

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**PREHEARING MEMORANDUM OF THE  
YORK COUNTY SOLID WASTE AND REFUSE AUTHORITY**

Pursuant to Rules 5.103, 1.15(a)(1) and 5.222 of the Rules of Administrative Practice and Procedure of the Pennsylvania Public Utility Commission, 52 Pa. Code §§ 5.222, and the Prehearing Conference Order entered by the Presiding Administrative Law Judge in these proceedings on November 30, 2011, the York County Solid Waste and Refuse Authority (“YCSWA”), by counsel, respectfully submits this Prehearing Memorandum in the matter captioned above.

**I. RESPONSE TO PREHEARING ORDER**

**A. MATTERS TO BE CONSIDERED (PREHEARING ORDER, ¶ 7)**

**7(a).** The YCSWA supports consolidation of the four dockets into one case. The YCSWA’s concerns herein rest primarily with the Default Service Plan of Metropolitan Edison Company; however, the YCSWA recognizes that the four dockets present common issues of fact and law that will most efficiently be resolved in a consolidated proceeding.

**7(b).** The YCSWA is willing to participate in settlement discussions with any or all parties either to narrow the issues to be presented at a hearing of these proceedings or to resolve all issues via a full settlement – subject to approval by the Commission.

**7(c).** At this time the YCSWA is unable to state a position on whether the issues can be resolved on legal briefs or by a hearing. The YCSWA will participate with all parties in reaching

such a decision after development of the facts and law of the case through review of testimony and discovery.

**7(d).** The YCSWA has reviewed the proposed Procedural Schedule included in the Companies' Joint Petition and will participate with all parties in an attempt to reach accord on a proposed schedule for presentation to the Presiding Administrative Law Judge for consideration and adoption, if approved.

**7(e).** The YCSWA will participate with all parties in an attempt to reach accord, as part of a proposed Procedural Schedule, in regard to dates of submission of written testimony of all types and of written requests for information.

**7(f)(i - iv).** The YCSWA will participate with all parties in an attempt to reach accord, as part of a proposed Procedural Schedule, in regard to a discovery plan - including dates for discovery, pre-hearing exchange and acceptance of exhibits to be offered at the hearing, prehearing resolution of admissions of fact, admissions of authenticity, stipulations, and such additional matters as may shorten any hearing of these proceedings.

In regard to limitation of witnesses (Prehearing Order, ¶ 7(f)(iii)), subject to discovery, at this time the YCSWA anticipates calling one witness:

Dave Vollero  
Executive Director  
York County Solid Waste and Refuse Authority  
2700 Blackbridge Road  
York, PA 17406  
Telephone: 717-845-1066

The YCSWA reserves the right to call no witness or other or additional witnesses subject to review of the Companies' Direct Testimony, other parties' testimony, discovery, and any issues raised herein by any party.

## II. CONCLUSION

For the reasons stated herein, the YCSWA respectfully prays that this Prehearing Memorandum be accepted for filing.

Date: December 19, 2011

Respectfully submitted,

  
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