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PHILADELPHIA GAS COMMISSION
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PHILADELPHIA GAS WORKS'
REQUEST TO AMEND
ITS FY 2024 CAPITAL BUDGET
- - -
September 26, 2023
10:09 a.m.

- - -
VIA ZOOM VIDEOCONFERENCING
- - -

BEFORE: ROYAL E. BROWN, Acting Chairman
MICHAEL DRISCOLL
EVAN URBANIA
Commissioners

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

1 APPEARANCES:

2

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

5

ANDRE C. DASENT, ESQ.
6 Counsel to Philadelphia Gas Works
7 COMMUNITY LEGAL SERVICES, INC.
BY: ROBERT W. BALLENGER, ESQ.
8 Counsel to Public Advocate

9

PRESENT ON BEHALF OF PGC:

10

11

GEMELA N. McCLENDON, ESQ.
Executive Director

12

ROSLYN BELL, ESQ.
13 Hearing Examiner
14 TIMOTHY MURTHA
Financial Analyst/Internal Auditor

15

16

PRESENT ON BEHALF OF PGW:

17

WILLIAM J. GALLAGHER
18 Vice President, Budget and Strategic
Development

19

DANIEL CASSIDY
20 Vice President, Technical Operations
21 JOSEPH R. HAWKINSON
Vice President, Field Operations

22

DAVID FORDE
23 Director, Government and Community Affairs

24

1 PRESENT ON BEHALF OF PGW: (Continued)

2

STEPHEN SCHUMMER

3 Manager, Budget Reporting

4 CARITA COUNCIL

Senior Budget Analyst, Finance

5

MARY LYNN O'BOYLE

6 Administrative Assistant

7

PRESENT ON BEHALF OF GAS WORKS EMPLOYEES' UNION:

8

9 MIKE McDONOUGH

Vice President

10

11 PRESENT ON BEHALF OF THE PUBLIC:

12

MITCH CHANIN

13

14 PRESENT ON BEHALF OF CITY COUNCIL:

15

THOMAS P. FORKIN, ESQ.

16 Chief of Staff

17 JACOB GOLDEN

Legislative Director

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1 ACTING CHAIRMAN BROWN: Good morning,
2 everyone.

3 I understand that current state law
4 requires that the following announcement be
5 made at the beginning of every remote public
6 hearing as follows:

7 Gas Commission meetings are currently
8 occurring remotely. We are using Zoom to
9 make these remote hearings possible.
10 Instructions for how the public may
11 participate in these meetings are included
12 in the public meeting notices and can be
13 found on the Gas Commission website.

14 Please be advised that due to abuse
15 in prior Commission hearings and meetings,
16 the Zoom chat has been disabled. All
17 members of the public who wish to offer a
18 comment to the Commission may do so at the
19 appropriate time.

20 Please note that personal attacks
21 will not be tolerated.

22 I would like to acknowledge the
23 presence of a quorum with the participation
24 of Commissioner Evan Urbania as well as

1 Councilmember Mike Driscoll.

2 I would like to have the agenda read,
3 marked, and entered into the record as Gas
4 Commission Exhibit #1.

5 EXEC. DIR. McCLENDON: I'm sorry;
6 give me one second.

7 "The Philadelphia Gas Commission will
8 hold a regularly scheduled meeting on
9 Tuesday, September 26th, 2023, at 10:00 a.m.
10 via Zoom videoconferencing due to the
11 COVID-19 pandemic for the purpose of:

12 "1. The Philadelphia Gas Works'
13 Request to Amend Its FY 2024 Capital Budget;
14 and

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

17 "Royal Brown, Acting Chairman."

18 - - -

19 (Whereupon the above-described
20 document was marked for identification
21 purposes as PGC Exhibit #1.)

