.
 3 MR. MORGAN: Right. But it takes time
 4 to hire a person. So when you are looking at
 5 the average number of employees, there is
 6 going to be a period of time that that
 7 position will be vacant, or am I wrong?
 8 MR. AMBROSE: Yes, there would be, yes.
 9 No. You're correct.
 10 MR. MORGAN: All right. Did you also
 11 consider the normal employee attrition wherein
 12 you have employees leaving for whatever
 13 reasons there might be?
 14 MR. AMBROSE: Yes, we did. The
 15 departments are the ones that determine their
 16 personnel levels and submit requisitions to
 17 Human Resources for us to replace those
 18 individuals as they leave.
 19 MR. MORGAN: But I believe, as you
 20 stated, it sounded as if those were
 21 incremental employees when you said that you
 22 have these new employees coming along. So
 23 wouldn't I have to consider the employees that
 24 might be leaving?

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1 MR. AMBROSE: Yes, you would,
 2 absolutely.
 3 MR. MORGAN: Now, you mentioned that
 4 there were, I think you said, maybe 20 CSR
 5 employees to be hired?
 6 MR. AMBROSE: Yes. Customer Affairs is
 7 scheduling another class later in I believe
 8 September or October.
 9 MR. MORGAN: And in the response to
 10 PA-OB-21 there's a chart that's attached that
 11 totals the number of employees. Towards the
 12 end of that chart you will see where there's
 13 an increase of 25 customer service reps. Are
 14 you referring to 20 more over that 25 or is
 15 that the 25 that you were thinking about?
 16 MR. AMBROSE: Mr. Cummings would need
 17 to answer that.
 18 MR. GALLAGHER: If I could, please, the
 19 answer to that is based upon looking at the
 20 1,586. That was the basis of comparing where
 21 we wanted to go from 1,586 to the 1,650. Now
 22 we're looking at the timeline we're looking
 23 at, where we are right now is 1,530 going to
 24 1,650; different reference points.

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1 MR. MORGAN: So we don't know whether
 2 Mr. Ambrose is referring to these employees or
 3 a separate group.
 4 MR. GALLAGHER: We were explaining I
 5 think there's 64 different employees as far as
 6 that's concerned because we're adding based
 7 upon the 1,586. Now Bill is looking at it
 8 from the perspective of where we are today of
 9 the 1,530 to get us to the 1,650.
 10 MR. MORGAN: I'm sorry; I couldn't hear
 11 you very well. But the question I am trying
 12 to understand is that the FY '23 operating
 13 budget and staffing analysis that's provided
 14 as attached to PA-OB-21, I'm wondering if the
 15 employees that Mr. Ambrose mentions are
 16 considered in this list.
 17 MR. GALLAGHER: Yes. From this
 18 perspective, when '21 was done, the comparison
 19 was based upon the fiscal '22 estimated actual
 20 when we filed the budget. Now what Bill is
 21 doing for you is updating you where we are
 22 right now, today, as far as what he needs to
 23 do to get us up to the level of the 1,650.
 24 I mean, if I were to update this for

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1 what we're doing now, the column that I'm
 2 showing, fiscal '22 estimated actual, I
 3 would replace that and say what is your
 4 headcount today, and that would be where we
 5 are today, 1,530, compared to where we want
 6 to be, and there would be a larger deviation
 7 as far as what I'm showing here.
 8 So it's a timing issue between what
 9 the question was with this response to
 10 PA-OB-21 compared to where we are today.
 11 MR. MORGAN: But I guess my point is
 12 that if those employees are considered in this
 13 list, it's not like they are in addition to
 14 what is reflected here, which I guess I'm just
 15 trying to dispel the impression that the
 16 numbers of employees that will be hired will
 17 be in addition to what is presented here,
 18 because so many numbers were thrown out, it
 19 was hard to keep up with how many employees
 20 will be hired ultimately. So that's why I'm
 21 trying to make a linkage between the numbers
 22 that he gave versus what was already
 23 presented.
 24 MR. DASENT: It does appear like it's a

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1 moving target, Mr. Morgan. I don't know if we
 2 can cure any of that. But Mr. Gallagher has
 3 potentially a remedy if there's an update that
 4 can be provided so we're talking from the
 5 same, you know, handbook.
 6 MR. MORGAN: To that extent, yeah,
 7 because the point I'm making and the point
 8 that should be recognized is that Mr. Ambrose
 9 threw out some numbers, but at the same time
 10 there are going to be people leaving. So it's
 11 a net number. That's my point. And I think
 12 he agreed to that.
 13 No further questions.
 14 HEARING EXAMINER WUSHINSKE: Thank you.
 15 And just to clarify, Mr. Morgan, it was just
 16 the one transcript request that you had;
 17 correct?
 18 MR. MORGAN: Correct.
 19 HEARING EXAMINER WUSHINSKE: Okay.
 20 Thank you.
 21 MR. BALLENGER: I just had a couple
 22 questions for Mr. Ambrose following up on the
 23 discussion. Can I proceed?
 24 HEARING EXAMINER WUSHINSKE: Yes. Go

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1 ahead, Mr. Ballenger.
 2 MR. BALLENGER: Mr. Ambrose, you said
 3 that there were positions across a lot of
 4 different departments, but where there were
 5 seemingly larger numbers, it seemed like that
 6 those were union positions. Are the majority
 7 of the new hires union positions?
 8 MR. AMBROSE: Yes, that would be.
 9 MR. BALLENGER: The majority of the
 10 positions, I guess I should say.
 11 MR. DASENT: He agreed.
 12 MR. BALLENGER: Just confirming. Okay.
 13 And I don't have PGW's collective
 14 bargaining agreement handy, but I guess my
 15 suspicion is that new hires coming in under
 16 PGW's union contract would earn less than,
 17 you know, the average salary, you know, for
 18 all union members. Is that correct?
 19 MR. AMBROSE: Yes. The union has
 20 progression scales where an employee needs to
 21 be hired and then they progress up the chart
 22 to the top level of that position.
 23 MR. BALLENGER: Okay. So in terms of,
 24 you know, how much you need to budget on

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1 average for employees, a whole bunch of new
 2 union employees would bring the average budget
 3 for all union employees down; right?
 4 MR. DASENT: You're talking about
 5 arithmetic?
 6 MR. AMBROSE: Are you talking about the
 7 average hourly rate?
 8 MR. BALLENGER: Yeah. Well, if you are
 9 replacing a member of the union who's retiring
 10 with a new member of the union, that new
 11 member of the union is going to make a lot
 12 less and you're not going to have to pay as
 13 much; right?
 14 MR. AMBROSE: Yes. It's to scale.
 15 MR. BALLENGER: Yes. I want to make
 16 sure because when we're talking about the
 17 budget, we're talking about average level of
 18 all employees and average level of
 19 compensation; right?
 20 So that's helpful. I just wanted to
 21 understand.
 22 So if all of those positions are
 23 filled, you know, those union positions at
 24 least, you know, the average compensation

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1 for those new positions would be lower than
 2 the people who are potentially retiring.
 3 You would agree with that?
 4 MR. AMBROSE: Yes, I would agree.
 5 MR. GOLDEN: If I may clarify, Rob?
 6 MR. BALLENGER: Yes.
 7 MR. GOLDEN: I would certainly agree
 8 that a senior union person earns more annually
 9 than a new union person. However, when the
 10 senior union person leaves the Company,
 11 there's one right behind them that might only
 12 be six months on a progression scale behind
 13 them.
 14 MR. BALLENGER: Yes.
 15 MR. GOLDEN: So you're not going to see
 16 a dramatic change where you're going to see an
 17 \$80,000-a-year employee and in theory you're
 18 saying replaced by a \$35,000-a-year employee.
 19 That's not case.
 20 The \$80,000-a-year employee might
 21 retire, but there might be a \$78,000-a-year
 22 employee that replaces them and then a
 23 \$76,000-a-year employee that replaces them,
 24 and so on down the line.

