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PHILADELPHIA GAS COMMISSION
- - -
PGW'S THIRD REQUEST TO AMEND
ITS FY 2024 CAPITAL BUDGET

- - -
November 14, 2023

10:00 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.
Deputy City Solicitor
Counsel to Philadelphia Gas Commission

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

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PRESENT ON BEHALF OF PGC:

9

10 GEMELA N. McCLENDON, ESQ.
Executive Director

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HEIDI L. WUSHINSKE, ESQ.
Hearing Examiner
ROSLYN BELL, ESQ.
Hearing Examiner

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ANNA M. CORRADO ROWE
Senior Analyst
TIMOTHY MURTHA
Financial Analyst/Internal Auditor

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PRESENT ON BEHALF OF PGW:

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WILLIAM J. GALLAGHER
Vice President, Budget and Strategic
Development

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STEPHEN SCHUMMER
Manager, Budget Reporting
MARY LYNN O'BOYLE
Administrative Assistant

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23

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1 PRESENT ON BEHALF OF GAS WORKS EMPLOYEES' UNION:

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MIKE McDONOUGH

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4 PRESENT ON BEHALF OF THE PUBLIC:

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MITCH CHANIN

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7 PRESENT ON BEHALF OF CITY COUNCIL:

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THOMAS P. FORKIN, ESQ.

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Chief of Staff

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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's 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. Please note that personal
20 attacks will not be tolerated.

21 I would like to acknowledge the
22 presence of a quorum with the participation
23 of Commissioner Evan Urbania and
24 Councilmember Mike Driscoll and have the

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

3 EXEC. DIR. McCLENDON: "The
4 Philadelphia Gas Commission will hold a
5 regularly scheduled meeting on Tuesday,
6 November 14, 2023, at 10:00 a.m. via Zoom
7 video conferencing due to the COVID-19
8 pandemic for the purpose of considering:

9 "1. The Philadelphia Gas Works' third
10 request to amend its FY 2024 Capital Budget;
11 and

12 "2. Such other business as may
13 properly be brought before this Commission.

14 "Royal Brown, Acting Chairman."

15 - - -

16 (Whereupon a document was marked for
17 identification purposes as Exhibit PGC
18 Exhibit #1.)

19 - - -

20 ACTING CHAIRMAN BROWN: Thank you.

21 The item on the agenda is PGW's
22 Proposed Fiscal Year 2024 Third Capital
23 Budget Reauthorization Request and Related
24 Matters.

1 The relevant portions of the
2 Management Agreement and Capital Program
3 Protocol are detailed in the Recommended
4 Decision and were incorporated by reference
5 in the copy of the written Motion circulated
6 at the outset of the hearing.

7 The procedural history of this matter
8 prior to issuance of the Recommended
9 Decision is detailed in that document, but I
10 will briefly summarize the highlights.

11 On September 28, 2023, Philadelphia
12 Gas Works filed a proposed third amendment
13 to the FY 2024 Capital Budget requesting
14 supplemental funding for the Customer
15 Information System or CIS line item
16 (#47-01-2-04) in the amount of \$30 million.

17 PGW's filing included a PFMC Board
18 resolution dated August 29, 2023,
19 authorizing the amendment of the Budget for
20 Commission approval, along with various
21 supporting documents.

22 On October 3, 2023, Gas Commission
23 Staff issued data requests. The Public
24 Advocate submitted its data requests on

1 October 4, 2023.

2 On October 9, 2023, PGW filed a
3 request for release for CIS conditional
4 funding, requesting that this Commission
5 release \$5 million in conditional funding
6 that was previously authorized in the fiscal
7 year 2023 Capital Budget.

8 As PGW explained, in the fiscal
9 year 2023 budget proceeding it stipulated
10 with the Advocate that \$5 million of
11 contingency expenses would be subject to
12 conditional spending authorization.

13 Pursuant to the conditions for
14 release of the funding, PGW agreed to notify
15 the Commission upon learning that spending
16 for its CIS project would exceed the
17 authorized budget and provide an explanation
18 as to why additional spending was necessary.

19 The Commission adopted this
20 stipulation and further instructed that the
21 \$5 million in contingency expenditures would
22 be treated as conditional funding under the
23 Capital Program Protocols.

