

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF SMALL BUSINESS ADVOCATE

Suite 1102, Commerce Building
300 North Second Street
Harrisburg, Pennsylvania 17101

William R. Lloyd, Jr.
Small Business Advocate

(717) 783-2525
(717) 783-2831 (FAX)

September 30, 2010

HAND DELIVERED

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

**Re: Petition of West Penn Power Company d/b/a Allegheny Power for Approval of its Energy Efficiency and Conservation Plan, Approval of Recovery of Costs Through a Reconcilable Adjustment Clause and Approval of Matters Relating to the Energy Efficiency and Conservation Plan
Docket No. M-2009-2093218**

Dear Secretary Chiavetta:

I am delivering for filing today the original plus three (3) copies of the Answer, on behalf of the Office of Small Business Advocate, in the above-captioned proceeding.

Two copies have been served today on all known parties in this proceeding. A Certificate of Service to that effect is enclosed. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Lauren M. Lepkoski".

Lauren M. Lepkoski
Assistant Small Business Advocate
Attorney ID No. 94800

Enclosures

cc: Parties of Record

Robert D. Knecht

RECEIVED
2010 SEP 30 PM 3:15
SECRETARY'S BUREAU

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

RECEIVED
2010 SEP 30 PM 3:15
PA. PUB. UTIL. COM. SECRETARY'S BUREAU

Petition of West Penn Power Company :
d/b/a Allegheny Power for Approval of its :
Energy Efficiency and Conservation Plan, :
Approval of Recovery of Costs through a : **Docket No. M-2009-2093218**
Reconcilable Adjustment Clause and :
Approval of Matters Relating to the Energy :
Efficiency and Conservation Plan :

**ANSWER OF THE
OFFICE OF SMALL BUSINESS ADVOCATE**

Pursuant to 52 Pa. Code §5.61(a), the Office of Small Business Advocate (“OSBA”) files this Answer to the Petition of West Penn Power Company d/b/a Allegheny Power (“Allegheny Power”) or (“the Company”) for Approval to Amend its Energy Efficiency and Conservation and Demand Response Plan (“Petition”) that was filed with the Pennsylvania Public Utility Commission (“Commission”) on September 10, 2010, and avers the following in support thereof:

I. INTRODUCTION

1. The Office of Small Business Advocate is authorized and directed by the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50, to represent the interests of small business consumers of utility services in matters before the Commission.

II. BACKGROUND

2. Act 129 of 2008 charged the Commission with establishing an energy efficiency and conservation program. *See* 66 Pa. C.S. §2806.1(a). Act 129 also directed each electric distribution company (“EDC”) with at least 100,000 customers to file an

energy efficiency and conservation plan (“EE&C Plan”) with the Commission for review and approval. *See* 66 Pa. C.S. §2806.1(b) and (l).

3. Allegheny Power filed its EE&C Plan on July 1, 2009, pursuant to the Commission’s directive at *Energy Efficiency and Conservation Program*, Docket No. M-2008-2069887 (Order entered January 16, 2009) (“Implementation Order”).

4. The Commission approved in part and rejected in part Allegheny Power’s EE&C Plan on October 23, 2009.¹ In that Order, the Commission addressed the procedure Allegheny Power was to follow if the Company proposed amendments to its approved EE&C Plan. Specifically, the Commission stated:

Because the EDC’s Act 129 plan will be approved by Commission order, procedures for rescission and amendment of Commission orders must be followed to amend that order and to assure due process for all affected parties. *See* 66 Pa. C.S. § 703(g) (relating to fixing of hearing: rescission and amendment of orders). Accordingly, if an EDC believes that it is necessary to modify its Act 129 plan, the EDC may file a petition requesting that the Commission rescind and amend its prior order approving the plan. *See* 52 Pa. Code §§ 5.41 (relating to petitions generally) and 5.572 (relating to petitions for relief).