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1 So you're not going to see a 30 or 40
 2 thousand dollar divergence when a senior
 3 union person moves on and a new one comes
 4 in. Mathematically you can make that
 5 conclusion, but that's not what happens in
 6 practice, just to clarify that, Rob.
 7 MR. BALLENGER: Yes. It sounds like
 8 there's a fairly large number here and I
 9 understand sort of the background and
 10 circumstances that have contributed to that.
 11 Obviously we talked about it a little bit and
 12 Mr. Morgan's testimony goes to that, too.
 13 It just seems as though at this point
 14 in time there are, according to Mr. Ambrose,
 15 a large number of those new hires that are
 16 going to be new members of the union.
 17 So I think it's just worth noting
 18 that it's not sort of your typical attrition
 19 and replacement cycle that PGW is probably
 20 more used to than what's happened due to
 21 COVID-19 and the great resignation.
 22 So, anyhow, I think Lafayette's
 23 testimony went to that, so I don't know if
 24 PGW has any questions for Mr. Morgan, but

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1 that's all I had.
 2 HEARING EXAMINER WUSHINSKE:
 3 Mr. Dasent, do you have any questions for
 4 Mr. Morgan?
 5 MR. DASENT: The one area that I would
 6 have a question for Mr. Morgan has to do with
 7 the overlap between our stipulation earlier
 8 today that deals with --
 9 MS. PRICE: I'm sorry to interrupt,
 10 Andre. I don't believe that we've sworn in
 11 Mr. Morgan.
 12 THE COURT REPORTER: You have not.
 13 HEARING EXAMINER WUSHINSKE: Yes.
 14 Thank you, Ms. Price. I think you are
 15 accurate.
 16 - - -
 17 (Whereupon, the witness, LAFAYETTE K.
 18 MORGAN, was duly sworn.)
 19 - - -
 20 MR. DASENT: Good afternoon,
 21 Mr. Morgan. I had to look at the clock.
 22 You remember earlier today we did an
 23 adjustment or we agreed to a summary of a
 24 bunch of adjustments, one of which dealt

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1 with the closing of the District Offices,
 2 and your proposal specifically was to reduce
 3 the operating budget by \$596,000 to deal.
 4 With the reduced budget in closing the
 5 various District Offices.
 6 It has a lot of components, but one
 7 component of it had to do with the number of
 8 full-time employees in Mr. Cummings' area
 9 and it's going to be shy now two management
 10 employees and seven union employees.
 11 We see an overlap between that and
 12 your adjustment and wanted to acknowledge
 13 that because we'll be briefing that point.
 14 I don't know that you agree, so I thought
 15 I'd ask you because actually I think you
 16 disagree that there's an overlap there.
 17 But we see it sort of plainly because
 18 the universe of folks is fixed and we're
 19 reducing nine employees in that particular
 20 area. That's my question for you.
 21 MR. MORGAN: I don't see it as an
 22 overlap and the reason why is that he agreed
 23 that the costs that were removed included all
 24 nine employees, but currently those nine

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1 employees are part of or makes up the current
 2 number of employees that PGW has. So those
 3 nine employees are occupying nine roles that
 4 will not have to be filled.

5 So because they're a part of PGW's
 6 additional costs, stated differently, if PGW
 7 was at full staff and there were these nine
 8 employees that would now have to be severed,
 9 then we would have that overlap if we
 10 assumed that those nine employees were not
 11 now to be hired by PGW. But currently I
 12 don't see the overlap.

13 MR. DASENT: Okay. Thank you for that
 14 clarification.

15 That's the only question I have.

16 HEARING EXAMINER WUSHINSKE: Thank you,
 17 Mr. Dasent.

18 Mr. McDougall, do you have any
 19 questions for Mr. Ambrose or for Mr. Morgan?

20 MR. McDOUGALL: No. Thank you.

21 HEARING EXAMINER WUSHINSKE: Thank you.
 22 Okay. Thank you, Mr. Morgan.
 23 Thank you, Mr. Ambrose.
 24 And those of you in the PGW boardroom

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1 as well.

2 Unless anybody has anything further,
 3 I believe that concludes the agenda portion
 4 of our hearing today. We do have public
 5 comments.

6 Mr. McDougall?

7 MR. McDOUGALL: Yes. Sorry; I would
 8 like to hit that last item on the Geothermal
 9 Feasibility Study (Conditional Funding).

10 HEARING EXAMINER WUSHINSKE: Okay. Of
 11 course.

12 Mr. Dasent, was that something
 13 Mr. Golden and Mr. Gallagher were going to
 14 speak to?

15 MR. DASENT: Well, on the conditional
 16 funding aspect of it, they can speak to that
 17 because it has to do with the relationship of
 18 this proposal in the last proceeding.

19 Mr. Gold, if he's still here, may
 20 also have a word.

21 HEARING EXAMINER WUSHINSKE: Okay.
 22 Thank you. I believe they have all already
 23 been sworn in, so please go ahead.
 24 MR. DASENT: If you'll recall,

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1 Mr. Golden, the geothermal feasibility study
 2 was the subject of the capital budget
 3 proceeding. At that particular time the issue
 4 was raised whether we would fund \$500,000 for
 5 this particular study. Do you recall that?

6 MR. GOLDEN: Yes, I do.

7 MR. DASENT: Now, in this proceeding --
 8 well, before we even get to that, at the
 9 urging of the Gas Commission we agreed to
 10 include \$500,000 for a geothermal feasibility
 11 study in this particular budget. I think
 12 that's a fact, but do you agree with that
 13 also?

14 MR. GOLDEN: Yes, I do.

15 MR. DASENT: Okay. Now, in agreeing to
 16 insert all of these things, to put this in the
 17 budget, was there any caveat or understanding
 18 that we would add additional requirements with
 19 respect to reporting? Or maybe just boiling
 20 it down to its basics, do you agree with the
 21 recommendation of POWER that there should be
 22 additional caveats with respect to conditional
 23 funding inserted at this time?
 24 MR. GOLDEN: No, I do not.

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1 MR. DASENT: Okay. And can you explain
 2 why?

3 MR. GOLDEN: I believe we would treat
 4 this feasibility study as we do with any other
 5 purchase and we would go through our normal
 6 procedures.

