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PHILADELPHIA GAS COMMISSION
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PROPOSED REGULATIONS
ON POLICIES FOR PROCEEDINGS
BEFORE THE PHILADELPHIA GAS COMMISSION
- - -
August 13, 2024
10:10 a.m.

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

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

- - -
VERITEXT LEGAL SOLUTIONS
MID-ATLANTIC DIVISION

1 APPEARANCES:

2

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

4

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

5

6

BY: ROBERT W. BALLENGER, ESQ. (Via Teams)

7

JOLINE PRICE, ESQ.

DANIELA RAKHLINA-POWSNER, ESQ.

8

Counsel to Public Advocate

9

PRESENT ON BEHALF OF PGC:

10

11

HEIDI L. WUSHINSKE, ESQ.
Hearing Examiner

12

ROSLYN BELL, ESQ. (Via Teams)
Hearing Examiner

13

14

ANNA M. CORRADO ROWE
Senior Analyst

15

TIMOTHY MURTHA
Financial Analyst/Internal Auditor

16

17

SANDRA FONTANEZ (Via Teams)
Administrative Assistant

18

19

PRESENT ON BEHALF OF PGW:

20

WILLIAM J. GALLAGHER
Vice President, Budget and Strategic
Development

21

22

JOHN C. ZUK (Via Teams)
Vice President, Gas Management/Processing

23

24

1 PRESENT ON BEHALF OF PGW: (Continued)

2

KELLY A. DeLUSSEY (Via Teams)

3 Director, Resource Management

4 DAVID FORDE (Via Teams)

Director, Government and Community Affairs

5

ERIK WICKLEY-OLSEN (Via Teams)

6 Principal Engineer, Engineering and Project
Management

7

STEPHEN SCHUMMER (Via Teams)

8 Manager, Budget Reporting

9 CARITA COUNCIL (Via Teams)

Senior Budget Analyst, Finance

10

BHAVIN PATEL (Via Teams)

11 Budget Analyst, Finance

12 DOUG BALMER (Via Teams)

Budget Analyst, Finance

13

MARY LYNN O'BOYLE (Via Teams)

14 Administrative Assistant

15

PRESENT ON BEHALF OF THE PUBLIC ADVOCATE:

16

17 LAFAYETTE MORGAN (Via Teams)

18

PRESENT ON BEHALF OF GAS WORKS EMPLOYEES' UNION:

19

20 MIKE McDONOUGH (Via Teams)

21

PRESENT ON BEHALF OF THE CITY CONTROLLER:

22

23 FRANK IANNUZZI

24

1 PRESENT ON BEHALF OF CITY COUNCIL:

2

NICOLAS V. O'ROURKE

3 Councilmember-At-Large/Minority Whip

4 THOMAS P. FORKIN

6th District Chief of Staff

5

MAURA McDONALD

6 Legislative Director to Councilmember/

Commissioner Mike Driscoll

7

8 PRESENT ON BEHALF OF POWER INTERFAITH:

9

DEVIN McDUGALL, ESQ.

10 EarthJustice

11

PRESENT ON BEHALF OF THE PUBLIC:

12

13 ALLEN DREW (Via Teams)

14 CAROLYN KLEPSE (Via Teams)

15 CELINE BUSNELLI (Via Teams)

16 CHARLES LANIER (Via Teams)

17 ELAINE FULTZ (Via Teams)

18 ELISA McCOOL (Via Teams)

19 ELLA ISRAELI (Via Teams)

20 ELOWYN CORBY (Via Teams)

21 EMILY ABENDROTH

22 EMILY DAVIS

23 EMMA BOORBOOR (Via Teams)

24 HADDONFIELD (Via Teams)

1 PRESENT ON BEHALF OF THE PUBLIC: (Continued)

2 HILARY NAIBERK (Via Teams)

3 IMAN HILL (Via Teams)

4 JAMIR L. HUBBARD (Via Teams)

5 J. MARGERUM (Via Teams)

6 JAYSON MASSEY (Via Teams)

7 JORDAN LEVY (Via Teams)

8 JORDAN TEICHER (Via Teams)

9 JULIAN (Via Teams)

10 JULIE GREENBERG (Via Teams)

11 KAREN HARVEY (Via Teams)

12 KAREN MELTON (Via Teams)

13 KENNETH S. ANDERSON (Via Teams)

14 LINNEA BOND (Via Teams)

15 MITCH CHANIN

16 NADINE YOUNG (Via Teams)

17 PAMELA DARVILLE (Via Teams)

18 PETER FURCHT

19 PETER WINSLOW (Via Teams)

20 ROBERT ELLIS (Via Teams)

21 SHERRI MICHALOVIC (Via Teams)

22 SHERRIE COHEN

23 STEVE GREENSPAN (Via Teams)

24

1 PRESENT ON BEHALF OF THE PUBLIC: (Continued)

2

SUSAN PHILLIPS (Via Teams)

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TOM MacDONALD, WHY? (Via Teams)

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WENDY GREENSPAN (Via Teams)

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1 CHAIRMAN BROWN: The next item on the
2 agenda is the Proposed Regulations on
3 Policies for Proceedings before the
4 Philadelphia Gas Commission.

5 These regulations have been drafted
6 in coordination with the City's Law
7 Department and attempt to preserve the
8 rights of the public to interact with
9 government, while addressing conduct and
10 standardizing the process by which the
11 Commission conducts its budgetary
12 proceedings.

13 Many of you have seen the draft of
14 these regulations and we would like to
15 provide the participants and the public with
16 the opportunity to speak on this issue in
17 advance of our deliberations.

18 Your testimony is important and we
19 want to carefully consider what is said here
20 today before we vote on this issue at our
21 next meeting. We also want to remind you
22 that this is the first of several
23 opportunities that you will have to speak on
24 this matter.

1 First, we would like to hear from
2 City Controller Brady, who has comments.

3 COMMISSIONER BRADY: Thank you,
4 Mr. Chairman. I will be brief. I would
5 like to make the following points:

6 Leadership was poor from the start of
7 my tenure. Staff has been extremely helpful
8 and responsive in the last month and I am
9 appreciative of your efforts. The
10 Commission has been operating without any
11 rules of governance. The public and Union
12 should have a voice in our process. A vote
13 on the proposed budget should never have
14 taken place prior to public comment.
15 Monthly meetings must take place and not be
16 canceled to give the public a voice in the
17 operations of the Commission. The executive
18 team should be comprised of a CEO, COO, and
19 CFO. The future existence of the Commission
20 should be seriously considered.

21 There has been a suggestion that the
22 public voice does not matter. I
23 wholeheartedly disagree with that assertion
24 and I look forward to hearing from all of

1 those present to make an informed decision
2 on our process going forward. Thank you for
3 being here.

4 Thank you, Mr. Chairman.

5 CHAIRMAN BROWN: Thank you.

6 Okay. Regarding the proposed
7 regulations, first we will hear from PGW and
8 Mr. Dasent.

9 MR. DASENT: Thank you, Chairman
10 Brown.

11 Over the years we have requested that
12 we look at and memorialize in writing
13 regulations which heretofore have just been
14 determined on an ad hoc basis year to year
15 to year. This has been true since 2000.