The EDC’s petition should explain the specific reasons supporting its requested modifications to its approved plan, i.e., the shifting of funds between programs or customer

¹ The Commission requested that Allegheny Power file a revised EE&C Plan addressing the modifications the Commission mandated in its October 23, 2009, Order. Allegheny Power filed a revised plan on December 21, 2009. On March 1, 2010, the Commission entered an Order approving in part and rejecting in part the Revised EE&C Plan. The Commission requested that Allegheny Power file another Revised EE&C Plan addressing the modifications the Commission mandated in its March 1, 2010, Order. On April 29, 2010, the Company submitted its second revised plan. The Commission approved that plan on June 23, 2010. *Petition of West Penn Power Company d/b/a Allegheny Power for Approval of its Energy Efficiency and Conservation Plan, Approval of Recovery of its Costs through a Reconcilable Adjustment Clause and Approval of Matters Relating to the Energy Efficiency and Conservation Plan*, Docket No. M-2009-2093218 (Order entered June 23, 2010), at 2-4.

classes, the discontinuation of a program, etc. The petition should also contain a request to modify its cost recovery mechanism. Evidence supporting the modification of the plan and the cost recovery mechanism shall be submitted with the petition. The petition shall be served on all parties participating in the EDC's Act 129 plan proceeding. If the EDC believes that the need for modification of its plan is immediate, the EDC can request expedited consideration of its petition.²

5. On September 10, 2010, Allegheny Power filed a Petition to amend its approved EE&C Plan. The Company proposes to modify the approved EE&C Plan to reflect additional experience the Company has obtained since approval of that Plan and to deemphasize programs which relied on smart meter deployment.³ Specifically, the Company is proposing to replace the smart meter programs with other programs that do not rely on smart meters.⁴

III. RESPONSE TO AMENDED PLAN

6. The OSBA requested that its witness in the proceeding involving Allegheny Power's originally filed EE&C Plan, Mr. Robert D. Knecht, review Allegheny Power's Amended EE&C Plan. Attached to this Answer are Mr. Knecht's preliminary comments regarding the Amended EE&C Plan. Specifically, Mr. Knecht identifies numerous deficiencies in, and questions about, the Company's Amended EE&C Plan which should be addressed through discovery, testimony, hearings, and briefs.

² *Petition of West Penn Power Company d/b/a Allegheny Power for Approval of its Energy Efficiency and Conservation Plan, Approval of Recovery of its Costs through a Reconcilable Adjustment Clause and Approval of Matters Relating to the Energy Efficiency and Conservation Plan*, Docket No. M-2009-2093218 (Order entered October 23, 2009), at 99.

³ Petition, at 3-7.

⁴ *Id.*

7. The OSBA objects to the fact that Allegheny Power's Amended EE&C Plan would shift costs from the residential class to the Small Commercial and Industrial ("Small C&I") classes because of the Company's delay in the deployment of smart meters.⁵ As set forth in the attached comments by Mr. Knecht, it appears that the elimination of programs relying on smart meters would require Small C&I customers to bear about \$6 million in additional costs.

8. The OSBA is also concerned about numerous other aspects of the amended EE&C Plan. Those concerns include, but are not limited to, the following:

a. Allegheny Power's administration costs have substantially increased from its approved EE&C Plan.⁶

b. Allegheny Power proposes to change the HVAC program to be a "maintenance of existing equipment" rather than an "installation of high efficiency new equipment" program.⁷ According to Allegheny Power's Amended EE&C Plan, the TRC Benefit/Cost ratio would drop from 1.0 to 0.5.⁸ Consequently, Small C&I customers would be required to pay for a conservation program that would not be cost-effective.

c. There are other proposed changes identified by Mr. Knecht which are unclear and which may not be justified by the materials filed by the Company.

⁵ Petition, at 7, para. 8.

⁶ See Mr. Knecht's Comments, at 2, Table 1.

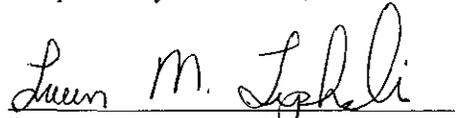
⁷ Petition, at 5, para. 6(d), and Blackline EE&C Plan, beginning at 129

⁸ Blackline EE&C Plan, at 133.

IV. CONCLUSION

For the reasons set forth above, the OSBA respectfully requests that the Commission refer Allegheny Power's Amended EE&C Plan to the Office of Administrative Law Judge for hearings and a Recommended Decision.

Respectfully submitted,


Lauren M. Lepkoski
Assistant Small Business Advocate
Attorney ID No. 94800

For:

William R. Lloyd, Jr.
Small Business Advocate
Attorney ID No. 16452

Office of Small Business Advocate
300 North Second Street, Suite 1102
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)

Dated: September 30, 2010



INDUSTRIAL ECONOMICS, INCORPORATED

To: William R. Lloyd, Esq., Pennsylvania Office of Small Business Advocate
From: Bob Knecht, Industrial Economics, Incorporated ("IEc")
RE: IEc Review of West Penn Power Amended EE&C Plan
Docket No. M-2009-2093218
Date: September 29, 2010

Background

On September 10, 2010, West Penn Power ("West Penn" or "the Company") submitted a petition ("Petition") to modify its Energy Efficiency and Conservation Plan ("EE&C Plan").