7 MR. DASENT: And so full spending
 8 authority is appropriate.

9 What about the timeliness of getting
 10 all of this done; does that have anything to
 11 do with conditional funding also?

12 MR. GOLDEN: Well, of course it does,
 13 yes. I mean, the fiscal year starts
 14 September 1st and I think if we can move on it
 15 quickly, we would rather do that than burden
 16 it with other requirements.

17 MR. DASENT: Okay. That's all I have.
 18 This witness is tendered for
 19 cross-examination.

20 HEARING EXAMINER WUSHINSKE: Thank you,
 21 Mr. Dasent.
 22 Mr. McDougall?
 23 MR. McDOUGALL: Yes. Thank you.
 24 So I'd like to just go over some of

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1 those specific recommendations and get some
 2 detail on how PGW is thinking about them in
 3 particular.
 4 As a starting point, I was wondering
 5 if you could speak to how PGW arrived at the
 6 appropriateness of the \$500,000 sum for this
 7 study.
 8 MR. GOLDEN: I don't believe that we
 9 have a basis for the \$500,000. I believe that
 10 that was the suggested amount.
 11 What I did notice in someone else's
 12 testimony was that there was a wider-scale
 13 look at heat pumps that was \$5 million in
 14 the Washington, D.C., area. I noted that
 15 disparity.
 16 I don't believe there was a basis.
 17 We didn't preempt that this is going to be a
 18 certain level of engineering at a certain
 19 number of hours at a certain number of
 20 dollars per hour, things of that nature, no.
 21 MR. McDOUGALL: Okay. So then can you
 22 say why you chose the \$500,000 number?
 23 MR. GOLDEN: I believe it was the
 24 suggested amount from the Study, if I recall

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1 correctly, from the Diversification Study.
 2 MR. McDOUGALL: Actually, it was the
 3 suggested amount in Mr. Kleinginna's
 4 testimony. I don't believe the
 5 Diversification Study gave a number.
 6 Okay. So if I understand right, PGW
 7 identified this number because that's the
 8 number that Mr. Kleinginna's testimony used?
 9 MR. GOLDEN: That's not my
 10 recollection, no. I could certainly go back
 11 and check.
 12 MR. McDOUGALL: It's not your
 13 recollection?
 14 MR. GOLDEN: It's not my recollection
 15 that that's why PGW chose the number. It may
 16 be the number in his testimony.
 17 MR. McDOUGALL: Okay. So are you able
 18 to --
 19 MR. GOLDEN: Would you like a different
 20 number? Like where are you going with this?
 21 MR. McDOUGALL: No. I'm just trying to
 22 understand how PGW arrived at that particular
 23 number.
 24 MR. GOLDEN: I really don't have an

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1 answer for that. I believe it was just an
 2 estimate.
 3 MR. McDOUGALL: Okay. And just to sort
 4 of clarify, that's not generally the way that
 5 PGW develops figures for its budget; right?
 6 MR. GOLDEN: Not generally for its
 7 budget. Generally for something that may
 8 happen upwards to 18 months in the future, not
 9 knowing the scope of services, there are
 10 generally estimated amounts used in a budget I
 11 would imagine at most companies in the
 12 country.
 13 MR. McDOUGALL: Okay. And were there
 14 any inputs into the estimation process that
 15 helped get to this number of 500K?
 16 MR. GOLDEN: I'm not aware of the
 17 detailed development of the \$500,000 estimated
 18 amount.
 19 MR. McDOUGALL: Okay. That's helpful
 20 context.
 21 So I'd like to talk about some of the
 22 particular recommendations. In particular,
 23 Mr. Kleinginna in his testimony expressed
 24 concern about the lack of information about

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1 the scope of the study given the proposed
 2 500K spend and had recommended some elements
 3 that would be important parts of the scope
 4 of the study to make sure that it's getting
 5 the most value for ratepayers and I wanted
 6 to ask if you have a position on the
 7 particular scope that Mr. Kleinginna
 8 recommended.
 9 MR. GOLDEN: I do not at this point,
 10 no.
 11 MR. McDOUGALL: Okay. So one important
 12 piece that Mr. Kleinginna emphasized is
 13 looking at the feasibility of particular
 14 locations within PGW's service territory in
 15 order to help identify a feasible set of sites
 16 for a pilot.
 17 Is PGW planning to look at specific
 18 locations as part of their study?
 19 MR. GOLDEN: I do not know at this
 20 point. I mean, we're more on the budget end.
 21 I don't know what the level of involvement
 22 will be with my area in determining the scope
 23 of services for an engineering study.
 24 MR. McDOUGALL: Okay. So it may be

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1 that other people at PGW are more able to
 2 speak to that particular issue of location
 3 specificity; is that right?
 4 MR. GOLDEN: Yes, it is.
 5 MR. McDOUGALL: Okay.
 6 Mr. Dasent, is there anyone that
 7 might be able to comment on that, with
 8 attention to Mr. Gold?
 9 MR. DASENT: At this point if Mr. Gold
 10 wants to speak to that issue, that's fine.
 11 But I think we're going to get back to this as
 12 to where we are in the procurement process
 13 when all the scope of services are determined
 14 and whether we're there yet. But let me let
 15 the conversation go on.
 16 MR. McDOUGALL: I'll try to be as
 17 efficient as possible. I appreciate that,
 18 Mr. Dasent.
 19 Mr. Gold, to just address it to you,
 20 one of our expert's key concerns at a high
 21 level with regard to the scope is whether or
 22 not the feasibility study will be assessing
 23 the feasibility of thermal networks at
 24 specific locations in PGW's service

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1 territory. Is that something that you're
 2 able to speak to?
 3 MR. GOLD: I can tell you that our team
 4 is performing the market intelligence
 5 research, I'll call it, to identify what
 6 potential projects could look like for us and
 7 case studies/success projects in the past and
 8 we're using that to inform the scope of this
 9 study, but we have not developed that scope
 10 yet.
 11 I'll also say, our approach to this
 12 study in general is we want to find specific
 13 projects that actually could be developed
 14 and our focus is more on actual projects,
 15 maybe even individual facilities if that is
 16 the best way of implementing an actual
 17 project. So that's one of the approaches
 18 that we're taking.
 19 I guess the reason that we're saying
 20 that is if we are intending to evaluate
 21 specific projects, the technical feasibility
 22 of specific projects, I would imagine that
 23 at that point we would have identified
 24 locations.