24 Also on October 9 PGW filed a request

1 to reauthorize one line item, Vehicle
2 Replacements, (#73-01-2-03), originally
3 approved in the fiscal year 2022 Capital
4 Budget. PGW explained that its request was
5 for time only with no requested increase in
6 spending.

7 PGW answered Commission Staff's data
8 requests on October 9 and answered the
9 Advocate's data requests on October 10,
10 2023, and October 11, 2023.

11 On October 16, 2023, Commission
12 Staff, PGW, and the Advocate participated in
13 a conference call to discuss outstanding
14 issues.

15 During this call it became apparent
16 that PGW's October 9, 2023, request for
17 release of CIS conditional funding was
18 untimely due to the requirements of the
19 fiscal year 2023 Capital Budget and
20 Protocols.

21 To address this situation -- excuse
22 me -- to address this situation PGW agreed
23 to modify the original request to include an
24 additional \$5 million, for a total of

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

3 - - -

4 ACTING CHAIRMAN BROWN: On
5 November 2, 2023, PGW filed comments that
6 overall supported the Recommended Decision.
7 This will be marked as PGW Exhibit #2.

8 - - -

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

12 - - -

13 ACTING CHAIRMAN BROWN: The Public
14 Advocate filed an exception to Commission
15 Staff's recommendations, which will be
16 marked as PA Exhibit #2.

17 - - -

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

21 - - -

22 ACTING CHAIRMAN BROWN: I would like
23 to ask Ms. McClendon to provide an overview
24 of the recommendations of the third capital

1 budget reauthorization request.

2 EXEC. DIR. McCLENDON: Commission
3 Staff would like to highlight that PGW filed
4 its CIS request as an emergency petition due
5 to cybersecurity threats that could arise
6 should PGW's current outdated BCCS system
7 fail with no replacement forthcoming.

8 Commission Staff reluctantly agreed
9 that PGW's request construed an emergency
10 under the Protocols but recommended at a
11 later date modifications to the Protocols
12 that specifically address cybersecurity
13 threats, such as hacking and system
14 failures, which are not currently explicitly
15 addressed in the Protocols.

16 Neither PGW nor the Advocate objected
17 to the Hearing Examiners' recommendations on
18 this issue -- on this issue.

19 Commission Staff also stresses that
20 the Advocate also reluctantly agreed that
21 there is no reasonable alternative to
22 granting PGW's request as so much repair
23 money has already been expended on this
24 project and Commission Staff agrees with the

1 Advocate on that.

2 The only issue in dispute today is
3 the treatment of the resulting operating
4 budget variances that result from the
5 adoption of the recommendations made by
6 Commission Staff in its decision.

7 Thank you.

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

10 PGW filed comments supporting the
11 Recommended Decision and offering
12 clarification on one issue.

13 The Public Advocate submitted one
14 exception to the Hearing Examiners'
15 recommendations.

16 We would like to provide the
17 participants with the opportunity to make
18 brief comments if they wish to do so.

19 First, we will hear from PGW and
20 Mr. Dasent.

21 MR. DASENT: Thank you, Chairman
22 Brown. As you know, PGW supports the
23 overall recommendations of the Staff and
24 endorses the need to amend the Protocols

1 with respect to emergency circumstances such
2 as presented in this case.

3 We also suggested a minor
4 clarification concerning the adjustment
5 related to Edge Systems, which I believe has
6 been recognized now.

7 And that's the extent of our
8 observations this morning, except to say, if
9 the Commission can find an accommodation
10 that allows them to exercise oversight
11 authority and at the same time align itself
12 with the way we've traditionally approached
13 the operating budget, which is particularly
14 in situations like this, capitalized items
15 can only be treated within the Capital
16 Budget.

17 In other words, there will be no
18 expenditures related to CIS in the fiscal
19 year '24 in those items that are identified
20 in the Public Advocate's exceptions.

21 So we understand an accommodation may
22 be made there and, if I'm reading the Motion
23 correctly, you have made such an adjustment
24 and compromise, if you will, and we accept

1 that.

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

4 Next we will hear from the Public
5 Advocate.

6 MR. BALLENGER: Good morning,
7 Mr. Chairman, members of the Gas Commission.
8 Robert Ballenger here on behalf of the
9 Public Advocate.