At your request, Industrial Economics, Incorporated ("IEc"), conducted a summary review of the modifications proposed by West Penn to its approved EE&C Plan. The objective of this review was to identify any material changes to the EE&C Plan that affect small business customers, and to determine whether the rationale presented by the Company for those changes is reasonable. In this memo, I make certain recommendations where I believe that West Penn's proposed modifications require a clearer or more detailed explanation.

Due to time and budget constraints, this evaluation is neither an in-depth nor an exhaustive review of the EE&C Plan and the proposed amendments. The recommendations in this memo are based on a summary review, and it is possible that I have overlooked some of the details in the filing. Moreover, my review is based only on a review of the Petition and the blackline EE&C Plan documents provided to IEc. I note that the blackline EE&C Plan documents include an "Overview of Plan Changes" ("Overview") section at pages 13-15, upon which I also relied.

IEc Review

1. Rationale for the Amendments
 - a. The Petition indicates that the Commission, in approving the earlier version of the EE&C Plan, "cited concerns about the Company's reliance on the rapid deployment of smart meters and encouraged the Company to develop an alternative EE&C/DR plan less reliant on smart meters." (Petition para. 2)
 - b. Based on my involvement with other matters related to West Penn, and based upon the advice of OSBA counsel, I understand that changes to the Company's Smart Meter Technology Implementation Plan ("SMIP") are motivated at least in part by the proposed merger of West Penn with FirstEnergy Corporation ("FirstEnergy").
 - c. The Petition indicates that the Company has modified the EE&C Plan to reflect the following considerations:
 - i. De-emphasis on programs which rely on smart meter deployment, replaced by other programs that do not rely on smart meters;
 - ii. Update to the Technical Reference Manual ("TRM");

- iii. Reliance on interim deemed savings developed by the Technical Working Group (“TWG”) under the direction of the Statewide Evaluator (“SE”);
- iv. Measurement and verification plans developed by the Company’s contractor and the SE;
- v. Implementation and program management to date, which I interpret to mean modifications based on actual experience. (Petition para. 3)

2. Overall Cost Impact

- a. Total program costs incurred by West Penn in both the approved EE&C Plan and the amended EE&C Plan are \$94.25 million over the four-year period from 2009 to 2012. This figure is unchanged from West Penn’s original EE&C filing. This amount reflects the 2 percent cap on utility costs specified in Act 129.
- b. Compared to the original filing, however, the amended EE&C Plan requires an increase in common costs, notably administration costs, with a corresponding reduction in direct program costs. A summary is shown in Table 1 below.

Table 1				
West Penn EE&C Plan Costs				
2009-2013 Total, \$millions				
	Approved Plan	Amended Plan	Difference	Percent Difference
Direct Costs	\$67.24	\$62.73	(\$4.51)	-6.7%
Administration	\$12.35	\$17.68	\$5.33	43.2%
Marketing	\$9.73	\$ 9.06	(\$0.67)	-6.9%
Outside Services	\$0.64	\$ 1.09	\$0.45	70.3%
Evaluation	\$4.28	\$ 3.69	(\$0.59)	-13.8%
Total	\$94.25	\$94.25	\$0	0.0%

I recommend that West Penn provide a clear explanation for the change in the nature of plan costs, particularly the large increase in administration costs.

3. Class-Specific Cost Impact

- a. West Penn’s tracking of program costs is a little complicated. As I understand it, in terms of direct program costs, West Penn first develops cost estimates by program. The costs for each program are then allocated to one of five “rate class groups,” namely residential (excluding low-income), residential low-income, small commercial and industrial (“SC&I”), large commercial and industrial (“LC&I”), and government/non-profit. “Common” costs are also allocated to the rate class groups, using various allocation methods. Finally, rate class group costs are

mapped into West Penn's actual rate class categories (e.g., Rate 10, Rate 20, Rate 30, etc.). Note that, because West Penn has no government/non-profit rate classes, costs for this rate class group must be distributed among the non-residential rate classes.