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1 MR. McDOUGALL: Okay. Can you say more
 2 on what you meant by "market intelligence
 3 research"?
 4 MR. GOLD: Learning more about the
 5 technology. We have engineers on staff here
 6 at PGW. We want to become more conversant and
 7 familiar with the technology and how the
 8 projects have been implemented in the past,
 9 the technical specs and approaches and costs,
 10 just to the point that we could even develop
 11 an informed RFP for what we're asking for; and
 12 we're in that process right now so that we can
 13 develop that RFP scope of work that you're
 14 raising.
 15 MR. McDOUGALL: Okay. And with regard
 16 to location specificity, can you comment on
 17 whether PGW is working to be ready to submit a
 18 capital request for a thermal network pilot in
 19 FY '24?
 20 MR. GOLD: I think this is an example
 21 of the, again, specifically prescriptive
 22 requirements and even premature requirements
 23 imposed on the study could hinder the process
 24 of actually us being able to complete the

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1 study.
 2 So as an example, again, we're
 3 developing a workplan, we're developing a
 4 study. Some of your recommendations
 5 involved putting together a working group,
 6 filing the RFP, having the external working
 7 group inform the development of the RFP,
 8 having the external working group I believe
 9 have a say in selecting the awardee, and
 10 then three public hearings.
 11 I'm saying we will develop a plan, an
 12 engagement plan, just as I mentioned
 13 earlier. We don't have that plan right now.
 14 It's going to be based on the project as a
 15 real opportunity for us.
 16 I raise that now to say again you're
 17 proposing/recommending very specific
 18 requirements and then you're combining that
 19 with a precondition of us committing to
 20 including capital for this project in our FY
 21 '24 capital budget filing.
 22 We file FY '24 capital in January of
 23 2023. We have to start our internal
 24 development process in order to hit that

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1 timeline in September.
 2 So your proposal here is to lay out
 3 these very specific public activities that I
 4 just ran through on top of actually
 5 performing the analysis and then completing
 6 all of that by September, two months away,
 7 so that we could include that in our FY '24
 8 capital filing.
 9 And your recommendation, if I
 10 understand it, is if we are not willing to
 11 commit to that timeline and your specific
 12 recommendations, then we should not get the
 13 conditional funding for the study, which is
 14 going to keep us from being able to do any
 15 study at all in FY '24.
 16 MR. McDOUGALL: Well, again, I think
 17 that we may have a different view on whether a
 18 stakeholder engagement does indeed derail
 19 something, as you put it, or whether it
 20 actually enriches it and makes it more
 21 cost-effective. I think our testimony
 22 reflects the latter view.
 23 I want to circle back a little bit
 24 from the specific question of the capital

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1 budget request process and really get at
 2 this question of the scope of the study
 3 because that will be influential on what the
 4 study becomes and how it sets up future
 5 action.
 6 One could imagine a feasibility study
 7 that is very high level that produces
 8 generalized statements, perhaps concludes
 9 that thermal networks may be feasible in
 10 PGW's service territory, and leaves it at
 11 that.
 12 One could also imagine a study along
 13 the lines that Mr. Kleinginna's testimony
 14 recommends that really drills down, not
 15 literally, of course, because we're just
 16 talking about a study rather than the actual
 17 construction, but really looks at on a
 18 granular level particular locations in
 19 Philadelphia and assesses the technical and
 20 engineering feasibility of the climates
 21 there as well as what the benefits would be
 22 and develops some screening tools so that
 23 PGW can identify and rank the best sites.
 24 And that type of study rather than

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1 the former study that's solely generalized
 2 to look into the site sets you up for
 3 success on pursuing a capital request. A
 4 less location-specific study would not.
 5 So the idea is that the nature of the
 6 decision made now about the scope will have
 7 downstream effects on what's possible later,
 8 and that's why I just wanted to clarify if
 9 PGW has any level of interest or commitment
 10 in doing that second type of study that's
 11 more location-specific or if it's really
 12 just sort of unknown what the scope of the
 13 study, you know, may include or not include.
 14 MR. GOLD: There are two answers to
 15 that question, complementary answers.
 16 The first answer is, as I said, we
 17 have not identified the scope, we have not
 18 nailed down the approach yet. That's why
 19 we're performing this market intelligence.
 20 The second part of the answer is just
 21 what I said a few minutes ago, which is in
 22 general we are not interested in paying
 23 funding for a theoretical idea of whether or
 24 not geothermal can be done.

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1 We're looking ideally for specific
 2 projects that are technically feasible and
 3 our intent for the study would be to support
 4 the actual technical analysis of specific
 5 projects that we could in theory get to an
 6 actual project. That's our intent.
 7 But we'll have to see what's possible
 8 as we work through, again, our market
 9 intelligence and the development of the
 10 scope of work and the overall workplan.
 11 MR. McDOUGALL: Okay. So when you say
 12 "specific projects," can I understand that to
 13 include if it's a specific project, it's a
 14 project in a specific location?
 15 MR. GOLD: It could be. It could be an
 16 individual facility. I know your questions
 17 are about network and these could be parallel
 18 paths and they're not mutually exclusive.
 19 This study could include network
 20 feasibility. It could involve identifying
 21 specific facilities and sites and
 22 capabilities and maybe even getting into the
 23 technical evaluation of very specific
 24 individual facilities for geothermal.

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1 At this point we're not taking that
 2 off the table. We're interested in whatever
 3 way we can evaluate and determine our
 4 ability to be part of an actual geothermal
 5 project.
 6 MR. McDOUGALL: Okay. So specific
 7 projects are not off the table, but would you
 8 say it's on the table that there could be a
 9 version of this study that does not discuss
 10 project-specific locations?
 11 MR. GOLD: That's not our intent, but
 12 we have not nailed down the scope of the study
 13 yet.
 14 MR. McDOUGALL: Okay. That's helpful.
 15 Just to sort of ground in the
 16 sequence of the testimony here, I'll just
 17 try to be as efficient as possible on this.
 18 So Mr. Kleinginna's recommendations
 19 on scope -- I'm looking at Page 26 of his
 20 testimony -- he's got a number listed. The
 21 first one has to do with screening tools to
 22 identify and rank feasible sites. We've
 23 talked about that.
 24 The next is looking at workforce

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1 needs for actually executing a thermal
 2 network pilot and ways of maximizing
 3 participation from Local 686 members in
 4 thermal network deployment.
 5 Does PGW have a position on whether
 6 that's something that will be included in
 7 the scope or could be included in the scope?
 8 MR. GOLD: I don't have a response for
 9 that question other than that we have not yet
 10 developed our scope yet. We are working on
 11 it.
 12 MR. McDOUGALL: Okay. And number three
 13 is looking at optimized sites for its
 14 technical engineering work, which you just
 15 talked about.
 16 And then on 5. we're talking about a
 17 stakeholder process for the performance of
 18 the study, and I want to focus on that piece
 19 now and sort of separately address the
 20 questions of stakeholder involvement in the
 21 RFP because I think there are distinct
 22 considerations.
 23 In the actual performance of the
 24 study which Mr. Kleinginna has recommended,

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1 he really focused on assessing the
 2 feasibility of particular locations.
 3 There's a recommendation to include
 4 community groups in the process of the study
 5 and, in particular, in identifying
 6 particular sites and consulting community
 7 organizations for the communities containing
 8 those sites. Do you have a position on that
 9 recommendation?
 10 MR. GOLD: We have not developed our
 11 stakeholder engagement plan. We will do so.
 12 Once we do that, we are happy to share it with
 13 the Commission.
 14 MR. McDOUGALL: Okay. And do you have
 15 a position on the recommendation to allow for
 16 public comment on a draft of the study?
 17 MR. GOLD: It's the same response.
 18 MR. McDOUGALL: Okay. And with regard
 19 to the RFP process, do you have a position --
 20 just to close this out -- on stakeholder
 21 involvement in the preparation of the RFP?
 22 MR. GOLD: Same response.
 23 MR. McDOUGALL: Okay.
 24 Mr. Kleinginna, would you like to ask

