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December 19, 2011

**VIA ELECTRONIC FILING AND HAND DELIVERY**

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

RE: Joint Petition of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania for Power Company and West Penn Power Company For Approval of their Default Service Programs; Docket Nos. P-2011-2273650, P-2011-2273668, P-2011-2273669, P-2011-2273670; **PREHEARING CONFERENCE MEMORANDUM OF DOMINION RETAIL, INC d/b/a DOMINION ENERGY SOLUTIONS**

Dear Secretary Chiavetta:

Enclosed for filing with the Commission are the original and three (3) copies of the Prehearing Conference Memorandum of Dominion Retail, Inc. d/b/a Dominion Energy Solutions in the above-captioned docket. Copies of this Memorandum have been served in accordance with the attached Certificate of Service.

Thank you for your attention to this matter. If you have any questions related to this filing, please contact the undersigned.

Very truly yours,

Todd S. Stewart

*Counsel for Dominion Retail, Inc.*

cc: Presiding Administrative Law Judge Elizabeth H. Barnes.

TSS/alh  
Enclosures

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in the manner indicated below, and in accordance with the requirements of 52 P.A. Code §1.54 (relating to service by a party).

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RADNOR PA 19087

COMPERIO ENERGY LLC D/B/A  
CLEARCHOICE ENERGY  
1500 OXFORD DRIVE  
SUITE 210  
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46 MUNROE ROAD  
LEXINGTON MA 02421

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BETHEL PARK PA 15102

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MANAGEMENT LLC  
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5TH FLOOR  
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SUITE 520  
HOUSTON TX 77042-3227

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DBA SATORI ENERGY  
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SPARK ENERGY LP  
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550  
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206  
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HOUSTON TX 77079

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UNIVERSITY PARK PA 16802

GREG BASS DIRECTOR  
THE ROYAL BANK OF  
SCOTLAND PLC  
401 WEST A STREET  
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SAN DIEGO CA 92101

TECHNOLOGY RESOURCE  
SOLUTIONS INC D/B/A  
AETEC PO BOX 6121  
SCHENECTADY NY 12306

TES ENERGY SERVICES LP  
17480 DALLAS PARKWAY  
SUITE 200  
DALLAS TX 75287

STEVE WILSON CEO  
TEXZON UTILITIES LTD  
204 N I-35  
SUITE A  
RED OAK TX 75154

TFS ENERGY SOLUTIONS LLC D/B/A  
TRADITION ENERGY  
25 MALL ROAD  
SUITE 403  
BURLINGTON MA 01803

JOSEPH P COYLE JR  
PRESIDENT  
THE GALT COMPANY LLC  
1412 WALTER STREET  
SUITE 202  
BETHLEHEM PA 18015

MIKE STUMPO DIRECTOR  
THE LEGACY ENERGY GROUP LLC  
D/B/A LEGACY ENERGY  
32 WATERLOO STREET 3RD FLOOR  
WARRENTON VA 20186

THE LOYALTON GROUP  
1313 NORTH ATLANTIC STREET  
SUITE 5000  
SPOKANE WA 99201

JOHN TOBELMANN  
TOBELMANN ENERGY  
BROKERS INC  
5401 LISTER COURT  
CHESTER SPRINGS PA 19425

TOPCO ASSOCIATES D/BIA  
TOPSOURCE LLC  
350 GRANITE STREET  
THIRD FLOOR  
BRAINTREE MA 02184

TOTAL ENERGY RESOURCES LLC  
150 EAST BOCA RATON ROAD  
BOCA RATON FL 33432

TRIEAGLE ENERGY LLP  
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THE WOODLANDS TX 773931615

TOD SHERMAN PRESIDENT  
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SPECIALISTS INC  
12 ROYAL DRIVE  
LITITZ PA 17543

U S SUN ENERGY INC  
1599 270TH AVENUE M  
ORA MN 55051

USOURCE LLC  
6 LIBERTY LANE WEST  
HAMPTON NH 14437

UGI ENERGY SERVICES  
INC  
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SUITE 2C01  
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BOB H SCHIFF MANAGING  
PARTNER  
ULTIMATE ENERGY ADVISORS  
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UNIFIED ENERGY ALLIANCE LLC  
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US ENERGY PARTNERS LLC D/B/A  
PAETEC ENERGY MARKETS  
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UTILITIES ANALYSES INC  
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SUITE 103  
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UTILITIES RATES ANALYSTS  
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CAMP HILL PA 17011

THOMAS FITZGERALD PRESIDENT  
AND CEO  
VERDE ENERGY USA INC 101  
MERRITT 7  
3RD FLOOR  
NORWALK CT 06851

GERALDINE B. HAILES  
ADMINISTRATIVE ASSISTANT  
WASHINGTON GAS ENERGY  
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HERNDON VA 20171-4661

KEVIN SMITH PRESIDENT  
WINSTAR SOLUTIONS LLC  
6009 MENDOTA DRIVE  
PLANO TX 75024

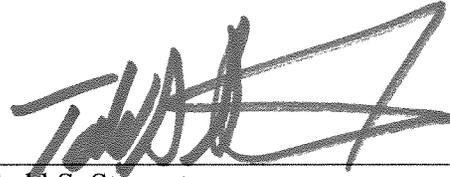
CAROLYN OLDENBURG  
ESQUIRE  
WORLD ENERGY SOLUTIONS  
INC  
446 MAIN STREET  
WORCESTER ME 01608

WORLEY & OBETZ INC  
85 WHITE OAK ROAD  
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ROBERT CROSS CEO XENCOM  
GREEN ENERGY LLC  
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SUITE 3000  
PLAWO TX 75074

JOHN BALSIS PRESIDENT  
YOUR CHOICE ENERGY LLC  
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DUNEDIN FL 34698

PROVIDENT ENERGY  
CONSULTING LLC  
107 CHELSEY DRIVE  
SUITE 2  
MEDIA PA 19063

A handwritten signature in black ink, appearing to read 'Todd S. Stewart', written over a horizontal line.