- b. The amendments to the EE&C Plan result in a substantial shift in costs from residential (non-low-income) customers to SC&I and LC&I customers. A more detailed comparison table is attached to this memo. A summary of four-year average cost shares by rate class group (Petition para 8) is:

	Approved		Amended
Residential (excl. low-income):	43%	==>	36%
Residential Low-Income	14%	==>	13%
SC&I	21%	==>	27%
LC&I	16%	==>	18%
Government/Non-Profit	6%	==>	5%

- c. Over the four year period, the costs associated with programs for the SC&I rate class group under the amended plan are \$6.25 million higher than those in the approved plan.
- d. On a year-by-year basis, the plan costs for 2009-2010 are about \$2.1 million higher in the amended plan, which is only about a 6.2 percent increase. However, the costs incurred for SC&I programs are about \$2.8 million higher than in the approved plan, or some 42.1 percent of the approved plan. I recommend that West Penn explain why actual costs incurred for SC&I programs are considerably higher in the amended plan than those in the approved plan. In particular, West Penn should explain whether this increase in costs has been directed toward programs with a total resource cost ("TRC") benefit-cost ratio below unity (see below).
- e. Of the \$6.25 million increase in costs assigned to SC&I rate class group programs, some \$2.86 million is related to program-specific costs (an increase of 19% over the approved plan) while common costs increase by \$3.39 million (an increase of 77% over the approved plan). Of the increase in common costs, the largest dollar effect is related to "administration" costs, of \$2.32 million (about 77% over approved plan). Thus, West Penn's amended plan contains a large increase in overall administration costs, and a disproportionate share of those administration costs are being assigned to the SC&I rate class group.
- i. The EE&C Plan indicates that administration costs are allocated to classes based on "energy usage, program level and measure share allocation." I do not believe that workpapers showing this allocation are provided in the documents that I reviewed.
- ii. In my direct testimony related to the original filing in this docket, I did not contest the allocation method for administration costs, as the impact did not appear to be material at the time. However, in light of both the increasing share of administration costs and the increasing share of these costs borne by

SC&I customers, I recommend that West Penn provide an explanation for this allocation, as well as supporting workpapers.

4. SC&I Program Changes

The program changes for SC&I rate class group customers include:

- a. West Penn proposes to change the HVAC program to be a “maintenance of existing equipment” rather than an “installation of high efficiency new equipment” program. I interpret this proposal to be a “more bang for the buck” modification, to reflect better efficiency gains for maintenance in the revised TRM and the lower cost of maintenance as compared to new equipment. (Petition, para. 6(d), blackline EE&C Plan beginning at 129) The incentive payments drop from \$175 or \$375 to \$25 per participant, with rebated percentages at 13% rather than about 50%. The number of customers participating increases from about 1800 to over 57,000.

As a general rule, I would find that reducing the incentive percentage and expanding the number of participating customers would be favorable changes, as they would reduce the intra-class cross-subsidization of program participants by non-participants. However, the Company reports that the TRC Benefit/Cost ratio drops from 1.0 to 0.5 (blackline EE&C Plan, page 133). While it is my understanding that not every program must pass the TRC test, I recommend that the Company explain why SC&I customers should be paying for a program that will produce benefits equal to only half of the program costs. Also, in light of the relatively low incentive payment, it is not clear why any customers would wish to participate in this program.

- b. West Penn proposes to expand the eligible lighting measures for SC&I customers. (Petition, para. 6(e) and 6(i)) The key programs added are a compact fluorescent lamp (“CFL”) program and a power strip program. The proposed incentive payments for the already-approved programs are similar to the approved plan, but the incentives for the CFL and power strip programs are not specified. The number of participating customers increases from 6,300 to 25,300. The TRC cost effectiveness ratio of the overall SC&I lighting program improves from 5.8 to 6.2. Other than requesting more clarity about the incentive payments for the new programs, I have no recommendations in this area.
- c. West Penn proposes to expand the Custom Technology Applications program. As this appears to increase costs assigned to SC&I customers, there must be some increase in SC&I customer participation. However, the only obvious change in the text of the plan for this program is that the Company will encourage government customers to participate. Therefore, it is not clear to me why the costs assigned to SC&I customers increase (since government/non-profit is tracked separately for costing). I recommend that the Company explain how it anticipates getting higher SC&I participation, or whether the amended plan is mis-assigning costs to the SC&I rather than the government/non-profit rate class group.
- d. West Penn proposes to modify and scale back the Time-of-Use (“TOU”) Critical Peak Pricing program. The modifications include reduced participation, and much higher costs for evaluation and incentives (which were zero before). The TRC

benefit-cost ratio drops from 2.5 to 1.1. In general, I do not fully understand the program changes that are proposed, and am unable to readily deduce why the large reduction in the TRC ratio results. I recommend that West Penn better explain why the program is considerably less cost-effective than in the approved plan.