10 You know, we find ourselves in a
11 really challenging situation with PGW's
12 expenditures and reluctantly find that this
13 CIS project is taking a lot longer, costing
14 a whole lot more than we ever wanted it to
15 do.

16 As a consequence, you know, in this
17 proceeding one of our objectives was to
18 determine the extent to which there were
19 potential savings to customers on the
20 operating side. We believe we did that. We
21 believe PGW acknowledged that.

22 And that's why we brought to your
23 attention with the exception the belief that
24 11-million-and-change of operating funds

1 that PGW will not spend on the items it
2 identified when it approved the Operating
3 Budget be adjusted out.

4 And I apologize if you're hearing
5 construction noise behind me. It's been
6 driving me nuts for a year.

7 But also I've recognized throughout
8 this proceeding that we are in a different
9 space. We have not had this type of issue
10 present itself, at least not to this
11 magnitude, and I also acknowledge that the
12 Commission's order appears to kind of take a
13 middle ground while also recognizing that
14 these are dollars that PGW should not spend
15 in its Operating Budget.

16 We really strongly agree with that
17 and appreciate the attention to that.

18 Just as sort of a footnote to a
19 footnote, with our exceptions you may also
20 be aware that the PUC has entered its final
21 order determining what are just and
22 reasonable rates for PGW in its base rate
23 case.

24 I think that that decision makes it

1 all the more clear why we need to be very
2 careful stewards of PGW's dollars at this
3 point in time, of ratepayer dollars.

4 PGW got about 30% of what it asked
5 for and we need to make sure that we're
6 saving and not contributing to, you know,
7 any additional rates in the future.

8 So to that extent I do appreciate the
9 Motion's consideration of this issue and
10 find the Commission has come up with a
11 reasonable way to protect customers in this
12 proceeding.

13 Thank you.

14 ACTING CHAIRMAN BROWN: Thank you,
15 Mr. Ballenger.

16 At this time we will take brief
17 comments from members of the public on the
18 issue of the budget amendment. Comments
19 will be limited to three minutes and must
20 address the third budget amendment before us
21 today.

22 EXEC. DIR. McCLENDON: Does any
23 member of the public wish to speak at this
24 time?

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(No response.)

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EXEC. DIR. McCLENDON: Hearing none, Chairman, before you proceed, I just have one question.

There is a participant, someone who is participating by phone. The phone number is 267-254-1820. Can you please identify yourself for the record?

HEARING EXAMINER WUSHINSKE: Gemela, I think it might be Anna.

EXEC. DIR. McCLENDON: Is that her number? -- because she messaged me and said that she wasn't going to be able to join us today.

HEARING EXAMINER WUSHINSKE: Oh, okay. I thought she told me she was going to try to join by phone. Let me see.

Her number is 267-254-1820?

EXEC. DIR. McCLENDON: It's Anna then. Thank you. I had received her message that she wasn't going to be able to participate due to an emergency.

1 So thank you, Anna, for joining us.
2 Chairman Brown, you can proceed.

3 ACTING CHAIRMAN BROWN: Okay. We'll
4 continue.

5 Are there any comments or questions
6 from any of the Commissioners at this point?

7 - - -

8 (No response.)

9 - - -

10 ACTING CHAIRMAN BROWN: Hearing none,
11 we'll proceed.

12 Thank you all very much. We
13 appreciate your participation as we
14 deliberate on PGW's reauthorization request.

15 All the identified exhibits will be
16 entered into the record of this meeting.
17 This matter is now before us for addition.
18 I call -- for action. I call on
19 Commissioner Urbania for a recommendation
20 and motion.

21 COMMISSIONER URBANIA: Thank you,
22 Chairman.

23 My Motion is set out in a written
24 document and I ask that it be marked and

1 entered into the record as Gas Commission
2 Exhibit #3.

3 - - -

4 (Whereupon a document was marked for
5 identification purposes as PGC Exhibit #3.)

6 - - -

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

13 The Recommended Decision suggested
14 reporting requirements, line item
15 adjustments, proposed conditions, and
16 modifications to the Protocols. I would
17 like to thank, wholeheartedly, Commission
18 Staff and the participants for their work to
19 narrow the areas of disagreement in this
20 proceeding.

21 PGW's budget amendment consists of
22 two line items. The first, Vehicle
23 Replacements (#73-01-2-03), is for time only
24 and no extra funds were requested. This

1 request was unopposed by the Advocate and
2 the Hearing Examiners recommended approval
3 of it.