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1 any questions on this topic?
 2 MR. KLEINGINNA: Yes. So I was a
 3 little curious. Devin, you pointed to Page 26
 4 of the testimony and Mr. Gold referred to
 5 market intelligence.
 6 I'd ask if No. 1. as I've listed it
 7 there in my answer to that question that's
 8 on Page 26, the study include in its scope
 9 developing screening tools to identify and
 10 rank feasible sites, including a geological
 11 assessment, areas planned for service/main
 12 replacement -- and I'm paraphrasing here --
 13 low-income census tracks as well as low
 14 density, does that pretty much identify what
 15 you would say is market intelligence as you
 16 are trying to identify sites?
 17 MR. GOLD: I'm looking at your
 18 testimony right now. As we develop our scope
 19 for this study, I guess we haven't determined
 20 yet whether recommendations along these lines
 21 would be included in our internal market
 22 intelligence step and/or whether and to what
 23 degree they would be included in the study's
 24 scope of work. I don't believe we have

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1 determined that yet.

2 MR. KLEINGINNA: But just your feel,

3 does that feel like some of the market

4 intelligence you would need to do or is that

5 completely off base?

6 MR. GOLD: My response is the same. I

7 don't know if we've determined whether it's

8 included, would be included, and to what

9 degree it would be included in our current

10 market intelligence and/or in the study's

11 scope of work.

12 MR. KLEINGINNA: Okay. Fair enough.

13 I have a clarification on my

14 testimony. I don't know if I need to be

15 sworn to say that or not, but I do want to

16 clarify something.

17 HEARING EXAMINER WUSHINSKE: I think we

18 would swear you in, Mr. Kleinginna, just in

19 case there are any questions or any

20 back-and-forth.

21 MR. KLEINGINNA: Sure.

22 - - -

23 (Whereupon, the witness, MARK D.

24 KLEINGINNA, was duly sworn.)

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1 - - -

2 MR. KLEINGINNA: So the \$5 million that

3 was referred to in the WGL RFP, that was for

4 an actual pilot. That's for shovels in the

5 ground. That's not for a study. I just

6 wanted to clarify that. That's all I have on

7 that.

8 HEARING EXAMINER WUSHINSKE: Thank you

9 for that.

10 Mr. Dasent or Public Advocate, did

11 you have any followup questions regarding

12 that clarification?

13 MR. DASENT: None.

14 MS. PRICE: No.

15 HEARING EXAMINER WUSHINSKE: Thank you.

16 Mr. McDougall, did you have any more

17 questions for the PGW witnesses?

18 MR. McDOUGALL: No, I do not. Thank

19 you.

20 HEARING EXAMINER WUSHINSKE: Thank you.

21 The Advocate, do you have any

22 questions for these witnesses?

23 MR. BALLENGER: No, not at this time.

24 MS. PRICE: No.

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1 HEARING EXAMINER WUSHINSKE: Thank you.

2 Commission Staff, any questions?

3 MS. ROWE: No.

4 HEARING EXAMINER WUSHINSKE: Okay.

5 Thank you.

6 And PGW, any redirect?

7 MR. DASENT: No redirect.

8 HEARING EXAMINER WUSHINSKE: Okay.

9 Thank you.

10 - - -

11 (Witnesses excused.)

12 - - -

13 HEARING EXAMINER WUSHINSKE: Before we

14 move on to the public comment, I know we have

15 members of the public who are looking to

16 speak, we've been going for over three hours,

17 I wanted to check with the Advocate and your

18 witnesses, PGW and your witnesses, and also

19 POWER and your witnesses, does anybody need a

20 break before we move to the public comments?

21 THE COURT REPORTER: Unfortunately, you

22 didn't ask me, but I would like one.

23 HEARING EXAMINER WUSHINSKE: Oh, I'm

24 sorry.

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1 THE COURT REPORTER: I didn't mean that

2 negatively; I just thought let me stop them

3 all from answering and I will ask for one.

4 HEARING EXAMINER WUSHINSKE: Of course.

5 MR. BALLENGER: The most important

6 person in the room.

7 MR. DASENT: Exactly.

8 HEARING EXAMINER WUSHINSKE: So, Sue,

9 how long do you need?

10 THE COURT REPORTER: Five minutes.

11 HEARING EXAMINER WUSHINSKE: Okay.

12 It's 1:10. Let's take a break and we will go

13 back on the record at 1:15.

14 - - -

15 (Whereupon there was a recess in the

16 proceedings.)

17 - - -

18 HEARING EXAMINER WUSHINSKE: Okay. We

19 are back on the record, it's 1:15, after a

20 short five-minute recess.

21 I just wanted to make sure we have

22 counsel for the Advocate and for POWER back

23 in the room.

24 I see Mr. Dasent.

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1 Also, I don't know if you saw in the
 2 chat, but Commission Staff muted all the
 3 participants just because there was a lot of
 4 unnecessary noise and we didn't want anybody
 5 to be recorded when they thought they were
 6 on break. So please unmute yourselves.
 7 MS. PRICE: I'm here.
 8 HEARING EXAMINER WUSHINSKE: Thank you.
 9 I see you, Ms. Price.
 10 I'm waiting to see if we have
 11 Mr. McDougall back.
 12 MR. KLEINGINNA: Apologies.
 13 MS. YOUNG: I'm sorry; yes. Just a
 14 second.
 15 Hi. So my name is Nadine Young. I'm
 16 here --
 17 HEARING EXAMINER WUSHINSKE: Oh, excuse
 18 me. We have not quite moved on to the comment
 19 period yet, so you didn't miss anything.
 20 We're waiting for counsel for POWER
 21 to return. I'll give them another couple
 22 minutes and, if not, we'll get started to
 23 move things along since their questioning
 24 has concluded.

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1 We also would ask if you could
 2 comment in the chat box, we are going to
 3 have the time now to take a look at that,
 4 whether or not you want to comment; and then
 5 we'll go down the list and make sure we can
 6 get to everybody.
 7 Each person will have two minutes, so
 8 please try to time yourselves accordingly,
 9 and Commission Staff will be timing it so we
 10 can make sure everyone gets a chance to
 11 speak. And we'll give a warning at 30
 12 seconds.
 13 Also, if you would like to let us
 14 know your preferred pronouns so we can refer
 15 to you appropriately, that would be helpful.
 16 If not, no worries either way.
 17 So just take a minute to put whether
 18 or not you want to comment in the chat and,
 19 again, comment with the word "comment" and
 20 then we will go from there.
 21 Okay. First I see -- excuse me if I
 22 say this incorrectly -- Linnea Bond.
 23 MS. BOND: That's correct. Very good.
 24 Thank you.