- e. West Penn proposes to eliminate the Hourly Pricing Option, presumably as a result of the changes in smart meter deployment.

5. Cost Allocation and EE&C Charge

- a. Based on the blackline EE&C Plan (Section 7), I did not identify any material changes to cost allocation methods. As noted above, I am not able to explain why the administration/common costs increase disproportionately for the SC&I class.
- b. The overall effect of the plan changes is an increase in the proposed EE&C charge for Rate 20 from 0.129 cents/kWh to 0.158 cents per kWh, a 22.5% increase.
- c. For Rate 30, the EE&C charge consists of both an energy component and a demand component. The energy charge increase is from 0.079 to 0.110 cents per kWh (a 39% increase) and the demand charge increase is from \$0.36 to \$0.47 per kW (a 31% increase).
- d. The residential EE&C charge declines from 0.233 to 0.182 cents per kWh, a 21.9 percent reduction.
- e. The EE&C demand charge for Schedules 40 to 46 industrial increases from \$0.31 to \$0.39 per kW, a 25.8 percent increase.
- f. As was the case with West Penn's approved plan, it is not easy to follow how program costs are mapped into rate class groups, or how costs assigned to rate class groups are translated into EE&C charges. I recommend that West Penn include the details of its cost allocation (both direct and common costs) in its EE&C Plan in this and future filings.

Summary of Recommendations

1. West Penn should explain why program administration and other common costs increase substantially compared to the approved plan.
2. West Penn should provide the details of the mapping of program costs to rate class groups, as well as the allocation of administration and other common costs to rate class groups. West Penn should explain why the SC&I rate class group is being assigned an increase in common costs that is disproportionate to the increase in program costs.
3. West Penn should explain why its actual expenses for the SC&I rate class group in 2009 and 2010 are considerably higher than those in the approved plan. In addition, West Penn should provide sufficient detail to demonstrate that these costs were prudently incurred for cost-effective programs.
4. West Penn should provide a thorough justification for the SC&I rate class group HVAC maintenance program, in light of the reported TRC benefit/cost ratio of 0.5.

5. West Penn should clarify the incentive payments anticipated for SC&I customers within the expanded lighting program, notably for CFLs and power strips.
6. West Penn should clarify how it intends to get additional SC&I participation in the Custom Technology Adoption program, or whether the costs associated with expanded government customer participation are being mis-assigned to SC&I customers.
7. West Penn should clarify what changes are proposed for the TOU/Critical Peak Pricing program, focusing particularly on the reason for the significant decline in cost-effectiveness.
8. West Penn should provide the details showing how the costs allocated to rate class groups are translated into tariff charges by rate class.