4 I agree with Commission Staff that
5 PGW's uncontested reauthorization request
6 for vehicle replacements should be approved,
7 subject to the conditions set forth in the
8 Recommended Decision and at the end of my
9 Motion.

10 PGW filed its CIS request as an
11 emergency reauthorization request and
12 stressed that approval was needed on an
13 expedited or emergency basis. The Hearing
14 Examiners prepared an expedited review
15 schedule and ultimately agreed with PGW that
16 its request be handled as an emergency.

17 PGW expressed overall support for the
18 Recommended Decision's findings and
19 specifically supported the finding that its
20 request constituted an emergency under the
21 Protocols. The Advocate did not except to
22 the Hearing Examiners' findings on this
23 issue.

24 Therefore, I agree with the Hearing

1 Examiners that PGW's request be treated as
2 an emergency pursuant to the Protocols.

3 In the Recommended Decision the
4 Hearing Examiners recommended that this
5 Commission direct Commission Staff, along
6 with PGW and the Advocate, to update the
7 Protocols to explicitly recognize
8 cybersecurity threats as a more
9 straightforward way to handle any
10 cybersecurity issues that may arise in the
11 future.

12 In its comments to Staff's
13 Recommended Decision PGW supports Commission
14 Staff's findings on this issue. PGW
15 stresses the need for its request to be
16 approved on an emergency basis due to the
17 risks involved and supports Staff's
18 recommendation to modify the Protocols to
19 give explicit recognition to cybersecurity
20 threats, hacking and system failure.

21 PGW also proposes that the Protocols
22 be revisited to address the process for
23 budget reauthorizations (related to project
24 timeline extensions) and deadlines for the

1 release on conditional funding.

2 The Advocate did not file exceptions
3 on these issues.

4 I also agree with the Hearing
5 Examiners' findings, as supported by PGW and
6 unopposed by the Advocate.

7 Regarding PGW's proposal to further
8 modify the Protocols, there is not enough
9 information regarding the proposed
10 modification to make a finding on this
11 issue.

12 I recommend that should PGW wish to
13 further pursue this additional amendment to
14 the Protocols, it presents a more fully
15 developed proposal to Commission Staff and
16 the Public Advocate.

17 I therefore find that we should adopt
18 the Recommended Decision's findings
19 regarding PGW's request for approval on an
20 emergency basis and modification of the
21 Protocols regarding emergency circumstances
22 and cybersecurity.

23 To the extent PGW proposes that we
24 direct modification of the Protocols

1 relating to budget reauthorizations and
2 deadlines for the release of conditional
3 funding, I recommend rejection of this
4 proposal.

5 The Advocate filed an exception to
6 the Hearing Examiners' finding regarding
7 tracking budget variances/amending PGW's
8 operating budget. In the Recommended
9 Decision the Hearing Examiners disagreed
10 with both the Public Advocate and PGW and
11 proposed an alternate option.

12 The Hearing Examiners rejected the
13 Advocate's proposal to amend the fiscal
14 year 2024 Operating Budget, finding that
15 mandating reporting requirements has been
16 this Commission's historical practice when
17 dealing with operating budget variances.

18 However, the Hearing Examiners also
19 disagreed with PGW that quarterly reporting
20 would be sufficient, citing to the past
21 ineffectiveness of such reporting.

22 As a result, the Hearing Examiners
23 recommended that PGW be required to provide
24 to the Commission and Advocate monthly CIS

1 updates, which track all the issues
2 identified by the Advocate, including: (1)
3 expenses involving the managed service
4 agreement; (2) labor expenses; and (3)
5 incremental overtime and labor expenses.

6 The Advocate filed an exception to
7 the Hearing Examiners' recommendation and in
8 this exception the Advocate states that this
9 Commission should approve a downward
10 adjustment of \$11.15 million to PGW's fiscal
11 year 2024 Operating Budget.

12 Specifically, the Advocate recommends
13 that \$7 million (\$5 million in overtime
14 expenses plus \$2 million budgeted for an
15 outsider CIS operator) be removed because
16 these budget expenses will not be incurred
17 in fiscal year 2024 and \$4.15 million (labor
18 expenses) be removed due to expenses that
19 have shifted from PGW's Operating Budget to
20 its Capital Budget.