16 What we're suggesting is that you
17 come up with a streamlined procedure that
18 sort of works for everyone. The Law
19 Department and the Commission have
20 undertaken to accomplish that. That's one
21 iteration. And this forum I think offers an
22 opportunity for folks to comment on the
23 first draft.

24 After that we will have, PGW will

1 have, suggestions as to how the process
2 that's been proposed might be modified. And
3 by that we mean it doesn't address Capital
4 Budget amendments, it doesn't address Budget
5 transfers, and the like.

6 We would like to do that in the
7 process that follows. In other words, we'll
8 submit comments once the Commission comes up
9 with its final draft.

10 And that's the first step of the
11 process, and then the comments proceed later
12 by all parties and then presumably there
13 will be a hearing before City Council --
14 before actually the Law Department, excuse
15 me.

16 And eventually it will get to City
17 Council, I imagine, also. But I think these
18 are really internal regulations which the
19 Water Rate Board has, for example, other
20 regulatory bodies have, and we need to try
21 to mimic those to some degree.

22 But because it's a budget proceeding,
23 we believe at PGW that it should represent
24 what happens before City Council, and it

1 doesn't have to be as robust as we've done
2 it in the past, but there's a history to all
3 of this.

4 If you remember way back, you know,
5 before 2000, the Commission had ratemaking
6 powers and the process resembles sort of a
7 rate procedure, sort of a PUC model.
8 Nothing wrong with that. And we have
9 evolved since then to include so many
10 considerations that are unique to PGW, and
11 we're basically saying under the Management
12 Agreement it could be simplified.

13 The Law Department has given us a
14 first iteration of what that might look
15 like. We'll have comments when the regs are
16 finalized and we've finally gotten in
17 writing basically what we're doing.

18 Does everybody need a lane to
19 proceed? Sure. Should anyone be excluded?
20 No. And should we have sort of an open
21 process so that we can decide together how
22 we move forward? Yes.

23 And so we're listening and hopeful to
24 learn more about what the public

1 constituents want, what CLS wants, and we've
2 seen sort of a hint of that at least; and I
3 think in those comments that were given by
4 CLS, it also suggested they would have some
5 more detailed comments as to what regs might
6 look like.

7 But this is a first iteration of a
8 process that's been going on for a while and
9 we need to write down what we're doing.
10 Other boards do it. We can do it also.

11 That's all we have.

12 CHAIRMAN BROWN: Mr. Dasent, I have a
13 question.

14 In your opinion, do the proposed
15 regulations not affect this process that
16 we've been going through here today but,
17 instead, have more to do with the informal
18 processes that have to do with budget
19 review?

20 MR. DASENT: What we're doing today
21 at the Gas Commission meeting, you're right,
22 I mean, that's sort of the same structure.
23 The processes that preceded the hearing
24 process is what's affected mostly by the

1 regs.

2 In the past we've used Hearing
3 Officer orders to get there and you specify
4 what discovery looks like, what the timeline
5 for proceeding looks like, and the like. So
6 we look at that and sort of take heart that
7 there's a framework for all this to happen.

8 But if we wrote it down and came up
9 with a proceeding that everybody can look
10 at, similar to other boards and commissions,
11 I think that's helpful.

12 But, yes, it wouldn't affect the
13 meeting today, for example. The way it's
14 structured, I imagine it would be much the
15 same. And the Commission has the final say
16 on all of that so you can sort of veto it
17 and say it's going to be the same.

18 CHAIRMAN BROWN: Right.

19 MR. DASENT: But the process that
20 precedes it needs to be orderly and it needs
21 to be done in a timely way so we can have
22 our budgets. Remember, there are two of
23 them every year, and so we just have to sort
24 of proceed with these in an orderly way.

1 And there's a lot of ways to do that
2 and we're hopeful to hear today about other
3 alternatives and take that to heart in
4 planning.

5 And the Law Department can also give
6 its consideration, which has been sort of
7 their mighty effort over the last year or
8 so, to come up with something for us and
9 just sort of let the process work.

10 We will have comments, everyone can
11 have comments, after the Commission votes,
12 and today as well before you vote, as to how
13 this process might look going forward.

14 CHAIRMAN BROWN: And I have a
15 Question No. 2. You know, I've been on this
16 Commission for a lot of years and I recall
17 prior budget proceedings where chaos and
18 confusion existed. We never met the budget
19 approval date. We moved into September,
20 October, November and PGW operating under an
21 estimated budget.

22 But you, the Public Advocate, and
23 Staff have worked very diligently in
24 producing these budget protocols which have

1 certainly streamlined this process and we've
2 certainly been meeting all of our required
3 deadlines.

4 My question then is: By not doing
5 this and adding other entities to the budget
6 review process, what effect do you think
7 that would have on meeting all of these
8 requirements?

9 MR. DASENT: Well, there's also the
10 timeliness element you have to consider.
11 But I think everyone can participate.
12 Everyone can be heard.

13 And the protocols sort of guide us on
14 the Capital Budget side as to what needs to
15 be done and what the timeline is to do it.
16 We revisit those from time to time to sort
17 of memorialize what we've learned and sort
18 of build on that, you know, how budget
19 transfers would take place, how budget
20 reauthorizations would take place, how the
21 Capital Budget is supposed to be determined.

22 But in addition to that, you have the
23 Operating Budget, and so you need more than
24 the ad hoc sort of Hearing Officer decisions

1 to get us through the process. And as there
2 are more and more people involved in the
3 process, we have to find an orderly way to
4 create a lane for everyone.

5 And I think other commissions have
6 found a way to do that. Whether you look at
7 the PUC here, up in Massachusetts, or even
8 in California, they have found hybrid
9 procedures that sort of work in a rate
10 process.

11 This is more like a budget process,
12 it is a budget process, and it should be
13 more simplified, and that's basically what
14 we're saying, and meet the budget
15 requirements as specified in the Management
16 Agreement.

17 So we think we can do all these
18 things and we just have to be a little
19 better organized as we have more people in
20 the room now than we had, let's say, 20
21 years ago.

22 CHAIRMAN BROWN: Thank you.

23 Are there any questions from any of
24 the Commissioners for Mr. Dasent?

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(No response.)

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CHAIRMAN BROWN: Okay. Now we will hear from Mr. Ballenger. Any statements on behalf of the Advocate?

MR. BALLENGER: Yes. Thank you, Mr. Chairman.

First, I do have some prepared remarks, which I'll get right into, but I need to just reflect on the question about the process leading up to this meeting being informal.

That's a word that the Staff had started using a lot at PGW's insistence. We exchange written discovery. We participate in meetings that are transcribed. We submit filed and sworn testimony before this body to create a record in support of our positions and for PGW to create a record in support of its positions.

I do not believe that that should be considered an informal process regardless of the language used.

1 Also, as I sit here, I reflect on the
2 last time that I recall having a somewhat
3 chaotic budget proceeding and that would
4 have been, I believe, PGW's 2018 Operating
5 Budget, which was filed during their rate
6 increase request and in which they failed to
7 provide us with the information necessary to
8 review the budget.