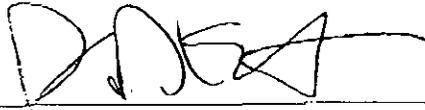
Attachment A															
Comparison of West Penn EE&C Program Costs, Approved versus Amended Plans															
Total EE&C Program Costs Allocated to Rate Class Groups (Blackline 2010 Filing, Table 3, page 39)															
	Approved Plan					2010 Proposed Plan					Percent Differences				
	2009	2010	2011	2012	Total	2009	2010	2011	2012	Total	2009	2010	2011	2012	Total
Residential	3,954,548	9,879,822	13,420,241	13,099,688	40,354,299	4,395,221	7,956,544	10,907,426	10,863,172	34,122,363	11.1%	-19.5%	-18.7%	-17.1%	-15.4%
Residential Low Income	998,929	5,028,741	3,439,779	4,068,896	13,536,345	863,140	4,448,924	3,094,332	3,818,525	12,224,921	-13.6%	-11.5%	-10.0%	-6.2%	-9.7%
Small Commercial/Industrial	1,599,326	5,164,382	7,441,254	5,215,874	19,420,836	3,566,415	6,045,921	8,141,338	7,916,916	25,670,590	123.0%	17.1%	9.4%	51.8%	32.2%
Large Commercial/Industrial	1,324,773	2,957,013	4,555,696	6,515,127	15,352,609	1,980,060	3,376,527	4,876,903	6,937,324	17,170,814	49.5%	14.2%	7.1%	6.5%	11.8%
Government/Non-Profit	433,350	2,376,353	1,612,518	1,150,206	5,572,427	700,215	2,482,028	1,176,062	702,999	5,061,304	61.6%	4.4%	-27.1%	-38.9%	-9.2%
Total	8,310,926	25,406,311	30,469,488	30,049,791	94,236,516	11,505,051	24,309,944	28,196,061	30,238,936	94,249,992	38.4%	-4.3%	-7.5%	0.6%	0.0%
EE&C Program Savings and Costs for Small Commercial & Industrial Customers															
	Approved Plan				2010 Proposed Plan				Percent Differences						
	Lifetime MWh Savings	Net Peak Demand Savings kW	Portfolio Specific Costs	Common Costs	Lifetime MWh Savings	Net Peak Demand Savings kW	Portfolio Specific Costs	Common Costs	Lifetime MWh Savings	Net Peak Demand Savings kW	Portfolio Specific Costs	Common Costs			
Commercial HVAC Eff.	60,246	2,522	928,884		25,655	3,834	172,669		-57.4%	52.0%	-81.4%				
Commercial Lighting	3,047,224	42,701	10,834,735		3,600,585	51,591	11,891,042		18.2%	20.8%	9.7%				
Custom Tech. Applic.	127,876	2,235	3,219,003		298,645	3,479	5,575,646		133.5%	55.7%	73.2%				
TOU w Critical Peak Pricing	7,638	2,856	-		6,579	7,445	199,713		-13.9%	160.7%					
Hourly Pricing Option	1,348	504	-						-100.0%	-100.0%					
	3,244,332	50,818	14,982,622	4,438,213	3,931,464	66,349	17,839,070	7,831,520	21.2%	30.6%	19.1%	76.5%			
			Total ==>	19,420,835			Total ==>	25,670,590			Total ==>	32.2%			

VERIFICATION

Reference: Memo to OSBA with attachment, Docket No. M-2009-2093218;
West Penn Power Amended EE&C Plan

I, Robert D. Knecht, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities).

Date: September 29, 2010



RECEIVED
2010 SEP 30 PM 3:16
PA PUC
SECRETARY'S BUREAU

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of West Penn Power Company :
d/b/a Allegheny Power for Approval of :
its Energy Efficiency and Conservation :
Plan, Approval of Recovery of Costs :
Through a Reconcilable Adjustment : **Docket No. M-2009-2093218**
Clause and Approval of Matters Relating :
to the Energy Efficiency and Conservation :
Plan :

CERTIFICATE OF SERVICE

I certify that I am serving two copies of the Answer, on behalf of the Office of Small Business Advocate, by e-mail and first-class mail (unless otherwise noted) upon the persons addressed below:

Hon. Katrina Dunderdale
Administrative Law Judge
Pa. Public Utility Commission
300 Liberty Avenue - #1103
Pittsburgh, PA 15222
(412) 565-3550
(412) 565-5692 (fax)
kdunderdal@state.pa.us

Christy M. Appleby, Esquire
Tanya J. McCloskey, Esquire
Office of Consumer Advocate
555 Walnut Street - 5th Floor
Harrisburg, PA 17101-1923
(717) 783-5048
(717) 783-7152 (fax)
cappleby@paoca.org
tmccloskey@paoca.org
(E-mail and Hand Delivery)

Robert F. Young, Esquire
Law Bureau
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105
(717) 787-5000
(717) 783-3458 (fax)
rfyoung@state.pa.us
(E-mail and Hand Delivery)

Richard A. Kanaskie, Esquire
Adeolu A. Bakare, Esquire
Office of Trial Staff
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265
(717) 787-1976
(717) 772-2677
rkanaskie@state.pa.us
abakare@state.pa.us
(E-mail and Hand Delivery)

Jonathan P. Nase, Esquire
Kathryn G. Sophy, Esquire
Office of Special Assistants
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105
(717) 787-1827
(717) 783-6234 (fax)
jnase@state.pa.us
ksophy@state.pa.us
(E-mail and Hand Delivery)