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1 HEARING EXAMINER WUSHINSKE: Okay.
 2 Thank you. So if you would like to go ahead
 3 and offer your comments and, as I said, we
 4 will let you know when you have 30 seconds.
 5 MS. BOND: Great. Thank you.
 6 HEARING EXAMINER WUSHINSKE: Thank you.
 7 MS. BOND: My name is Linnea Bond and
 8 I'm a PGW ratepayer living in the 19123 ZIP
 9 Code.
 10 As a representative of Physicians for
 11 Social Responsibility's Pennsylvania
 12 Chapter, I also want to speak on behalf of
 13 doctors and nurses, public health
 14 professionals, and consumer protection
 15 advocates dedicated to promoting public
 16 health.
 17 The IPCC stated in April that in
 18 order to avoid climate disaster, carbon
 19 emissions must decrease by 43% by 2030 and
 20 reach zero by 2050.
 21 However, with methane being 25 times
 22 as potent as carbon dioxide in trapping heat
 23 in the atmosphere, PGW has mentioned in
 24 their testimony that they have elected to

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1 reduce methane emissions by 80% by 2050.
 2 If PGW is 20% of the methane that is
 3 currently emitting in 2050, it will not be
 4 on track for IPCC and City targets and the
 5 timeline that climate change presents.
 6 In light of this major discrepancy,
 7 the immense impacts the changes will have on
 8 every Philadelphian, and the challenges of
 9 the timeline and scale of the transition, I
 10 affirm Mark Kleinginna's testimony presented
 11 by POWER recommending that the Commission
 12 require PGW to provide quarterly updates,
 13 seek public input throughout the process of
 14 the feasibility study, release information
 15 to the public, prioritize serving low-income
 16 communities, and evaluate ways to maximize
 17 participation of PGW workers in building and
 18 operating a network geothermal system.
 19 Again, in order to stay in line with
 20 the needs of this critical moment, where the
 21 IPCC has said there is as little as a decade
 22 to make the needed radical changes that
 23 provide our only hope of avoiding climate
 24 disaster, the study must be completed in

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1 time to propose a specific network
 2 geothermal pilot project as part of the next
 3 capital budget.
 4 Thank you.
 5 HEARING EXAMINER WUSHINSKE: Thank you
 6 for your testimony.
 7 We have next Brian -- Baughan?
 8 MR. BAUGHAN: Baughan. Close.
 9 HEARING EXAMINER WUSHINSKE: Baughan?
 10 MR. BAUGHAN: Baughan.
 11 HEARING EXAMINER WUSHINSKE: Baughan,
 12 okay.
 13 MR. BAUGHAN: Yes.
 14 HEARING EXAMINER WUSHINSKE: Thank you
 15 very much. You may proceed with your
 16 comments.
 17 MR. BAUGHAN: Thank you. Hello. My
 18 name is Brian Baughan and I'm a member of
 19 Philly DSA and a resident of the old Richmond
 20 neighborhood and I'm also a PGW ratepayer.
 21 In January 2021 Mayor Kenney
 22 committed to achieving carbon neutrality in
 23 Philadelphia by 2050. Given that PGW
 24 contributes nearly one-fifth of the City's

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1 carbon emissions, you would think that PGW's
 2 operating budget would reflect the urgency
 3 of that goal. This budget does not do that.
 4 While I am encouraged that PGW has
 5 committed to planning a geothermal pilot
 6 project, I have major concerns about the
 7 lack of detail in the proposed operating
 8 budget.
 9 Will the plan be conducted in a
 10 timely way, in a way that benefits
 11 low-income residents?
 12 Will PGW workers be doing the work?
 13 Will the public get to participate in
 14 planning the pilot and will information be
 15 made available to the public throughout the
 16 process?
 17 Philadelphians deserve full
 18 transparency in this and all other matters
 19 concerning our public gas utility. They
 20 deserve a utility that provides affordable
 21 and renewable energy. They deserve
 22 leadership that is dedicated to preserving
 23 and expanding union jobs.
 24 This is why we support POWER

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1 Interfaith's recommendations for the
 2 operating budget. If we are to have any
 3 chance to meet the City's 2050 climate
 4 goals, we cannot delay in transforming PGW
 5 into the kind of utility we all know it
 6 needs to be. We can do better. We must do
 7 better.
 8 Thank you.
 9 HEARING EXAMINER WUSHINSKE: Thank you
 10 for your comments.
 11 Beatrice Zorich.
 12 MS. ZORICH: Yes. Thank you. Thank
 13 you very much for hearing my comments.
 14 My name is Beatrice Zorich and I'm a
 15 resident of West Philadelphia, a member of
 16 Reclaim Philadelphia, and a PGW ratepayer.
 17 I just would like to state that I
 18 support POWER's recommendations for the PGW
 19 operating budget because I want to ensure
 20 that Philadelphia fulfills its goal of
 21 eliminating greenhouse gas emissions in
 22 order to protect a livable climate,
 23 guarantees everybody access to the energy
 24 that they need at affordable rates, and

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1 preserves and creates good union jobs.
 2 Thank you very much for your
 3 consideration and your time.
 4 HEARING EXAMINER WUSHINSKE: Thank you
 5 for your comments today.
 6 Okay. Now, Nadine Young, you are on
 7 our list, up now.
 8 MS. YOUNG: Thank you. Nadine Young
 9 here. I'm a resident of Philadelphia's oldest
 10 neighborhood, Queen Village. I'm a PGW
 11 ratepayer and I'm a grandmother. I work with
 12 several organizations that work to assure that
 13 we adults leave a habitable Philadelphia for
 14 my grandchildren and my community.
 15 I'm glad to see the inclusion of
 16 funding in the 2023 operating budget being a
 17 clean energy alternative to gas. My comment
 18 is about that. To be brief, I'm just going
 19 to read my comment to you.
 20 My rented house in Queen Village and
 21 all the others on my block are heated with
 22 an explosive gas. We use an explosive gas
 23 to cook. We live amidst emissions from
 24 burning of fossil fuel inside our homes.

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1 We are renters. We can't change this
 2 for ourselves and, yes, we could pressure
 3 our landlords. But what we need is to
 4 change at the scale that only a large
 5 utility like PGW can achieve by
 6 transitioning to new energy sources.
 7 I don't pretend to know what the best
 8 options are for PGW, but I know this: We
 9 have run out of time.
 10 I would like to see the final
 11 operating budget include full funding for
 12 this geothermal system pilot. We have
 13 plenty of information about how these
 14 systems present a viable option.
 15 But it's important to me that this
 16 not just be an academic exercise. As
 17 Mr. Gold said, it's not sufficient to
 18 emphasize reductions in end user emissions.
 19 We must end the burning of all fossil fuels
 20 starting by diversifying sources of energy.
 21 From what I've heard today, it
 22 doesn't seem that PGW's leadership --
 23 MR. MURTHA: 30 seconds.
 24 MS. YOUNG: -- is committed to