9 I don't think that was in any way,
10 shape, or form the product of the process
11 being chaotic. I think it was a process
12 that could not be steered correctly without
13 the right information from PGW and as a
14 result the timing of that proceeding dragged
15 on a little bit.

16 So with those two points made, I
17 would like to just start with sort of a more
18 formal set of comments.

19 As you are aware from our prior
20 correspondence, CLS as Public Advocate will
21 continue to oppose regulations that exclude
22 all intervenors. And you may be under the
23 mistaken impression that the regulations do
24 not materially limit the ability of POWER

1 members or others to be heard regarding PGW
2 budget proposals. I will explain why that
3 is dead wrong in ten points.

4 Under your proposed regulations
5 POWER, PGW's Union, and any other person or
6 entity desiring to intervene would be
7 precluded from participating in the
8 following ten ways.

9 No. 1: They would not be able to
10 formally enter an appearance by their
11 desired counsel to represent their members'
12 interests.

13 No. 2: They would not have a
14 representative on the Service List so they
15 would not be guaranteed ongoing
16 notifications from the Hearing Examiners or
17 other parties.

18 No. 3: They would not be involved in
19 scheduling the budget review process so
20 there is, in fact, a risk they would not
21 have an opportunity to be heard.

22 No. 4: They would not be permitted
23 to participate in the discovery process.
24 They would not be able to ask questions,

1 obtain answers, or attend discovery
2 conferences.

3 No. 5: Likewise, they would not be
4 subject to discovery, so others would not
5 learn the basis for any recommendations they
6 or their witnesses may have.

7 No. 6: They would be prohibited from
8 objecting to discovery requests and/or
9 testimony that may be inappropriate.

10 No. 7: They would not be permitted
11 to introduce testimony of expert witnesses
12 sworn on the record by Ms. Migatz, who is
13 sitting there right in front of you.

14 No. 8: They would not be permitted
15 to examine other parties' witnesses at the
16 hearings themselves.

17 No. 9: They would not be permitted
18 to file briefs to inform the Hearing
19 Examiners of their final positions after
20 hearing all of the testimony and considering
21 the positions developed through discovery.

22 And finally, No. 10: They would not
23 be permitted to file exceptions like the
24 ones you just voted on if they disagreed

1 with the recommendations of the Hearing
2 Examiners.

3 In short, they would be prohibited
4 from engaging in every aspect of the budget
5 review process except for public comment.

6 Those are the aspects of the budget
7 process that the Gas Commission retains CLS
8 to do. Those are basically the things that
9 are set forth in our contract, what I just
10 listed to you.

11 And so these regulations, if they
12 limit other intervenors, those intervenors
13 will be fundamentally excluded from the very
14 process that you retained the Public
15 Advocate to perform as a consultant.

16 And so you should vote against these
17 regulations because basically you're saying
18 that only the Public Advocate and PGW can be
19 a part of that holistic review that leads up
20 to your vote on budget proceedings.

21 Thank you.

22 CHAIRMAN BROWN: I have a question
23 also for you, Mr. Ballenger.

24 You specifically mentioned POWER

1 being included in these budget processes.
2 What about other organizations that might
3 have an interest?

4 For instance, I know there's a keen
5 interest in cast iron main replacement as a
6 major safety issue in Philadelphia, and in
7 the past we have had some organizations that
8 were opposed to the LNG infrastructure and
9 operations.

10 So the question is: How many other
11 organizations can be involved in this
12 process?

13 MR. BALLENGER: I think,
14 Mr. Chairman, I don't believe that there is
15 really a necessity to exclude any one
16 organization or any group of organizations
17 as yet unidentified.

18 From my experience over the last 14
19 years, there have only been two other
20 participants who have intervened, POWER and
21 PGW's Union.

22 PGW's Union was very active around
23 2013-2014. As you may know, the City was
24 considering selling PGW and the Union was

1 very opposed to that. These regulations
2 would preclude them from participating.

3 But certainly if there are only, you
4 know, I think the definition is, procedural
5 parties, if the procedural parties are
6 defined to include only PGW and the Public
7 Advocate, as the regulations are written to
8 provide, that would exclude other parties,
9 whether their interests be liquefaction or
10 cast iron main replacement or anything else
11 regarding PGW. They would not be able to
12 intervene and be engaged in those ten steps
13 that I just listed to you.

14 COMMISSIONER URBANIA: Mr. Ballenger,
15 this is Commissioner Urbania. I have a
16 question to follow up on that.

17 Do you believe that the Public
18 Advocate's role is to represent both the
19 public ratepayers as well as other
20 organizations?

21 MR. BALLENGER: Well, under our
22 contract we are supposed to represent the
23 combined interests of residential
24 ratepayers. We are not supposed to be

1 representing the interests of any one group
2 or other group.

3 But our role is defined more
4 precisely as dealing with fiscal and policy
5 issues as raised by PGW in its budgets, so
6 historically, and also we are subject to the
7 Commission's determination and guidance as
8 to which witnesses and experts we can bring
9 in.

10 So if we wanted to bring in, for
11 example, another expert to examine another
12 aspect of PGW's budget proposal, we're not
13 permitted to do so without the Commission's
14 blessing.

15 I don't believe that has been
16 unreasonably withheld. But, again, the
17 contract is very clear as to fiscal and
18 policy issues that are within the realm of
19 our review and our witness has historically
20 been an expert in utility finance, which has
21 been largely the scope of our work and our
22 context.

23 In short, you know, when we represent
24 the combined interests of 470,000

1 residential customers, the most clear and
2 consistent interest that they have is for
3 PGW not to waste customer funds, and so that
4 has been our guiding principle. We look for
5 budget proposals that are excessive in
6 amount or unwise in their focus.

7 A prime example from years ago would
8 be the CNG Hondas. We strongly opposed
9 those. We didn't think PGW needed CNG fleet
10 vehicles. Of course, those have been
11 discontinued and I don't know their current
12 status. But just as an example, that's the
13 kind of thing that is not a numbers/
14 dollars-and-cents proposal but is something
15 that we disagree with as far as the prudence
16 of investment.

17 Otherwise, most of our focus is on
18 whether or not PGW's estimates of future
19 expenditures are reasonable, are borne out
20 by the record, are supported by past
21 spending habits and histories, and we
22 largely focus on those dollar-and-cents
23 issues as you can see from our testimony.

24 COMMISSIONER URBANIA: Thank you.

1 CHAIRMAN BROWN: Okay. Any questions
2 from other Commissioners?

3 - - -

4 (No response.)

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6 CHAIRMAN BROWN: Okay. Are there any
7 comments on behalf of the Gas Works
8 Employees Union Local 686?

9 - - -

10 (No response.)

11 - - -

12 CHAIRMAN BROWN: Okay. Hearing none,
13 next we will take comments from members of
14 the public. Comments will be limited,
15 again, to three minutes and should be on the
16 topic of the Proposed Regulations.