22 - - -

23 ACTING CHAIRMAN BROWN: Thank you.

24 Before we take up the agenda for

1 today's meeting, I would like to state that
2 notice of the Commission's regular meeting
3 schedule for fiscal year 2024 was published
4 in various local newspapers and in the Legal
5 Intelligencer newspaper the week of
6 September 4th. Copies of these notices will
7 be marked and entered into the record as Gas
8 Commission Exhibit #2.

9 - - -

10 (Whereupon the above-described
11 documents were marked for identification
12 purposes as PGC Exhibit #2.)

13 - - -

14 ACTING CHAIRMAN BROWN: The first
15 item on the agenda is PGW's Proposed Fiscal
16 Year 2024 Capital Budget Reauthorization
17 Requests.

18 I would like to ask Executive
19 Director McClendon to provide an overview of
20 PGW's reauthorization requests.

21 EXEC. DIR. McCLENDON: Okay. PGW
22 made actually two separate requests to amend
23 its FY 2024 Capital Budget.

24 The first request to amend was

1 submitted on June 2nd, 2023, and it was a
2 request for PGW to have the project known as
3 the South Operating Center, a part of the
4 Building Consolidation Initiative,
5 reauthorized for additional time as well as
6 an increase in the dollar amount of the
7 budget. The request for the increase was
8 approximately \$24 million.

9 On July 24th, 2023, PGW filed its
10 second request to amend its FY 2024 Capital
11 Budget requesting a lifespan extension for
12 the repaving of the parking lot at the 800
13 Building, the DSC Conversion of Passyunk, as
14 well as a one-year extension of the
15 refueling station for the North Operating
16 Center along with an additional budget
17 authorization request of approximately
18 \$3.9 million and a new line item to be added
19 to the FY 2024 Capital Budget to replace an
20 emergency generator in the LNG control room
21 at PGW's Richmond station.

22 After Commission Staff's standard due
23 diligence and review process, Commission
24 Staff did make the recommendation to approve

1 all of PGW's requests.

2 However, Commission Staff did note
3 that with regard to the North Operating
4 Center and the South Operating Center, it
5 had some concern regarding PGW's late
6 submission of important documentation in
7 support of these projects.

8 So I would like to thank the Public
9 Advocate and PGW for their work on getting
10 this to the point where it is ready for the
11 Commission to review and take a vote on it,
12 and I think that is all that I have for now.

13 ACTING CHAIRMAN BROWN: Thank you.

14 Although the parties did not submit
15 any written comments in this matter, we
16 would like to provide them the opportunity
17 to make a brief presentation on the record.

18 First, we will hear from PGW.

19 Mr. Dasent?

20 MR. DASENT: Good morning, Chairman
21 Brown. I'll be very brief.

22 PGW agrees with the Hearing Examiners
23 concerning the recommended approval of
24 requests that were not in dispute and those

1 were recounted before, but the DCS
2 Conversion Project at Passyunk, repaving the
3 parking lot at the 800 Building, and the
4 other item, the emergency generator at the
5 LNG control room at Richmond. There is no
6 controversy there. We certainly concur with
7 the Hearing Officers.

8 With respect to the South Operations
9 Center, similarly, we agree that the
10 proposal for \$24 million roughly should be
11 approved and PGW should provide quarterly
12 status reports. We're agreeable to that as
13 ordered by the Hearing Officers.

14 Concerning the North Operations
15 Center, PGW also agrees with the Hearing
16 Examiners that the NOC refueling station
17 proposal should be approved and that's about
18 3.9, 4 million dollars.

19 PGW has provided support and detail
20 for all of those spending plans and we hope
21 today we'll get final action and approval on
22 the Capital Budget amendments for fiscal
23 '24.

24 Thank you.

1 ACTING CHAIRMAN BROWN: Thank you,
2 Mr. Dasent.

3 Mr. Ballenger, are there any
4 statements on behalf of the Public Advocate?

5 MR. BALLENGER: Yes, Mr. Chairman and
6 members of the Gas Commission.

7 Just one point of clarification: We
8 did, in fact, submit a letter on
9 September 19th regarding the Staff
10 memorandum recommending approval of some of
11 the additional building consolidation
12 expenses that are before you here today, but
13 I would like to just offer a couple comments
14 sort of relating to that correspondence.