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1 transitioning to new sources. I would like to
 2 see the RFP for this project specifically
 3 require that the pilot have as a stated goal
 4 evaluation of the extent to which this source
 5 can contribute to achieving the City's
 6 commitments for clean energy, that it include
 7 fully fleshed out metrics --
 8 MR. MURTHA: Two minutes. Please wrap
 9 up your comments.
 10 MS. YOUNG: All right. Thank you.
 11 HEARING EXAMINER WUSHINSKE: Thank you
 12 for your comments.
 13 Allen Drew.
 14 MR. DREW: Thank you. Good morning.
 15 My name is Allen Drew. I'm an ordained
 16 minister in the Christian Reform Church and
 17 the eastern regional organizer for the Climate
 18 Witness Project and I'm an organizer for the
 19 Hunting Park Community Solar Initiative.
 20 PGW is the people of Philadelphia's
 21 municipally owned natural gas heating
 22 utility and we, the people, in light of the
 23 climate crisis that is upon us, have decided
 24 that we want to reduce our collective

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1 emissions at a rate that meets the
 2 international target to 50% reduction by
 3 2030 and 100% reduction by 2050.
 4 This can only be done with PGW
 5 transitioning away from being a fossil fuel
 6 heating utility to being a clean energy
 7 heating and cooling company.
 8 In today's hearing I am concerned by
 9 the dynamics of the conversation. As
 10 Mr. McDougall pressed POWER's request that
 11 PGW have regular public accountability on
 12 its greenhouse gas emissions reduction
 13 targets, Mr. Gold and Mr. Dasent could be
 14 clearly seen avoiding direct answers and
 15 pressing against public accountability for
 16 PGW.
 17 And the proposed \$500,000 is wholly
 18 inadequate and the testimony today has shown
 19 how the plans for that pittance are
 20 remarkably vague.
 21 So it is obvious, I hope, to
 22 everybody in this room that PGW leadership
 23 does not want accountability to the City
 24 that owns it.

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1 This is perverse and it's insulting.
 2 The public should not have to ask its
 3 publicly owned utility to provide regular
 4 reports. We should be able to demand it and
 5 demand it on our terms.
 6 We should be able to direct PGW to
 7 make the dramatic changes necessary to keep
 8 in line with the climate goals that we as a
 9 city have chosen --
 10 MR. MURTHA: 30 seconds.
 11 MR. DREW: -- to pursue because PGW is
 12 owned by us.
 13 As if this weren't reason enough,
 14 this movement is actually in PGW's own
 15 interest as our world is actively moving
 16 away from fossil fuels and that movement is
 17 accelerating.
 18 Pressure against fossil fuels will
 19 only increase. Furthermore, network
 20 geothermal is showing itself to be an
 21 exciting and viable path forward for union
 22 workers in the gas industry. We're seeing
 23 this in Massachusetts, New York, and
 24 elsewhere.

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1 Holding on to an old fossil fuel
 2 model at a time when the world is leaving
 3 fossil fuels is foolish and it will screw
 4 your workers and their families.
 5 MR. MURTHA: Two minutes. Please wrap
 6 up your comments.
 7 MR. DREW: The qualities to meet the
 8 new 21st Century clean energy ecosystem will
 9 protect your workers and ensure a viable
 10 future for PGW as a business.
 11 Thank you.
 12 HEARING EXAMINER WUSHINSKE: Thank you
 13 for your comments.
 14 Julie Greenberg.
 15 MS. GREENBERG: Thank you.
 16 I'm speaking today as a rabbi, as a
 17 mom, and also as a PGW ratepayer of more
 18 than 40 years. Four of my five kids who are
 19 now young adults are also PGW ratepayers.
 20 We're looking at a world in which
 21 they will be facing extreme weather, mass
 22 migrations caused by drought, flooding,
 23 hurricanes, food shortages.
 24 When I started waking up to this

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1 crisis, I assumed and trusted that our
 2 energy leaders in this City would be taking
 3 leadership to address the situation in a way
 4 that provided affordable, renewable, fair
 5 for the union workers and safe and healthy
 6 energy for our City, that they'd be planning
 7 a transition away from the fossil fuels that
 8 are causing this kind of destabilization.
 9 But I am not an expert on these
 10 issues and as I try to step in to engaging
 11 more and really having a voice in our own
 12 municipally owned utility, it's shocking to
 13 me in the fourth hour of this hearing to
 14 hear Mr. Gold representing for PGW that
 15 reporting requirements on greenhouse gas
 16 initiatives and reporting requirements on
 17 business diversification initiatives for PGW
 18 are an inefficient use of time.
 19 How is the public supposed to engage
 20 if we aren't let in on knowing what is even
 21 going on?
 22 And so I am appalled at the
 23 lagging --
 24 MR. MURTHA: 30 seconds.

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1 MS. GREENBERG: Thank you -- the
 2 lagging leadership, the sense of no urgency at
 3 all, literally the evasiveness of PGW today in
 4 this four-hour hearing.
 5 I do not feel like this is serving my
 6 family or my neighbors or the rest of
 7 Philadelphia, and we're missing a huge
 8 opportunity in Philadelphia to be ready for
 9 the future that is necessary.
 10 Thank you.
 11 HEARING EXAMINER WUSHINSKE: Thank you
 12 for your comments.
 13 Mitch Chanin.
 14 MR. CHANIN: Great. Thanks for the
 15 opportunity to speak. My name is Mitch
 16 Chanin. I live in Northeast Philly. I am a
 17 member of Reclaim Philadelphia as well as
 18 POWER and other groups and also a ratepayer.
 19 I'm going to divert from what I
 20 wrote, as I often do, in response to things
 21 that were said today.
 22 I was really struck by the sort of
 23 refrain that we heard a number of times from
 24 Mr. Gold about how PGW plans to follow its

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1 normal procedures and, you know, I'm afraid
 2 to say, like I think that PGW's normal
 3 procedures have just fundamentally lacked
 4 transparency and accountability and that has
 5 produced extremely bad outcomes in recent
 6 years.
 7 There was a discussion about the
 8 lobbying expenditures and we literally have
 9 no idea what PGW is lobbying for with
 10 \$100,000 except LIHEAP, which I will
 11 absolutely agree is an excellent use of
 12 funds.
 13 Last year PGW was involved in
 14 crafting a preemption bill that was going to
 15 the legislature. We still have no
 16 transparency and no accountability about how
 17 the lobbying dollars are used and we
 18 absolutely need the Gas Commission to insist
 19 on accountability and transparency around
 20 the planning of the geothermal pilot project
 21 and the greenhouse gas reduction strategies
 22 that were discussed today.
 23 I hope that the Gas Commission will
 24 agree that POWER's request about those

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1 matters are prudent --

2 MR. MURTHA: 30 seconds.

3 MR. CHANIN: -- and insist that the

4 budget is revised in order to match those

5 recommendations.

6 Thank you.

7 HEARING EXAMINER WUSHINSKE: Thank you,

8 Mr. Chanin.

9 I didn't see anybody else respond

10 with "comment" in the chat.

11 MR. MURTHA: Heidi, Walter had posted

12 his comment in the chat, I believe. I'm not

13 sure if he wanted to speak. And then I just

14 saw one new message pop up from Harrison.

15 HEARING EXAMINER WUSHINSKE: Okay. So

16 I want to make sure we get everybody on the

17 record who wants to offer comments.