17 I'll turn it over to Hearing Examiner
18 Wushinske.

19 HEARING EXAMINER WUSHINSKE: Thank
20 you, Mr. Chairman.

21 I see we have some City Council
22 representatives in the audience in person
23 here so I would like to call on you first if
24 you would like to make any statements. If

1 not, we will go to the members of the
2 public.

3 COUNCILMEMBER O'ROURKE: First of
4 all, good morning to the members of the Gas
5 Commission and those we work together to
6 serve, the viewing public, all those who are
7 here assembled. My name is Nicolas
8 O'Rourke. I'm an at-large member of the
9 City Council of Philadelphia.

10 Show me what democracy looks like.
11 This is what democracy looks like.

12 I'm here today to advocate for the
13 public that we serve, to make sure they have
14 the opportunity to state their views on this
15 Commission's work in real time in the venues
16 where decisions that will impact the public
17 are actually made.

18 Proposed regulations that would
19 restrain public participation in Gas
20 Commission proceedings, frankly, are wrong.

21 Municipal utilities, public
22 utilities, clearly have a widespread impact
23 on the public; and as someone who, like many
24 today, is concerned with the slipping of

1 democracy in all the obvious and otherwise
2 unobvious places, I applaud the current
3 policy that lets groups representing
4 ratepayers ask pointed questions about the
5 budget and vision of PGW.

6 I'm glad to join my colleagues,
7 Members Jones and Driscoll, on today's call
8 and today's meeting; and I don't speak for
9 either of them, but I don't think I'd be off
10 the mark when I say that they share my
11 passion for public comment as elected
12 servants of the public. I sit next to one
13 and so I know how we feel about it.

14 It's inscribed in our rules and
15 regulations for a reason: because our
16 work has a material impact on the lives of
17 Philadelphians. It's truly where the rubber
18 meets the road.

19 I see no reason why the same logic
20 shouldn't hold for the Gas Commission, and a
21 number of our colleagues agree. My office
22 delivered to the Commission a letter noting
23 my opposition to these proposed rule changes
24 asking for them to be withheld from today's

1 agenda. The request has been signed by nine
2 fellow Councilmembers: namely, Leader
3 Brooks, Kendra Brooks; Majority Leader
4 Katherine Gilmore Richardson; Majority Whip,
5 Councilman Thomas; Deputy Majority Whip,
6 Cindy Bass; Member Mark Squilla; Member
7 Jamie Gauthier; Member Quetcy Lozada; Member
8 Rue Landau; as well as Member Jim Harrity.

9 I'll wrap up by stating the obvious:
10 I have been an organizer with POWER
11 Interfaith, a past that I am quite proud of,
12 so I know why they are so active in the
13 conversation about public utilities.

14 It's because of that organization's
15 belief that the work of building and
16 investing in a green transition is well and
17 truly upon us right now; not tomorrow, not a
18 few years from now, but in the current
19 moment. They connect that big picture, a
20 necessary shift to every choice made about
21 the nature of our energy procurement
22 process. I believe their view accurately
23 recognizes a critical aspect of the work
24 this Commission has been entrusted with.

1 But never mind that I agree with
2 them. I hope the Gas Commission can
3 continue to make space for the general
4 public to share whatever views it has on
5 your pivotal work.

6 And I thank you for allowing me the
7 time to comment today. Blessings to you.
8 Power to the people.

9 HEARING EXAMINER WUSHINSKE: Thank
10 you for your testimony.

11 - - -

12 (Applause.)

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14 HEARING EXAMINER WUSHINSKE: We will
15 now take comments from members of the public
16 who are in the Commission's hearing room
17 first and we will follow that up, as we did
18 for the Operating Budget, with members of
19 the public who have joined us virtually.

20 So do we have anyone in the hearing
21 room who would like to offer testimony on
22 the Proposed Regulations?

23 Mr. Chanin, I saw you first again.

24 MR. CHANIN: Oh, I love going first.

1 I don't love going first.

2 Thanks for the opportunity to speak.
3 Again, my name is still Mitch Chanin and I
4 am still a PGW ratepayer and a nearly
5 lifelong Philadelphian.

6 I'm going to deviate a little bit
7 from what I had prepared just to say I
8 strongly agree with Councilmember O'Rourke,
9 Mr. Ballenger, and the others who are going
10 to speak today.

11 I am a member of POWER Interfaith. I
12 have been attending hearings and meetings
13 for the last three years. I haven't seen a
14 single budget proceeding be delayed.

15 I don't understand the logic or the
16 values that lead to a proposal to reduce
17 public participation, to reduce
18 transparency, and to reduce accountability
19 from a public entity. It just doesn't make
20 any sense to me at all.

21 I listen to a lot of City Council
22 meetings and hearings and follow the hard
23 work that our legislators are doing to try
24 to get information from the Administration,

1 from the School District, from other public
2 entities to produce accountability, to
3 ensure that our public entities are
4 operating truly in the short-term and
5 long-term interest of the public.

6 I know they work really hard. I just
7 listened to a four-hour hearing about
8 homeless youth that was in the Education
9 Committee.

10 We need every tool possible to bring
11 information to the public, to allow good
12 ideas to be brought into the public entities
13 that government oversees, and to ensure that
14 the budgets that are passed and the
15 decisions that are made are truly in the
16 interest of the public.

17 The proposed regulation would, as
18 Mr. Ballenger said, eliminate the
19 possibility for POWER Interfaith and others
20 who wish to intervene to get information, to
21 respond to that information with compelling
22 testimony, and to affect the budgets that
23 are approved.

24 And at a time when PGW needs to be

1 transformed fundamentally in order to
2 protect affordable energy for everyone in
3 Philadelphia and to meet the City's climate
4 goals, it's just shocking to me really that
5 this would even be considered.

6 The idea of excluding members of the
7 public from obtaining information and adding
8 their voices to the budget process are on
9 the basis of absolutely no reason at all. I
10 see no problem. The budgets are all
11 approved on time. As Mr. Ballenger
12 explained, the late budget that was
13 described was before POWER even intervened.

14 So the only thing that I can conclude
15 is that PGW doesn't want us to participate
16 because they don't like the ideas that we're
17 bringing forward and they don't want to have
18 to share information.

19 So I really hope the Commission will
20 not approve any regulations that have the
21 effect of reducing transparency,
22 accountability, and participation.

23 If you need to write down rules and
24 make sure that things are codified, that

1 sounds fine to me. But those rules cannot
2 exclude the public in the way that has been
3 proposed.

4 Thank you.

5 HEARING EXAMINER WUSHINSKE: Thank
6 you.

7 Okay. Peter Furcht.

8 MR. FURCHT: Hi. Peter Furcht, also
9 a member of POWER Interfaith.

10 I'll keep it very brief. I
11 completely agree 100% with what
12 Councilmember O'Rourke has said, what
13 Mr. Chanin has just said.

14 If it were not for POWER's
15 intervening, we would not have that
16 geothermal feasibility study. We would not
17 have found a \$1.2 million math error in the
18 budget, in the Capital Budget, this year.