15 As I stated in my September 19th
16 letter, I appreciate that Staff agrees with
17 us that PGW has failed to include adequate
18 substantiation when it has filed its Capital
19 Budget requests. We look forward to PGW
20 including supporting documentation with
21 future Capital Budget requests.

22 I also acknowledge, as I did in my
23 letter, that a paragraph in the Public
24 Advocate's brief created a misimpression and

1 I think that's really distraction and
2 shouldn't be sort of a focus of our
3 consideration today.

4 Rather, we are alarmed that PGW keeps
5 coming back asking for more and more
6 spending authority for projects like
7 Building Consolidation and Customer
8 Information System, projects that involved
9 outside consultants, intensive vetting, and
10 a long lead time to get started, and now are
11 costing more and more than was ever
12 expected.

13 This is a very troubling pattern. It
14 raises questions about the basis for PGW's
15 past budget estimates, while also eroding
16 the potential value that customers may
17 receive once these investments are made.
18 Frankly, we are experiencing sticker shock
19 on behalf of the residential customers and
20 we hope the Commission shares our concern.

21 I want to briefly also express my
22 appreciation for Executive Director
23 McClendon, who was generous with her time
24 and spoke with me by phone in advance of our

1 September 19th letter. It helped me to
2 understand where Staff was coming from and
3 to express what I hope we can do going
4 forward and collaborate and address any
5 misimpression that may arise in the future.

6 We are focused on what's really
7 important and that's ensuring that PGW
8 expenditures are necessary and appropriate
9 to providing the service its residential
10 customers require.

11 Unfortunately, the more that PGW
12 spends, the more concerned we are about the
13 benefit associated with these large projects
14 for customers over the long term.

15 Thank you. I'm happy to answer any
16 questions you may have.

17 ACTING CHAIRMAN BROWN: Thank you,
18 Mr. Ballenger.

19 At this time we will take brief
20 comments from members of the public.
21 Comments will be limited to three minutes
22 and will become a part of the record in this
23 proceeding.

24 EXEC. DIR. McCLENDON: Are there any

1 members of the public who wish to speak at
2 this time?

3 - - -

4 (No response.)

5 - - -

6 EXEC. DIR. McCLENDON: Okay. Hearing
7 none.

8 ACTING CHAIRMAN BROWN: Thank you,
9 Ms. McClendon.

10 Are there any comments or questions
11 from any of the Commissioners at this time?

12 COMMISSIONER URBANIA: Yes, I've got
13 one.

14 Mr. Dasent, is there something moving
15 forward processwise that the Commission or
16 PGW can improve upon to make sure that these
17 requests and this timeline for these types
18 of requests can be a little bit more
19 transparent?

20 MR. DASENT: Yes. There's a process
21 underway that's been going on for a year or
22 so -- we talked about it in the Capital
23 Budget workshop and I'm sure we'll continue
24 to talk about it -- concerning what

1 improvements might be made to the review
2 process.

3 The Law Department is going to weigh
4 in as to the options that were presented and
5 sort of guide us as to what changes in
6 regulations might be necessary and
7 appropriate, and I'm sure they're marshaling
8 that effort as we speak.

9 COMMISSIONER URBANIA: Great. That's
10 helpful. Thank you.

11 I can speak for myself as a
12 Commissioner that I share the concern that
13 we want to make sure that these requests are
14 a little bit more organized, and I think the
15 process improvements that I know the
16 Commission Staff and the Law Department are
17 working on will help to improve that and I
18 look forward to seeing that. Thank you.

19 ACTING CHAIRMAN BROWN: Thank you,
20 Commissioner.

21 The relevant portions of the
22 Management Agreement and Capital Program
23 Protocols are detailed in the Recommended
24 Decision and were incorporated by reference

1 in the copy of the written Motion circulated
2 at the outset of this meeting.