21 The Advocate argues that if PGW does
22 not amend its Operating Budget, its
23 residential customers will be exposed to the
24 risk of unnecessary spending, risking

1 increased rates in the future.

2 The Advocate rejects the Hearing
3 Examiners' finding that PGW should be
4 ordered to track any budget deviations via
5 monthly reporting, arguing that the
6 identified unnecessary costs must be
7 excluded from the fiscal year 2024 Operating
8 Budget.

9 The Advocate argues that this
10 situation is extraordinary and the monthly
11 variance reporting recommended by the
12 Hearing Examiners would not prevent
13 unreasonable expenditures and is unlikely to
14 curb excessive spending.

15 The Advocate states that if PGW is
16 not ordered to amend its fiscal year 2024
17 Operating Budget, the \$11.15 million could
18 be spent on anything, without this
19 Commission's consent. The Advocate also
20 states that a likely consequence is that PGW
21 will utilize the funds for other,
22 potentially unnecessary expenses, contrary
23 to the budget as approved.

24 I find that the Advocate raises some

1 important points in its exceptions regarding
2 customer protection and I agree with the
3 Advocate that PGW's customers should be
4 protected from unnecessary spending risks.

5 I also agree with the Advocate that
6 the monthly reporting recommended by the
7 Hearing Examiners, while tracking PGW's
8 expenditures, would not prevent PGW from
9 actually spending the \$11.15 million in
10 identified funds.

11 To alleviate these concerns, I
12 recommend that we make the \$11.15 million
13 identified by the Advocate unavailable to
14 PGW in its fiscal year 2024 Operating Budget
15 unless the following conditions are met:

16 (1) PGW must request release of the
17 spending, or any portion thereof, from the
18 Commission and provide notice to the
19 Advocate; (2) Commission Staff and the
20 Advocate should be provided with the
21 opportunity to schedule discovery and
22 written submissions after receipt and review
23 of PGW's notice and request for release of
24 conditional spending; and (3) release of

1 funds shall be made only if the Commission
2 is persuaded, after a record is developed,
3 that such a release is necessary and
4 appropriate under the circumstances
5 presented.

6 This should alleviate the Advocate's
7 concerns that PGW could spend the money for
8 other unnecessary expenses.

9 I note that the Commission does not
10 expect PGW to file any such request, as it
11 is clear that this money is not required in
12 fiscal year 2024.

13 I also support the Hearing Examiners'
14 recommendations that PGW be required to
15 submit monthly reports, as detailed in the
16 Recommended Decision. I therefore find that
17 we should reject the Advocate's exception on
18 this issue and modify the Hearing Examiners'
19 findings as described above.

20 In the Recommended Decision
21 Commission Staff agreed with the downward
22 adjustments proposed by the Advocate.
23 Commission Staff found that the following
24 adjustments should be made to PGW's

1 proposal:

2 PGW's request be reduced by
3 \$0.149 million due to reduced Oracle fees;
4 PGW be ordered to reduce its budget dollar
5 for dollar to reflect the amount it
6 calculates as remaining conditional funding,
7 intradepartmental or interdepartmental
8 transfers during its first quarter capital
9 spending forecast and/or reconciliation
10 reports; PGW's request for release of CIS
11 conditional funding be denied; the proposed
12 Edge Systems cost category of the CIS
13 supplemental funding amount be adjusted
14 downward by \$0.442 million; and the
15 contingency cost category of the CIS
16 supplemental funding amount be adjusted
17 downward by \$0.176 million.

18 In its comments to Commission Staff's
19 recommendations PGW requests a modification
20 to the recommendation regarding the
21 adjustment for Edge Systems expenses.

22 According to PGW, there appears to be
23 a redundant adjustment for Edge Systems
24 contingency expense. PGW opines that an

1 error led to a duplicate reduction and asks
2 that the recommendation be modified.

3 I agree with the Hearing Examiners'
4 findings reducing PGW's request as set forth
5 above. I note that the inadvertent Edge
6 Systems duplicate reduction has been
7 corrected and is reflected in the final
8 budget numbers in this document.

9 I also note that PGW has already
10 identified \$3,782,000 in line item
11 transfers, which have been deducted from the
12 overall total request.

13 My Motion is in ten small parts as
14 follows:

15 1. I move that the Commission adopt
16 the Recommended Decision Memorandum as
17 modified herein.