19 PGW has shown they don't want to hear
20 what POWER has to say and this is just
21 another way for them to codify that we can't
22 be heard because being able to be heard at a
23 public hearing like this, again, at one
24 point we were allowed to testify after the

1 vote had been taken. Anyway, I totally
2 support the removal of that regulation.

3 Thank you.

4 HEARING EXAMINER WUSHINSKE: Thank
5 you for your testimony.

6 Yes, please come forward.

7 Could you state your name again for
8 the record, please, before you begin your
9 testimony and you can start whenever you're
10 ready.

11 MS. COHEN: All right. Thank you.
12 Yes. Again, my name is Sherrie Cohen and
13 I'm a PGW ratepayer.

14 Good morning again, Commission
15 members. You are called by name the
16 Philadelphia Gas Commission and, of course,
17 you oversee the budget process of the
18 Philadelphia Gas Works. You are not the
19 private gas commission overseeing the
20 private gas works.

21 Your proposed regulation to bar
22 groups like POWER Interfaith from
23 participating fully in the review of your
24 future budgets is a transparent power grab

1 and an attack on democracy. You are seeking
2 to prevent participation in your budget
3 process by groups seeking to hold you
4 accountable for your role in the climate
5 emergency.

6 It is essential that groups like
7 POWER Interfaith continue to have the power
8 to obtain information through discovery,
9 provide detailed expert testimonies,
10 question PGW witnesses during hearings, and
11 file official legal briefs.

12 So I am in agreement with all the
13 prior speakers, including the Public
14 Advocate and Councilmember O'Rourke, and I
15 urge you to vote no on the proposed
16 regulation at issue.

17 Thank you.

18 HEARING EXAMINER WUSHINSKE: Thank
19 you.

20 Is there anyone else with us today?

21 Yes. You may please come forward.

22 MS. ABENDROTH: Emily Abendroth. And
23 just because I didn't say it before, I just
24 want to say also I am a PGW ratepayer, have

1 been for more than a few decades, and maybe
2 that makes the most sense as the way in this
3 moment to add my own voice in opposition to
4 this regulation that would bar outside
5 organizations from participating fully.

6 I want to say that like as someone
7 who is a PGW customer, I have at least two
8 concerns with which I enter. Like I hope I
9 am being represented in the context of these
10 meetings, one of which is fulfilled by the
11 Public Advocate, and I would say like I
12 thank them for the rigor and the
13 thoroughness and care with which they have
14 fulfilled that role.

15 And I think Rob Ballenger just named
16 very clearly like the ways in which they
17 advocate for efficient, reasonable use of
18 public expenditures.

19 But I also as a PGW customer have
20 another set of concerns which they do not
21 and are not claiming to and shouldn't have
22 to hold all of those roles at once, and that
23 is a set of concerns that POWER does
24 fulfill; and those would be subtracted if

1 this regulation passed and they were not
2 allowed to participate in the ways that they
3 have for the past four to six years.

4 And those are about more
5 foundational, not strictly fiscal questions
6 that have to do with sort of how PGW is to
7 carry out its practices, not just in the
8 year-to-year budget items, but around these
9 questions of the climate crisis and a
10 long-term switch away from fossil fuels.

11 And I think in other court
12 proceedings we see all the time where they
13 allow other intervenors because those other
14 intervenors bring concerns that are not the
15 same ones that the primary party has. We
16 watch that all over the place in court
17 processes. And it would be a real
18 disservice to not allow them to bring in the
19 set of questions that they are asking that
20 are supplemental and different and
21 critically important to this procedure.

22 So I just want to lift back up the
23 ten ways that Rob Ballenger was naming, that
24 like it isn't a minor change. It is not the

1 same to be part of a 2.5-minute public
2 comment period as it is to actually be able
3 to ask for more information about line items
4 and things like that throughout the array of
5 the process, that they are not adequate
6 substitutes for one another.

7 So I urge you to reject this rule and
8 regulation.

9 HEARING EXAMINER WUSHINSKE: Thank
10 you for your testimony.

11 Is there anyone else with us today
12 who would like to testify on these proposed
13 regulations?

14 - - -

15 (No response.)

16 - - -

17 HEARING EXAMINER WUSHINSKE: If not,
18 we will turn to I see eight, right now,
19 people online waiting to testify.

20 So No. 1 again is Elaine Fultz. If
21 you could unmute yourself and you may begin
22 your testimony when you're ready.

23 MS. FULTZ: Yes. Thank you very
24 much. I am, again, Elaine Fultz from West

1 Philadelphia and I ask you to please vote no
2 on the proposed regulation.

3 It seems like so obvious to make the
4 point that concerned organizations should
5 have a voice in the Commission's
6 deliberations and listening to those voices
7 is basic to good governance and, conversely,
8 proposals to restrict the voices of those
9 who wish to testify before you is completely
10 antithetical to good governance. So I ask
11 you, please, to vote no.

12 Thank you.

13 HEARING EXAMINER WUSHINSKE: Thank
14 you.

15 No. 2, I can read Pamela, but the
16 last name is not coming through. But if you
17 could unmute yourself, read your name for
18 the record, and you may begin your testimony
19 when you're ready.

20 MS. DARVILLE: Thank you. Good
21 morning. My name is Pamela Darville and I
22 am the co-chairperson of POWER Interfaith's
23 Climate, Justice and Jobs Team. I am
24 delivering this statement on behalf of

1 POWER.

2 The Gas Commission proposes a
3 regulation that bans outside parties,
4 including POWER, from actively participating
5 in its budgetary proceedings for PGW and as
6 it's been stated, these proceedings include
7 engaging in discovery, filing briefs,
8 examining witnesses, as Mr. Ballenger
9 outlined. It is unjust and unreasonable for
10 the Gas Commission to ban POWER from
11 participating in these proceedings.

12 This proposed ban reminds me of
13 facing discrimination when trying to rent an
14 apartment in Miami as a young lawyer working
15 for Community Legal Services.

16 The landlord demanded that I could
17 not rent the apartment because the tenants
18 would not approve. It was unreasonable and
19 unjust for the landlord to do so. We know
20 it's unacceptable to deny anyone the right
21 to rent an apartment based on the color of
22 their skin.

23 This experience fueled my passion for
24 civil rights enforcement and I dedicated my

1 career fighting against injustice. Today
2 I'm experiencing something that feels
3 similar.

4 To be clear, the Gas Commission is
5 not proposing to engage in unlawful
6 discriminatory action based on race. But it
7 is still engaging in an unjust and
8 unreasonable exclusion by adopting this
9 regulation.

10 The Gas Commission claims that the
11 regulation is reasonable and necessary. It
12 is not. There is no evidence suggesting
13 that POWER has impeded the Gas Commission's
14 ability to review PGW's budgets.

15 Rather, this ban is an attempt to
16 allow PGW to continue spending millions of
17 dollars on infrastructure expansion without
18 any environmental oversight. PGW proposes
19 these budgets without analyzing their
20 environmental impact or considering how they
21 will help the City achieve its carbon
22 neutrality goals in the year 2050.