3 The procedural history of this matter
4 prior to issuance of the Recommended
5 Decision is detailed in that document, but I
6 will briefly summarize the highlights.

7 By letter dated July 2nd -- I'm
8 sorry -- June 2nd, 2023, PGW filed its first
9 proposed amendment to the fiscal year 2024
10 Capital Budget. This filing included a PFMC
11 resolution and various supporting documents
12 for the construction of the South Operations
13 Center to replace the Porter Station
14 building and consolidate operations. These
15 documents will be marked as PGW Exhibit #1.

16 - - -

17 (Whereupon the above-described
18 document was marked for identification
19 purposes as PGW Exhibit #1.)

20 - - -

21 ACTING CHAIRMAN BROWN: On June 7th
22 and June 22nd the Public Advocate submitted
23 its first set of data requests. These will
24 be marked as PA Exhibit #1.

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(Whereupon the above-described documents were marked for identification purposes as PA Exhibit #1.)

- - -

ACTING CHAIRMAN BROWN: PGW answered the Advocate's data requests on June 30th. PGW's responses will be marked as PGW Exhibit #2.

- - -

(Whereupon the above-described document was marked for identification purposes as PGW Exhibit #2.)

- - -

ACTING CHAIRMAN BROWN: Subsequently, on July 3rd the Advocate submitted a second set of data requests, which will be marked as Public Advocate Exhibit #2.

- - -

(Whereupon the above-described document was marked for identification purposes as PA Exhibit #2.)

- - -

ACTING CHAIRMAN BROWN: A telephone

1 conversation was held on July 6th and PGW
2 provided written responses to outstanding
3 data requests on July 7th. PGW's responses
4 will be marked as PGW Exhibit #3.

5 - - -

6 (Whereupon the above-described
7 document was marked for identification
8 purposes as PGW Exhibit #3.)

9 - - -

10 ACTING CHAIRMAN BROWN: On July 23rd
11 PGW and the Advocate submitted
12 comments/briefs, which will be marked as PGW
13 Exhibit #4 and PA Exhibit #3 respectively.

14 - - -

15 (Whereupon the above-described
16 documents were marked for identification
17 purposes as PGW Exhibit #4 and PA Exhibit #3
18 respectively.)

19 - - -

20 ACTING CHAIRMAN BROWN: On July 24th
21 PGW filed its second proposed amendment to
22 the fiscal year 2024 Capital Budget, which
23 will be marked as PGW Exhibit #5.

24 - - -

1 (Whereupon the above-described
2 document was marked for identification
3 purposes as PGW Exhibit #5.)

4 - - -

5 ACTING CHAIRMAN BROWN: The filing
6 included a PFMC Board resolution dated
7 June 27th, authorizing the amendment, along
8 with various supporting documents for three
9 line items whose project completion dates
10 will extend beyond their original two-year
11 lifespan.

12 Line Items #72-01-2-06 (Repave
13 Parking Lot - 800) and #53-02-2-06 (DSC
14 Conversion Passyunk) both require a lifespan
15 extension of one year with no increase in
16 the approved budget authorization. Line
17 Item #72-01-2-05 (Refueling Station - NOC)
18 requires a one-year extension together with
19 additional budget authorization of 3,994,000
20 to complete the project. In addition, PGW
21 requested a new line item (#53-02-2-08) to
22 replace the emergency generator for the LNG
23 Control Room - Richmond for \$535,000.

24 The Hearing Examiners issued a review

1 schedule on July 28th, consolidating this
2 budget amendment with PGW's first amendment.
3 This document will be marked as Gas
4 Commission Exhibit #3.

5 - - -

6 (Whereupon the above-described
7 document was marked for identification
8 purposes as PGC Exhibit #3.)

9 - - -

10 ACTING CHAIRMAN BROWN: On August 2nd
11 and August 3rd the Advocate submitted data
12 requests on PGW's second budget amendment,
13 which will be marked as Public Advocate
14 Exhibit #4.