18 2. I move that the Gas Commission
19 acknowledge that PGW's reauthorization
20 requests as filed on September 28, 2023,
21 provided this Commission with the required
22 notice of the Company's intent to extend the
23 projects' lifespans.

24 3. I move that the Gas Commission

1 approve PGW's reauthorization requests.

2 4. I move that the Gas Commission
3 endorse amendments to PGW's proposed fiscal
4 year 2024 Capital Budget that would increase
5 the Budget by a total of \$32,446,251 by
6 reauthorizing the following line items from
7 the fiscal year 2021 Capital Budget:

8 Vehicle Replacement (#73-01-2-03)

9 (\$1,995,000); and

10 Customer Information System (CIS)

11 (#47-01-2-04) (\$30,451,251).

12 5. I move that the Gas Commission
13 recommend that City Council approve line
14 item #73-01-2-03 (Vehicle Replacements)
15 subject to the following limitations:

16 1. This line item may not serve as a
17 source for any line item transfer
18 transaction;

19 2. This line item will expire as of
20 August 31, 2024; and

21 3. Total spending for this line item
22 shall not exceed the spending authorization
23 for this project in the approved fiscal
24 year 2022 Capital Budget.

1 6. I move that the Gas Commission
2 recommend City Council to approve line item
3 #47-01-2-04 (CIS) subject to the following
4 limitations:

5 1. This line item may not serve as a
6 source for any line item transfer
7 transaction;

8 2. This line item will expire as of
9 August 31, 2025; and

10 3. Total spending for this line item
11 shall not exceed the spending authorization
12 for this project in the approved FY 2019
13 Capital Budget, reauthorized in the FY 2022
14 Capital Budget, plus \$30,451,251.

15 7. I move that PGW be ordered to
16 file, with a copy to the Advocate, monthly
17 CIS updates, which track: (1) expenses
18 involving the managed service agreement; (2)
19 labor expenses; and (3) incremental overtime
20 and labor expenses.

21 8. I move that the \$11.15 million in
22 PGW's fiscal year 2024 Operating Budget
23 identified by the Advocate be made
24 unavailable to PGW unless the following

1 conditions are met:

2 1. PGW must request release of the
3 spending, or any portion thereof, from the
4 Commission and provide notice to the
5 Advocate;

6 2. Commission Staff and the Advocate
7 should be provided with the opportunity to
8 schedule discovery and written submissions
9 after receipt and review of PGW's notice and
10 request for release of conditional spending;
11 and

12 3. Release of funds shall be made
13 only if the Commission is persuaded, after a
14 record is developed, that such a release is
15 necessary and appropriate under the
16 circumstances presented.

17 9. I move that the Gas Commission
18 direct PGW to file an amended fiscal
19 year 2024 compliance Capital Budget
20 (including an appropriately revised
21 financing plan and an updated forecast for
22 fiscal year 2025 through 2029) within three
23 business days of the meeting at which the
24 Commission acts on this matter.

1 And 10. I move that the Gas
2 Commission direct PGW to file within ten
3 business days of the meeting at which the
4 Commission acts on this matter an updated
5 Disadvantaged Business Enterprise Forecast
6 incorporating the impacts of the endorsed
7 amendments to the fiscal year 2024 Capital
8 Budget.

9 This concludes my Motion.

10 ACTING CHAIRMAN BROWN: Thank you,
11 Commissioner Urbania.

12 Is there a second to the motion?

13 COMMISSIONER DRISCOLL: Mr. Chairman,
14 I second that motion.

15 ACTING CHAIRMAN BROWN: Thank you.

16 It has been properly moved and
17 seconded.

18 Is there any further discussion?

19 All in favor?

20 COMMISSIONER URBANIA: Aye.

21 ACTING CHAIRMAN BROWN: Aye.

22 COMMISSIONER DRISCOLL: Aye.

23 ACTING CHAIRMAN BROWN: Any opposed?

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(No response.)

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ACTING CHAIRMAN BROWN: The motion carries.

- - -

(Whereupon the motion was unanimously carried.)

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Transcribed by: Susan Marie Migatz, RMR, CRR

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PHILADELPHIA GAS COMMISSION EXHIBITS

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PHILADELPHIA GAS WORKS EXHIBITS

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