23 In closing, this regulation is an
24 unjust and unreasonable exclusion and should

1 not be adopted.

2 Thank you.

3 HEARING EXAMINER WUSHINSKE: Thank
4 you for your testimony.

5 Next I see Steve Greenspan. If you
6 could unmute yourself and you may begin when
7 you're ready.

8 DR. GREENSPAN: Hello. Can you hear
9 me?

10 HEARING EXAMINER WUSHINSKE: Yes, we
11 can hear you.

12 DR. GREENSPAN: Thank you.

13 My name is Dr. Stephen Greenspan.
14 I'm a volunteer at POWER, but today I am
15 representing myself. Thank you for this
16 opportunity to speak.

17 As a PGW ratepayer I strongly object
18 to the proposed exclusion regulation
19 prohibiting outside constituencies from
20 intervening in matters before the Gas
21 Commission.

22 While the Gas Commission Staff claims
23 that prohibiting outside constituencies
24 would improve efficiency, the goal of a

1 budget review extends beyond mere
2 efficiency. It involves questioning
3 assumptions, identifying flaws, aligning
4 expenses with community priorities, and
5 enhancing the overall budget quality.

6 Budgets serve as moral documents
7 reflecting priorities and choices.
8 Independent reviewers play a crucial role in
9 improving budget proposals and engineering
10 plans. Their fresh perspectives akin to
11 seeking a second medical opinion ensure
12 thorough evaluations.

13 As a retired user experience
14 professional, I have conducted many quality
15 assurance assessments and user experience
16 evaluations. I understand the value of
17 independent voices and what happens in its
18 absence.

19 Consider this year's example: During
20 the Capital Budget proceedings POWER's
21 expert witness found a \$1.2 million mistake,
22 an excellent return on an investment. The
23 City's cost, just the time spent reviewing
24 POWER's findings.

1 This and other findings were
2 recognized through the discovery and
3 cross-examination process. It would not
4 have happened if POWER had been restricted
5 to two or three minutes' testimony after,
6 after the budget design process had been
7 completed.

8 Does the Gas Commission really want
9 to prevent such findings by outside
10 constituencies? Is uncovering a \$1.2
11 million error an inefficient use of time?

12 Let's be clear: This is not about
13 increasing efficiency. This is about
14 insulating PGW from public scrutiny.

15 Climate change is accelerating, but
16 its impact can be lessened if we work
17 together. Independent outside voices are
18 needed to question the assumptions and
19 details of government policies and budgets.
20 Independent outsiders ensure that the
21 government's moral compass is in line with
22 the people's values. Independent voices
23 must be taken seriously by the government
24 and intervenors in the budget proceedings

1 help ensure that.

2 Please, let's prioritize good
3 governance and democracy. Reject this
4 proposal and demonstrate your commitment to
5 government transparency. I urge you to vote
6 no.

7 Thank you.

8 HEARING EXAMINER WUSHINSKE: Thank
9 you.

10 Next up, Peter, and I cannot see the
11 last name.

12 MR. WINSLOW: Peter Winslow.

13 HEARING EXAMINER WUSHINSKE: Peter
14 Winslow, you may begin when you're ready.

15 MR. WINSLOW: Thank you. My name is
16 Peter Winslow. I'm a Philadelphia resident,
17 a member of POWER, and president of A Smart
18 Collaboration, an organization that is
19 dedicated to meaningful public participation
20 in public affairs.

21 Mr. Dasent reported that the Law
22 Department was reviewing the proposed
23 regulations from the perspective of
24 preserving the rights of the public. When I

1 heard that, I said to myself, yeah,
2 preserving an endangered species.

3 We are as a society in a position of
4 a crossroads in terms of whether we are
5 going to participate as a society in our
6 affairs or we are going to succumb to
7 autocracy and the dominance of the
8 powers-that-be, if you will.

9 Public Advocate Ballenger has
10 recounted the ways in which this proposed
11 regulation would reduce and restrict the
12 rights of the public. Councilmember
13 O'Rourke has described the ways in which we
14 should be enhancing and enlarging the rights
15 of the public.

16 This is not a hard call for the Gas
17 Commission. The Gas Commission should
18 reject this out of hand as anti-Democratic,
19 against the interests of the public, the
20 ratepayers, the citizens, the voters, and
21 the people who serve the City both on the
22 Commission and on PGW.

23 We referred to the history that
24 exists here and this does exist in the

1 context. In the context of the history, the
2 trains run on time. There is no need for
3 this kind of a restriction. Orderly rules?
4 Sure. As Mitch Chanin had said, sure, we're
5 all in favor of that. But not ones that are
6 restrictive of the public's right to
7 participate.

8 So I would urge you to reject this
9 out of hand as an insult to the public,
10 disrespectful to the citizens of
11 Philadelphia, and an obscenity that never
12 should have been brought to the attention of
13 the Commission.

14 Thank you.

15 HEARING EXAMINER WUSHINSKE: Thank
16 you.

17 Next we have Allen, I can see Drew.

18 MR. DREW: Great. Can you hear me?

19 HEARING EXAMINER WUSHINSKE: Yes, we
20 can hear you. Can you state your full name.

21 Oh, Allen Drew, we've got it. Thank
22 you.

23 MR. DREW: Yes, that is my full name,
24 Allen Drew.

1 Okay. Yeah, I'll go. Thanks so
2 much. My name is Allen Drew. I am a PGW
3 ratepayer, a pastor. I live in
4 Philadelphia. I do a lot of work in the
5 community of Hunting Park in North
6 Philadelphia, particularly with the Hunting
7 Park Community Solar Initiative. I am
8 speaking out just on behalf of myself here
9 and I'll keep this short.

10 The climate crisis is by far the most
11 significant threat facing humanity today.
12 Left unaddressed, the impact on human
13 beings, communities, societies, and nations
14 will be severe and on a scale unlike
15 anything we've ever experienced before. We
16 are already experiencing the progression
17 right now.

18 Faced with this reality, the City of
19 Philadelphia has set clear targets for
20 near-term decarbonization, which is really
21 good. However, these targets so crucial for
22 our City to play our part in the global
23 effort to curb climate change cannot happen
24 without the complete phase-out of natural

1 gas as a heating source in Philadelphia over
2 the next 25 years.

3 So as a reminder, natural gas, it
4 sounds sort of green and clean, it's been
5 called a bridge fuel; but it's methane,
6 which is 80 times more potent than
7 greenhouse gas and carbon dioxide, and it is
8 already a major and growing source of global
9 heating, particularly through methane leaks,
10 which are a major issue.

11 So this means PGW must begin the
12 project of transitioning away from gas and
13 towards renewable systems in earnest now.

14 Unfortunately, PGW has demonstrated
15 time and time again that they care nothing
16 about the global climate crisis and have no
17 intention whatsoever of changing their
18 model. They have their heads in the sand
19 and are not facing reality. And their
20 current effort to strip public comment out
21 of their budgeting process is just their
22 latest obstructionist tactic sugarcoated by
23 Mr. Dasent here.