15 - - -

16 (Whereupon the above-described
17 document was marked for identification
18 purposes as PA Exhibit #4.)

19 - - -

20 ACTING CHAIRMAN BROWN: PGW provided
21 written responses on August 10th. PGW's
22 responses will be marked as PGW Exhibit #6.

23 - - -

24 (Whereupon the above-described

1 document was marked for identification
2 purposes as PGW Exhibit #6.)

3 - - -

4 ACTING CHAIRMAN BROWN: On
5 August 18th the Advocate filed the direct
6 testimony of its witness, Lafayette K.
7 Morgan, which will be marked as Public
8 Advocate Exhibit #5.

9 - - -

10 (Whereupon the above-described
11 document was marked for identification
12 purposes as PA Exhibit #5.)

13 - - -

14 ACTING CHAIRMAN BROWN: On
15 August 22nd the parties participated in a
16 conference call to discuss outstanding
17 issues. Prior to the conference call PGW
18 submitted a revised cost estimate for Line
19 Item #72-01-2-05 (Refueling Station - NOC).
20 This will be marked as PGW Exhibit #7.

21 - - -

22 (Whereupon the above-described
23 document was marked for identification
24 purposes as PGW Exhibit #7.)

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ACTING CHAIRMAN BROWN: On August 24th, in response to Advocate's request for breakdowns of the requested reauthorization amounts, PGW provided the preliminary narrative design for the North Operations Center and a breakdown of the scope by trade, which will be marked as PGW Exhibit #8.

- - -

(Whereupon the above-described documents were marked for identification purposes as PGW Exhibit #8.)

- - -

ACTING CHAIRMAN BROWN: On August 28th PGW and the Advocate submitted comments and letter brief respectively, outlining their positions on PGW's second reauthorization request. These will be marked as PGW Exhibit #9 and PA Public Advocate Exhibit #6.

- - -

(Whereupon the above-described documents were marked for identification

1 purposes as PGW Exhibit #9 and PA Exhibit
2 #6.)

3 - - -

4 ACTING CHAIRMAN BROWN: On
5 September 12th Gas Commission Staff issued a
6 Recommended Decision memorandum recommending
7 that this Commission approve PGW's requests,
8 subject to certain conditions. Staff's
9 memorandum will be marked as Gas Commission
10 Exhibit #4.

11 - - -

12 (Whereupon the above-described
13 document was marked for identification
14 purposes as PGC Exhibit #4.)

15 - - -

16 ACTING CHAIRMAN BROWN: As mentioned
17 above, neither PGW nor the Public Advocate
18 took exception to Staff's recommendations.

19 However, on September 19th, 2023, the
20 Advocate filed a letter in lieu of
21 exceptions stating its appreciation for
22 Commission Staff's agreement with its
23 contention that PGW needs to better
24 substantiate its future budget request, as

1 well as clarifying some issues in its brief,
2 submitting that the Commission should find
3 no fault with the Advocate's efforts in this
4 proceeding. The Advocate's letter will be
5 marked as Public Advocate Exhibit #7.

6 - - -

7 (Whereupon the above-described
8 document was marked for identification
9 purposes as PA Exhibit #7.)

10 - - -

11 ACTING CHAIRMAN BROWN: All the
12 identified exhibits will be entered into the
13 record of this meeting.

14 This matter is now before us for
15 action and I call on Commissioner Urbania
16 for a recommendation and motion.

17 COMMISSIONER URBANIA: Thank you,
18 Mr. Chairman.

19 Am I unmuted? I am. Okay, great.

20 My Motion is set out in a written
21 document and I ask that it be marked and
22 entered into the record as Gas Commission
23 Exhibit #5.

24 - - -

1 (Whereupon the above-described
2 document was marked for identification
3 purposes as PGC Exhibit #5.)