18 Do we have someone who offered

19 comments in the chat that didn't indicate

20 they wanted to speak who actually would like

21 to give some verbal comment?

22 Okay. I see Jordan?

23 MR. TEICHER: Yes.

24 HEARING EXAMINER WUSHINSKE: Okay.

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1 Please go ahead.

2 MR. TEICHER: Hi. My name is Jordan

3 Teicher. I am a West Philadelphia resident.

4 I'm a committee person in the 46th Ward. I'm

5 a PGW ratepayer.

6 I don't have anything prepared, but I

7 just wanted to boost and echo a lot of what

8 has been said by other people on this call.

9 I'm also terribly disappointed by the

10 lack of urgency that PGW leadership seems to

11 be embodying in the remarks that they've

12 made today. We deserve leadership from PGW

13 that takes the climate crisis seriously. We

14 do not have that leadership right now.

15 And I also share the concerns of many

16 of the other people who have spoken that the

17 City and PGW are just not at all taking the

18 steps necessary to meet even the 2050 carbon

19 neutrality goal, which is itself too little

20 and too late. We should be doing this

21 sooner.

22 We owe it to the rest of the world.

23 The world's largest historical emitter is

24 the United States.

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1 So I also want to say that I support

2 POWER's recommendations and I just as a

3 resident of the City expect a lot better

4 from PGW.

5 Thank you.

6 MR. MURTHA: 30 seconds.

7 HEARING EXAMINER WUSHINSKE: Thank you,

8 Mr. Teicher.

9 And I would like to clarify also that

10 you don't need to have prepared comments.

11 Don't let that limit anybody who wants to

12 offer their comments from speaking.

13 I see Eileen Ryan.

14 MS. RYAN: Hi. Thank you. Eileen

15 Ryan. I am a resident of South Philadelphia

16 and a PGW ratepayer and I just wanted to

17 express my support also for POWER's

18 recommendations for the operating budget and

19 my frustration with the lack of transparency

20 in particular.

21 I don't understand how we as citizens

22 are supposed to trust that PGW is

23 implementing these plans that they have laid

24 out in this really vague way if they don't

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1 tell us when or give us some sense of a

2 schedule of how they're going to give us

3 updates on the budget and how the budget is

4 being used.

5 Thank you.

6 HEARING EXAMINER WUSHINSKE: Thank you

7 for that.

8 I don't see anybody else in the chat.

9 So if anybody else has comments, this is

10 your last opportunity; and if not, we will

11 be closing this hearing.

12 MR. TSOU: I would like to say

13 something. Walter Tsou. I'm with Physicians

14 for Social Responsibility also.

15 I want to say that my question in the

16 chat was really to ask the question: Has

17 PGW had a serious internal discussion about

18 moving away from gas even though it's in

19 their middle name to a renewable energy

20 source? -- because if you're really serious

21 about changing and transforming your

22 business model, you need to be talking now

23 about renewable energy as your energy source

24 and moving away from gas as your energy

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1 source.

2 Geothermal is part of that, but it's

3 clear that moving towards some type of

4 electrification program has to start now.

5 And if PGW is not having those internal

6 discussions, then we have a serious problem.

7 So I just wanted to ask Mr. Gold and

8 others whether they were having that type of

9 discussion on a serious level. And I also

10 endorse all the other comments that were

11 made and, yes, I am a PGW ratepayer.

12 HEARING EXAMINER WUSHINSKE: Thank you

13 for your comments.

14 I don't see anybody else, so last

15 chance if anybody would like to comment.

16 - - -

17 (No response.)

18 - - -

19 HEARING EXAMINER WUSHINSKE: Okay. So

20 hearing no one, I thank you all for your

21 participation today.

22 To the Advocate, PGW, and POWER,

23 those transcript requests will be coming out

24 later today and tomorrow at the latest look

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1 for some guidelines on the issues to be

2 briefed.

3 Does PGW have anything before we

4 conclude?

5 MR. DASENT: Sure. One thing: Do we

6 need a transcript request to ask for

7 adjustments that are agreeable? I've

8 forgotten how you usually phrase it, Heidi.

9 HEARING EXAMINER WUSHINSKE: You're

10 right, we do.

11 MR. DASENT: Adjustments for briefing.

12 HEARING EXAMINER WUSHINSKE: Yes.

13 Thank you. We will add that to the list of

14 transcript requests.

15 MR. DASENT: Thank you.

16 HEARING EXAMINER WUSHINSKE: And for

17 the Advocate, Ms. Price or Mr. Ballenger,

18 anything further?

19 MS. PRICE: No, nothing further.

20 HEARING EXAMINER WUSHINSKE: Thank you.

21 And Mr. McDougall, anything further

22 from POWER?

23 MR. McDOUGALL: Well, yes. I would

24 like to ask when we expect the transcript of

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1 today's hearing to be available.

2 HEARING EXAMINER WUSHINSKE: That would

3 be a question for our court reporter.

4 THE COURT REPORTER: Tomorrow.

5 HEARING EXAMINER WUSHINSKE: Tomorrow?

6 THE COURT REPORTER: Yes.

7 HEARING EXAMINER WUSHINSKE: Great.

8 Thank you.

9 MR. McDOUGALL: And just to confirm,

10 what was the date that we set for the

11 transcript request responses?

12 MR. DASENT: July 6th.

13 HEARING EXAMINER WUSHINSKE: We said a

14 week from today, which will be July 6th.

15 MR. McDOUGALL: Okay. Great.

16 HEARING EXAMINER WUSHINSKE: So I know

17 that timeline is tight, but we have the

18 holiday in there; and I think if the answers

19 are available more quickly, if PGW could

20 please provide them, sooner responses are

21 always appreciated, but by the 6th.

22 Okay. Thank you, everyone. Sue will

23 conclude the record and thank you for your

24 participation today.

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1 MR. DASENT: Thank you.

2 - - -

3 (Whereupon the remote hearing

4 adjourned at 1:40 p.m.)

5 - - -

6 Reported By: Susan Marie Migatz, RMR, CRR

7 - - -

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1	INDEX OF TRANSCRIPT REQUESTS	
2	NUMBER	PAGE/LINE
3	TR-5 (To PGW)	Please provide a copy
4		of the presentation
5		made by Mr. Gold to
6		the PFMC Board regarding
7	TR-6 (To PGW)	PGW business
8		diversification, including
9		emissions. 77/4
10	TR-6 (To PGW)	Pending PFMC authorization,
11		please provide a copy of
12		the PFMC resolution
13		approving PGW's FY 2023
14		corporate objectives, one
15		of which is #8-to reduce
16		Scope 1 and 2 emissions. 84/7
17	TR-7 (To PGW)	Provide a list of positions
18		to be filled and the time
19		period in which they are
20		expected to be filled. 118/21
21		
22	TR-8 (To PGW,	Provide a schedule setting
23	PA, and	forth all financial
24	POWER)	adjustments to the proposed
		FY 2023 Operating Budget,
		which you believe are
		supported by the record at
		this point, including a
		brief narrative describing
		each and referencing the
		record support. If you have
		no proposed adjustments,
		please indicate such. 179/5

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