24 So I'm not going to speak to them

1 because I know they won't listen. They have
2 shown that they cannot be reasoned with.
3 They will only change if they are forced to
4 do so.

5 So I'm speaking to you, the Gas
6 Commission, and the City Council reps here
7 today. The City of Philadelphia owns PGW.
8 PGW needs to follow our wishes; not the
9 other way around. And the only way they'll
10 do that is if the Gas Commission and our
11 City Council representatives make them.

12 And so I implore you, Gas Commission,
13 to vote no on this absurd proposal to bar,
14 quote/unquote, outside organizations from
15 participating fully in the PGW budget
16 review.

17 We're not outside organizations,
18 we're PGW's owners, and we can see the dead
19 end for PGW and for the people of our City
20 in continuing with their proposed status
21 quo.

22 But we can also see a really hopeful
23 and even exciting future for PGW and the
24 people of Philadelphia if we pursue an

1 intentional and urgent transition of PGW
2 away from gas and towards clean energy.

3 Right now PGW is running around off
4 its leash. It's not listening to the Gas
5 Commission or to City Council and it does
6 not want any oversight from the public. It
7 thinks it is the alpha. But it's not seeing
8 the big picture.

9 Please, City Council and the Gas
10 Commission, put PGW back on its leash and
11 get it under control. We, the people, own
12 PGW.

13 HEARING EXAMINER WUSHINSKE: Excuse
14 me. That's your time.

15 MR. DREW: All right. Thanks very
16 much for considering my testimony.

17 HEARING EXAMINER WUSHINSKE: Thank
18 you for your testimony today.

19 Okay. Next we have Julie Greenberg.

20 MS. GREENBERG: Thank you. My name
21 is Julie Greenberg and I am a PGW ratepayer.
22 I work with POWER Interfaith because I care
23 about energy burdens in a time of dramatic
24 need for rapid transition to zero emissions

1 energy, renewable energy. We need PGW to
2 become a heating and cooling service that
3 does not rely on fossil fuels.

4 I support the position put forward by
5 Community Legal Services with regard to the
6 2025 Operating Budget and, in addition, I
7 ask you to vote no on the proposed
8 regulation that would bar so-called outside
9 organizations like POWER Interfaith from
10 participating fully in the review of PGW's
11 future budgets.

12 I find it extraordinary that a
13 majority of democratically elected City
14 Councilmembers are calling on the Gas
15 Commission not to accept this regulation.
16 They're supporting democracy.

17 POWER has an integrated interest in
18 an equitable transition to fully renewable
19 energy for our health, our safety, and the
20 future of our children in this City and we
21 can see that PGW has no track record so far
22 of even making plans to go through this
23 great necessary turning towards affordable
24 renewable energy.

1 If we did see a robust effort and
2 some leadership, maybe we wouldn't need to
3 be community intervenors with meaningful
4 participation, but we don't see that track
5 record. And so now more than ever it's
6 important to have community voices to
7 co-create our own energy future. This is
8 our future for our families, for our
9 communities, and for our planet.

10 We call on the Gas Commission to
11 reject this resolution to ban community
12 groups, to ban POWER, and to thwart a
13 Democratic process.

14 Thank you.

15 HEARING EXAMINER WUSHINSKE: Thank
16 you for your testimony.

17 Next we have Ella Israeli.

18 MS. ISRAELI: Yes. Hi. Good
19 morning. My name is Ella Israeli. I'm a
20 PGW ratepayer living in West Philadelphia.

21 I am also a social worker at Philly
22 Thrive, an RCO based in Grays Ferry. Our
23 base is low-income residents in Grays Ferry,
24 but we also work with Philadelphians from

1 throughout the City.

2 But I'm here to speak for myself
3 today, not on behalf of Philly Thrive, and
4 add my voice to ask you to vote no on this
5 proposed regulation.

6 We, the public, own PGW and PGW and
7 the Gas Commission should welcome
8 organizations that represent the people's
9 interest, participate, and not try to
10 exclude them.

11 So many Philadelphians are struggling
12 to pay their bills and the climate crisis is
13 accelerating. So many of the folks I work
14 with, elders, those on fixed incomes, people
15 with disabilities, low-income families, so
16 many of the people I work with consistently
17 every month have to decide between paying
18 their utility bill or paying their rent.
19 People have to decide whether or not they
20 will have heating or cooling or if their
21 kids will have shelter.

22 In terms of the climate crisis, I'm
23 28 and I'm pretty worried. Every single
24 summer is consistently the hottest summer on

1 record and, yeah, like I want my future kids
2 and I want to live in a world where I can
3 live in Philadelphia and like continue to
4 experience snow.

5 So we need robust public
6 participation in order to make sure the
7 budget reflects what Philadelphians need and
8 deserve to ensure affordability, to ensure
9 that people don't have to choose between
10 what bills to pay, and to ensure a rapid and
11 just shift towards clean energy now. We
12 need more participation; not less. I urge
13 you to vote no.

14 Thank you for letting me testify.

15 HEARING EXAMINER WUSHINSKE: Thank
16 you for your testimony.

17 Next I see Nadine Young.

18 Nadine Young, could you unmute
19 yourself, and you may begin your testimony
20 when you're ready.

21 Okay. Let's move to -- oh, sorry.

22 MS. YOUNG: Thank you. Yeah; sorry.
23 Nadine Young here. I am a PGW ratepayer and
24 a long-time Philly resident.

1 I would just like to offer a small
2 addition to the thorough statements that all
3 the speakers before me have made and that is
4 one of the things that troubles me
5 especially about this proposal, for what
6 Mr. Dasent refers to as streamlined
7 procedures, is that streamlining is about
8 time, as Dr. Greenspan mentioned.

9 Whose time is valuable? The time of
10 PGW executives or the time of those impacted
11 by their decisions?

12 Time is money, everyone says. Now,
13 that may be true for the PGW executives who
14 must listen to challenges and advice they
15 don't want to hear to provide information
16 they don't want to share.

17 But I think the highest and best use
18 of everybody's time is to gain useful
19 knowledge that will get us the best results.
20 And expense of time to listen to and
21 actually hear and respect the comments of
22 outside organizations and the advice of the
23 experts that they can provide is a deeply
24 wise use of time.

1 It's an efficient way to gain
2 perspective, learn alternatives for
3 approaching problems, all of which comes
4 from the valuable time invested by those who
5 are paying close attention both to PGW's
6 conduct and to the grave threats of air
7 pollution and climate change.

8 I would just like to close by saying
9 the waste of all our time and money, I
10 guess, is this proposed restriction on
11 participation and intervention.

12 Thank you.

13 HEARING EXAMINER WUSHINSKE: Thank
14 you.

15 Linnea Bond, if you could unmute
16 yourself and you may begin when you're
17 ready.

18 MS. BOND: Hi. As I said before, my
19 name is Linnea Bond. I am a ratepayer,
20 Philadelphia resident, and the Health and
21 Environmental Education Director for
22 Physicians for Social Responsibility
23 Pennsylvania.