4 - - -

5 COMMISSIONER URBANIA: A draft was
6 circulated to Commissioners in advance of
7 this meeting. This Motion was distributed
8 to the participants electronically prior to
9 the start of this meeting.

10 PGW's reauthorization filings
11 requested amendments to PGW's proposed
12 FY 2024 Capital Budget that would increase
13 the budget from \$192,432,000 to \$225,437,000
14 by reauthorizing line items from the fiscal
15 year 2021 Capital Budget and adding one new
16 line item.

17 In its proposed second amendment to
18 the fiscal year 2024 Capital Budget PGW
19 requested a one-year lifespan expansion for
20 Line Items #72-01-2-06 and #53-02-2-06,
21 together with carryover spending authority
22 from the approved fiscal year 2022 Capital
23 Budget.

24 In addition, PGW requested to amend

1 the fiscal year 2024 Capital Budget to
2 include a new project for the Gas Processing
3 Department in the amount of \$535,000. The
4 Advocate did not dispute these requests and
5 the Hearing Examiners recommended their
6 approval.

7 PGW requested reauthorization and an
8 increase in spending authority for its SOC
9 project, which was originally approved for
10 \$11,227,000 in the fiscal year 2021 Capital
11 Budget. PGW's current proposal totals
12 \$24,733,000.

13 The Advocate initially opposed PGW's
14 proposed increase for this project arguing
15 that the proposed changes are unnecessary
16 and questioning the savings that PGW
17 presented.

18 The Hearing Examiners disagreed with
19 the Advocate and recommended approval of
20 PGW's SOC proposal finding that it was the
21 more cost-effective plan and should provide
22 economic benefits to PGW's ratepayers.

23 The Hearing Examiners also found that
24 the SOC proposal is the best way forward to

1 achieve PGW's building consolidation goals,
2 which, in addition to economic savings,
3 include reducing PGW's carbon footprint,
4 eliminating aging and redundant facilities,
5 and improving logistics.

6 The Advocate did not except to the
7 Hearing Examiners' finding.

8 PGW also requested a one-year
9 lifespan extension and an additional
10 \$3.994 million in spending authority for its
11 North Operations Center refueling station
12 originally authorized as a part of the FY
13 2022 Capital Budget. This request would
14 increase the total project cost from
15 3.0 million to 6.994 million dollars.

16 Again, the Advocate argued against
17 the proposed increases for a variety of
18 reasons. However, the Hearing Examiners
19 disagreed with the Advocate and recommended
20 approval of this request.

21 The Hearing Examiners also
22 recommended that this Commission order PGW
23 to comply with all requirements of the
24 Capital Program Protocols, especially those

1 related to the substantiation of proposed
2 budget line items.

3 The Advocate did not except to these
4 finding.

5 I agree with Staff's recommendations.
6 My Motion is in eight parts as follows:

7 1. I move that the Gas Commission
8 adopt the Recommended Decision memorandum.

9 2. I move that the Gas Commission
10 acknowledge that PGW's reauthorization
11 requests as filed on June 2nd, 2023, and
12 July 24th, 2023, provided this Commission
13 will the required notice of the Company's
14 intent to extend the projects' lifespans.

15 3. I move that the Gas Commission
16 approve PGW's reauthorization requests.

17 4. I move that the Gas Commission
18 endorse amendments to PGW's proposed FY 2024
19 Capital Budget that would increase the
20 budget by a total of \$33,005,000 by
21 reauthorizing the following line items from
22 the fiscal year 2021 Capital Budget:

23 Repave parking lot - 800; DSC
24 Conversion - Passyunk; Refueling Station -

1 North Operations Center; South Operations
2 Center; and adding the following new line
3 item: Replace the emergency generator for
4 the LNG Control Room - Richmond.

5 5. I move that the Gas Commission
6 recommend that City Council approve the
7 foregoing line items subject to the
8 following limitations:

9 For Line Items #72-01-2-06 and
10 #53-02-2-06:

11 Neither line item may serve as a
12 source for any line item transfer
13 transaction; each line item will expire as
14 of August 31st, 2024; and total combined
15 spending for line items shall not exceed the
16 spending authorization for each project in
17 the approved fiscal year 2021 Capital
18 Budget.