RECEIVED
2010 SEP 30 PM 3:16
SECRETARY'S BUREAU

Pamela C. Polacek, Esquire
Susan E. Bruce, Esquire
Shelby A. Linton-Keddie, Esquire
McNees Wallace & Nurick, LLC
P. O. Box 1166
Harrisburg, PA 17108-1166
(717) 232-8000
(717) 237-5300 (fax)
ppolacek@mwn.com
sbruce@mwn.com
skeddie@mwn.com

Lillian S. Harris, Esquire
Thomas J. Sniscak, Esquire
Hawke McKeon & Sniscak, LLP
P. O. Box 1778
100 North Tenth Street
Harrisburg, PA 17101
(717) 236-1300
(717) 236-4841 (fax)
lharris@hmslegal.com
tjsniscak@hmslegal.com

Mark C. Morrow, Esquire
UGI Utilities, Inc.
460 North Gulph Road
King of Prussia, PA 19406
morrowm@ugicorp.com

Theodore J. Gallagher
Senior Counsel
NiSource Corporate Services Company
501 Technology Drive
Canonsburg, PA 15317
(724) 416-6355
(724) 416-6384 (fax)
tjgallagher@nisource.com

John F. Povilaitis, Esquire
Ryan, Russell, Ogden & Seltzer
800 North Third Street, Suite 101
Harrisburg, PA 17102-2025
jpovilaitis@ryanrussell.com

Paul Diskin
Bureau of Fixed Utility Services
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105
(717) 214-5558
(717) 787-4750 (fax)
pdiskin@state.pa.us
(E-mail and Hand Delivery)

Wayne Williams
Bureau of Conservation, Economics, and
Energy Planning
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105
(717) 787-2139
(717) 787-2545 (fax)
waywilliam@state.pa.us
(E-mail and Hand Delivery)

John L. Munsch, Esquire
Allegheny Energy
800 Cabin Hill Drive
Greensburg, PA 15601
(724) 838-6210
(724) 830-7737 (fax)
jmunsch@alleghenyenergy.com

Kurt E. Klapkowski, Esquire
Department of Environmental Protection
400 Market Street - 9th Floor
Harrisburg, PA 17101-2301
(717) 787-7060
(717) 783-7911 (fax)
kklapkovsk@state.pa.us

Daniel Clearfield, Esquire
Kevin J. Moody, Esquire
Eckert Seamans Cerin & Mellot, LLC
213 Market Street, 8th Floor
P.O. Box 1248
Harrisburg, PA 17108-1248
(717) 237-7160
(717) 237-6019 (fax)
dclearfield@eckertseamans.com
kmoody@eckertseamans.com

Thomas T. Niesen, Esquire
Charles E. Thomas, Jr., Esquire
Thomas Long Niesen & Kennard
P.O. Box 9500
212 Locust Street, Suite 500
Harrisburg, PA 17108-9500
(717) 255- 7615
(717) 236-8278 (fax)
tniesen@titanlaw.com
cthomasjr@titanlaw.com

Christopher A. Lewis, Esquire
Christopher R. Sharp, Esquire
Blank Rome, LLP
One Logan Square
Philadelphia, PA 19103-6998
(215) 569-5793
(215) 832-5739
lewis@blankrome.com
sharp@blankrome.com

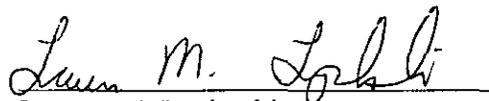
Lee Hartz, Esquire
Assistant General Counsel
National Fuel Gas Distribution Corp.
P.O. Box 2081
Erie, PA 16512
(814) 871-8060
hartzl@natfuel.com

Scott H. DeBroff, Esquire
Rhoads & Sinon LLP
One South Market Square, 12th Floor
P.O. Box 1146
Harrisburg, PA 17108-1146
(717) 237-6716
(717) 231-6626
sdebroy@rhoads-sinon.com

Carolyn Pengidore
President/CEO
ClearChoice Energy
180 Fort Couch Road, Suite 265
Pittsburgh, PA 15241
(724) 825-5391
carolyn@clearchoice-energy.com

Harry S. Geller, Esquire
John C. Gerhard, Esquire
Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101-1414
(717) 232-2719
hgellerpulp@palegalaid.net
jgerhardpulp@palegalaid.net

Date: September 30, 2010


Lauren M. Lepkoski
Assistant Small Business Advocate
Attorney ID No. 94800