24 Again, in the interest of time, I'll

1 keep it short and say that no one has spoken
2 with whom I disagree, especially
3 Councilmember O'Rourke. I really appreciate
4 his comments.

5 I want to underscore that ten out of
6 16 members on City Council signed his letter
7 opposing these regulations that would limit
8 public participation, which has been named
9 as a priority by City Council, specifically
10 in 2019 in Resolution 190728, which says
11 that the public will have opportunities and
12 be encouraged to participate in the process
13 for planning and implementation of the 2050
14 goals for our climate.

15 I appreciate your time. Thanks so
16 much.

17 HEARING EXAMINER WUSHINSKE: Thank
18 you for your testimony.

19 Karen Melton, you may unmute yourself
20 and begin when you're ready.

21 MS. MELTON: Thank you.

22 My name is Karen Melton and I'm
23 speaking as a PGW customer for the last 45
24 years.

1 I ask you to vote no on this proposal
2 to prevent organizations such as POWER
3 Interfaith from fully participating in the
4 PGW process in the many ways that were
5 listed by the Public Advocate.

6 The current system allows for the
7 accountability and transparency needed by a
8 publicly owned utility. I'm actually
9 appalled that this was proposed and that the
10 Commission, including three members who were
11 elected to represent us, would even have it
12 on the agenda, let alone consider it.

13 Democracy isn't easy. It's not
14 supposed to be easy. Please vote no and
15 tell your Staff to stop bringing this up.
16 Looking for ways to avoid public scrutiny is
17 not a good use of your time and fighting for
18 the right to participate is not a good use
19 of our time.

20 Thank you.

21 HEARING EXAMINER WUSHINSKE: Thank
22 you.

23 Elisa McCool, you may unmute yourself
24 and begin your testimony.

1 MS. McCOOL: Thank you for the
2 opportunity to speak today. Good morning.
3 My name is Elisa McCool. I'm a PGW
4 customer, a mom, and also a member of POWER
5 because I believe in a future of racial and
6 economic justice on a livable planet.

7 Unlike an investor-owned utility that
8 focuses on providing returns to
9 shareholders, as many people have said
10 today, I also am proud of the fact that PGW
11 is a city-owned utility, meaning that it
12 should be primarily responsible to
13 Philadelphians.

14 Today PGW has an opportunity to truly
15 be the City's utility, to be more
16 accountable to the public, not less.
17 Instead, PGW is trying to block the ability
18 of regular Philadelphians to have a full say
19 in how their utility operates.

20 "Streamline" is a code word for this,
21 but we all know that this proposed
22 regulation restricts meaningful public
23 participation, and this is shameful. What
24 do they have to hide?

1 As many other speakers today have
2 said, we should have more real participation
3 with PGW. Where is the information about
4 the progress made on the geothermal pilot?
5 Where is the information about how PGW is
6 working to phase out fossil fuels by 2050 to
7 provide truly safe and affordable energy for
8 all?

9 Instead, PGW wants to hide and block
10 the public from having a say. This is a bad
11 look for the City and not the right thing to
12 do. Please vote no on the proposed
13 regulation.

14 Thank you.

15 HEARING EXAMINER WUSHINSKE: Thank
16 you for your testimony.

17 Elowyn Corby, you may unmute and
18 begin your testimony.

19 MS. CORBY: All right. Thank you so
20 much. My baby is sleeping so hopefully you
21 can hear me a little bit better this time.

22 I am a PGW ratepayer and as a result
23 a part owner. I live in Point Breeze and I
24 am testifying on behalf of simply myself and

1 I guess my family, who are equally impacted.

2 We have watched PGW squander multiple
3 opportunities to advance the dual and
4 increasingly complementary public interests
5 of affordable energy bills and clean energy,
6 which together can help all Philadelphians
7 to live in comfort and dignity, both now and
8 going forward; and as owners it is only
9 rational for us as PGW ratepayers to react
10 to these missed opportunities by increasing
11 oversight and participation. However, these
12 regulations would move us in the opposite
13 direction.

14 I agree with the speakers before me,
15 especially with Mitch Chanin, who reminded
16 us these regulations would not advance their
17 stated goal of efficiency; with
18 Mr. Greenspan, who reminded us that budgets
19 are moral documents; and really with
20 everybody who has spoken so far.

21 It seems that there's a clear
22 consensus on this call that these
23 regulations are antithetical to the public
24 interest and I join those speakers before me

1 in urging you to vote no.

2 Thank you.

3 HEARING EXAMINER WUSHINSKE: Thank
4 you.

5 Charles Lanier, you may unmute and
6 begin your testimony.

7 MR. LANIER: Thank you. Charles
8 Lanier, Hunting Park NAC, again,
9 Neighborhood Advisory Committee. I echo
10 everything said today.

11 But to deny public comment is to deny
12 the voice of low-income residents of
13 Philadelphia with extreme energy burdens who
14 are not able to advocate for themselves and
15 rely on the committed advocacy of all
16 representatives at this hearing. So you
17 have to vote no. You have to vote no.

18 Thank you.

19 HEARING EXAMINER WUSHINSKE: Thank
20 you for your testimony.

21 And the last hand up I see is Karen
22 Harvey. You may unmute.

23 MS. HARVEY: Thank you. Good
24 morning. My name is Karen Harvey. I am the

1 Director of the Philadelphia Rent Control
2 Coalition. I will be brief.

3 Given the history of the Philadelphia
4 Gas Works' actions as regards low-income
5 residents of Philadelphia and as an advocate
6 for citizens who each month must decide
7 whether to pay their rent, buy medication,
8 or pay their utility bills, complete with
9 exorbitant rate hikes, without
10 representation by organizations represented
11 here today, low-income residents would have
12 no opportunity to have their voices heard.
13 I urge you to reject the proposed
14 regulation.

15 Thank you.

16 HEARING EXAMINER WUSHINSKE: Thank
17 you. And thank you all for your testimony
18 today.

19 I don't see any other hands up, so I
20 will turn it back over to Chairman Brown.

21 CHAIRMAN BROWN: Thank you.

22 I, too, want to thank everyone for
23 your active participation and comments
24 today.

1 COMMISSIONER URBANIA: Mr. Chairman,
2 I would like to make a motion, given the
3 testimony we heard today and the new
4 information, to table this vote until such
5 time as the Commission brings this issue up
6 again.

7 COMMISSIONER DRISCOLL: Mr. Chairman,
8 I would like to second that motion.

9 CHAIRMAN BROWN: Okay. The motion
10 has been moved and properly seconded.

11 Any further discussion?

12 - - -

13 (No response.)

14 - - -

15 CHAIRMAN BROWN: All in favor?

16 COMMISSIONER URBANIA: Aye.

17 COMMISSIONER BRADY: Aye.

18 COMMISSIONER DRISCOLL: Aye.

19 CHAIRMAN BROWN: Aye.

20 Any opposed?

21 - - -

22 (No response.)

23 - - -

24 CHAIRMAN BROWN: The motion carries.

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(Applause.)

- - -

(Whereupon the motion was unanimously
carried.)

- - -

Reported By: Susan Marie Migatz, RMR, CRR

- - -

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