19 For Line Item #72-01-2-05:

20 The line items may not serve as a
21 source for any line item transfer
22 transaction; the line item will expire as of
23 August 31st, 2024; and total combined
24 spending for Line Item 72-01-2-05 shall not

1 exceed the spending authorization approved
2 in the fiscal year 2022 Capital Budget plus
3 \$3,994,000.

4 For the South Operations Center:

5 The line items may not serve as a
6 source for any line item transfer
7 transaction; the line items will expire as
8 of August 31st, 2025; and the total spending
9 for the SOC project shall not exceed
10 \$24,733,000.

11 For Line Item #53-02-2-08:

12 The line item may not serve as a
13 source for any line item transfer
14 transaction; the line item will expire as of
15 August 31st, 2025; and the total spending
16 for Line Item #53-02-2-08 shall not exceed
17 \$535,000.

18 6. I move that the Commission direct
19 PGW to provide timelines and status reports
20 that detail its SOC project progress to the
21 Commission and Advocate on a quarterly
22 basis, to include a percentage of completion
23 spreadsheet showing how much of the project
24 is complete, how much is remaining, and

1 whether the project is on schedule.

2 7. I move that the Gas Commission
3 direct PGW to file an amended FY 2024
4 Compliance Capital Budget (including an
5 appropriately revised Financing Plan and an
6 updated Forecast for FY 2025 through 2029)
7 within three business days of the meeting at
8 which the Commission acts on this matter.

9 And 8: I move that the Gas
10 Commission direct PGW to file within ten
11 business days of the meeting at which the
12 Commission acts on this matter an updated
13 Disadvantaged Business Enterprise Forecast
14 incorporating the impacts of the endorsed
15 amendments to the fiscal year 2024 Capital
16 Budget.

17 This concludes my motion.

18 ACTING CHAIRMAN BROWN: Thank you.

19 Is there a second to the motion?

20 COMMISSIONER DRISCOLL: I second that
21 motion, Mr. Chairman.

22 ACTING CHAIRMAN BROWN: Thank you.

23 It has been moved and properly
24 seconded.

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Is there any further discussion?

- - -

(No response.)

- - -

ACTING CHAIRMAN BROWN: All in favor
of the motion?

Aye.

COMMISSIONER DRISCOLL: Aye.

COMMISSIONER URBANIA: Aye.

ACTING CHAIRMAN BROWN: Any opposed?

- - -

(No response.)

- - -

ACTING CHAIRMAN BROWN: The motion
carries.

- - -

(Whereupon the motion was unanimously
carried.)

- - -

Reported by: Susan Marie Migatz, RMR, CRR

- - -

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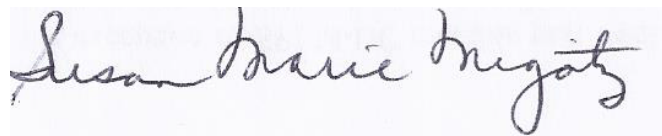
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Commonwealth of Pennsylvania Rules of Civil

Procedure

Title 231, Chapter 4000

Depositions and Discovery

Rule 4017

(c) When the testimony is fully transcribed a copy of the deposition with the original signature page shall be submitted to the witness for inspection and signing and shall be read to or by the witness and shall be signed by the witness, unless the inspection, reading and signing are waived by the witness and by all parties who attended the taking of the deposition, or the witness is ill or cannot be found or refuses to sign. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the person before whom it was taken with a statement of the reasons given by the witness for making the changes. If the deposition is not signed by the witness within thirty days of its submission to the witness, the person before whom the deposition was taken shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the refusal to sign together with the reason, if

any, given therefor; and the deposition may then be used as fully as though signed, unless the court holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

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