Todd S. Stewart

Dated this 19<sup>th</sup> day of December 2011

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Joint Petition of Metropolitan Edison Company,	:	
Pennsylvania Electric Company, Pennsylvania for	:	Docket Nos. P-2011-2273650
Power Company and West Penn Power Company	:	P-2011-2273668
For Approval of their Default Service	:	P-2011-2273669
Programs	:	P-2011-2273670

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**PREHEARING CONFERENCE MEMORANDUM  
OF DOMINION RETAIL, INC**

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**TO THE HONORABLE ADMINISTRATIVE LAW JUDGE ELIZABETH H. BARNES:**

AND NOW COMES, Dominion Retail, Inc. d/b/a Dominion Energy Solutions (“DES”), by and through its counsel, and hereby submits this Prehearing Conference Memorandum in the above captioned matter to presiding Administrative Law Judge Elizabeth H. Barnes (“ALJ”) in response to a Prehearing Conference Order dated November 30, 2011. An initial Prehearing Conference currently is scheduled to be held Thursday, December 22, 2011 at 10 AM. In anticipation of the Prehearing Conference, DES states and avers as follows:

**I. Brief Procedural History**

1. On November 17, 2011 Metropolitan Edison Company (“MetEd”), Pennsylvania Electric Company (“Penelec”), Pennsylvania Power Company (“Penn Power”), and West Penn Power Company (“West Penn”), (collectively “Joint Petitioners”), filed a Joint Petition for Approval of Their Default Service Implementation Plans at the above captioned dockets.

2. The Joint Petition was published in the *Pennsylvania Bulletin* on December 3, 2011, requiring that Answers or Protests to the Petition are due on December 19, 2011.

3. On December 19, 2011 DES filed a Petition to Intervene in the above captioned proceeding pursuant to the requirements of the notification posted in the *Pennsylvania Bulletin*.

4. The proposed default service plans include a number of programs that the Joint Petitioners aver will enhance competition in their respective service territories.

5. DES has substantial concerns about a number of the proposed programs and the specific portions thereof and has filed a Petition to Intervene in this matter in order to address those issues.

6. By Prehearing Conference Order dated November 30, 2011, this matter was assigned to Presiding Administrative Law Judge Elizabeth H. Barnes for adjudication and Prehearing Conference was scheduled for December 22, 2011.

## **II. Witness and Issues**

7. DES is presently evaluating witnesses for this proceeding and will notify Your Honor and the parties of that selection as soon as practicable.

8. It is expected that whomever DES calls as a witness will address DES' concerns with regard to the retail opt-in auction and referral programs proposed by FES as well as other aspects of FES' default service plan with which DES has substantial concerns. It is also expected that DES will support at least one aspect of the Joint Petitioner's plan, namely the Market Adjustment Rider.

9. DES reserves the right to address other issues appropriately raised both in direct testimony or in response to issues raised by other parties.

## **III. Discovery**

10. DES has not yet engaged in discovery in this matter but will endeavor to do so as expeditiously as possible and will cooperate with the other parties, to the extent necessary, to

amend the Commission's ordinary discovery rules to accommodate whatever litigation schedule is ultimately approved in this matter.

**IV. Scheduling**

11. DES will work the other parties to develop a schedule for the submission of written testimony and for in-person hearings that is acceptable to all parties and to Your Honor.

**V. Electronic Service Among Participants**

12. DES prefers that service among the parties be accomplished through electronic mail with hard copies to be served by first class mail on the same day. DES requests, however, that any discovery request or other document for which a response is required within a mandated time frame, and that is served after the 12:00 noon on a Friday or on a day before a Commission holiday, be treated as having been served on the following business day, and that all electronic service be accomplished prior to 5:00 PM.

**VI. Miscellaneous**

13. DES believes that it would be appropriate and efficient to consolidate the four dockets into a single case.

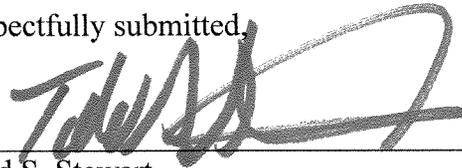
14. DES will endeavor to engage in settlement discussions with any or all parties to this proceeding and will do so in good faith with the expectation that settlements are possible in these matters.

15. DES believes that a factual record is necessary in this case in order to make the findings necessary for the Commission to approve the default service plans and therefore does not believe that it would possible to decide this case without having hearings.

16. DES believes that it would be appropriate given the potentially voluminous nature of the testimony exhibits in this matter for testimony to be provided in advance and in written form.

WHEREFORE, DES hereby submits this Prehearing Conference Memorandum for Your Honor's consideration at the scheduled prehearing conference.

Respectfully submitted,



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Todd S. Stewart  
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Facsimile: (717) 236-4841

*Counsel for Dominion Retail, Inc.*

DATED: December 19, 2011