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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION    DEC 20 2011**

**PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU**

**JOINT PETITION OF METROPOLITAN    :  
EDISON COMPANY, PENNSYLVANIA    : DOCKET NOS. P-2011-2273650  
ELECTRIC COMPANY, PENNSYLVANIA    : P-2011-2273668  
POWER COMPANY AND WEST PENN    : P-2011-2273669  
POWER COMPANY FOR APPROVAL OF    : P-2011-2273670  
THEIR DEFAULT SERVICE PROGRAMS    :**

**PREHEARING CONFERENCE MEMORANDUM OF  
METROPOLITAN EDISON COMPANY, PENNSYLVANIA ELECTRIC COMPANY,  
PENNSYLVANIA POWER COMPANY AND WEST PENN POWER COMPANY**

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**INTRODUCTION**

Pursuant to the November 30, 2011 Prehearing Conference Order issued by Administrative Law Judge Elizabeth H. Barnes (the "ALJ") and the Pennsylvania Public Utility Commission's ("Commission") regulations at 52 Pa. Code § 5.222(d), Metropolitan Edison Company ("Met-Ed"), Pennsylvania Electric Company ("Penelec"), Pennsylvania Power Company ("Penn Power") and West Penn Power Company ("West Penn") (each individually a "Company" and collectively, the "Companies") hereby submit their Prehearing Conference Memorandum in the above-referenced proceeding.

**I. HISTORY OF THE PROCEEDING**

On November 17, 2011, the Companies filed the above-captioned joint petition (the "Petition") requesting that the Commission approve their Default Service Programs (the "Program(s)"), which are designed to ensure that default service customers have access to an adequate and reliable supply of generation at the least cost over time. The Companies currently

provide default service pursuant to Commission-approved default service plans that will expire on May 31, 2013.<sup>1</sup>

The Petition requests that the Commission approve the proposed Programs, including the Companies' procurement plans, contingency plans, rate design changes and tariffs, and certain retail market enhancements, for default supply service for the period beginning June 1, 2013 through May 31, 2015. The Companies also request that the Commission specifically find, pursuant to 66 Pa.C.S. § 2807(e)(3.7), that: (1) the Programs include prudent steps necessary to negotiate favorable generation supply contracts; (2) the Programs include prudent steps necessary to obtain least cost generation supply on a long-term, short-term and spot market basis; and (3) neither the Companies nor their affiliates have withheld from the market any generation supply in a manner that violates federal law.

The Petition was served on the Office of Consumer Advocate ("OCA"), the Office of Small Business Advocate ("OSBA"), the Commission's Bureau of Investigation and Enforcement ("I&E"), PJM Interconnection, LLC, and all electric generation suppliers ("EGSs") registered to provide service in the Companies' service territories. As of this date, the Company has been served with an Answer, Notice of Intervention and Notice of Appearance by OSBA; an Answer and Notice of Appearance by OCA; and Petitions to Intervene by: PECO Energy Company; Constellation NewEnergy, Inc. and Constellation Energy Commodities Group, Inc.; Exelon Generation Company, LLC and Exelon Energy Company; Washington Gas Energy Services, Inc.; Direct Energy Services, LLC; Dominion Retail, Inc.; Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania; Retail Energy Supply Association; York County Solid Waste and Refuse Authority; West Penn Power Industrial Intervenors; Met-Ed

<sup>1</sup> See Docket Nos. P-2009-2093053 and P-2009-2093054 (Met-Ed and Penelec) (Order entered November 6, 2009); Docket No. P-2010-21576862 (Penn Power) (Order entered October 21, 2010); Docket No. P-00072342 (West Penn) (Order entered July 25, 2008).

Industrial Energy Users Group, Penelec Industrial Customer Alliance and Penn Power Users Group; ARIPPA; and FirstEnergy Solutions Corp.

## II. STATEMENT OF ISSUES

The issue before the Commission is whether the Programs are in the public interest and are consistent with the Electricity Generation Customer Choice and Competition Act, 66 Pa.C.S. § 2801, *et seq.* (the “Competition Act”), as amended by Act 129 of 2008 (“Act 129”), the Commission’s default service regulations at 52 Pa. Code §§ 54.181-54.189 (“Regulations”), and the Commission’s Policy Statement on Default Service at 52 Pa. Code §§ 69.1801-1817 (“Policy Statement”). The principal components of the Programs are described below.

### A. Default Service Product and Procurement Class Design

The Companies have proposed three procurement classes: residential, commercial, and industrial and have requested a waiver, to the extent necessary, from Sections 54.187(h)-(j) of the Regulations in order to continue to use the proposed classes. While the default service product specifications are customized for each procurement class, the generation supply for all classes will consist of full service, load-following energy and energy-related products.

### B. Procurement Methodology and Contingency Plans

The Companies propose to procure their full-requirements default service products through simultaneous, multiple-round, descending-price clock auctions similar to those used, and being used, by Met-Ed, Penelec and Penn Power under their current default service plans. The Companies also propose that CRA International, Inc. d/b/a Charles River Associates (“CRA”) serve as the independent third-party evaluator for the Companies’ default supply procurements. Finally, the Companies propose contingency plans to cover supply deficiencies resulting from either a supplier default or the receipt of insufficient bids to fill its competitive solicitations.

### **C. AEPS Act Requirements**

The Companies propose to satisfy most of their requirements under the Alternative Energy Portfolio Standards (“AEPS”) Act, 73 P.S. §1648.1, *et seq.*, as part of the solicitation process to obtain generation supplies for default service. Winning suppliers will have to meet all “Tier I” and “Tier II” requirements in effect when the Supplier Master Agreements (“SMAs”) are executed, other than 40% of solar photovoltaic energy requirements, which the Companies will obtain. The Companies propose to conduct four separate requests for proposals (“RFPs”) to solicit bids to meet their solar requirements with The Brattle Group serving as the independent third-party evaluator for the solar RFP process. The RFPs will solicit bids to obtain a fixed number of solar photovoltaic alternative energy credits (“SPAECs”) over a ten-year period.

### **D. Rate Design and Tariff Changes**

The Companies propose to recover default service costs primarily through two default service riders. The Price to Compare Default Service Rate (“PTC”) Rider will recover the cost of providing default service to the residential and commercial classes, as defined in the Rider. The Companies propose to include a bypassable Market Adjustment Charge (“MAC”) of \$0.005 per kWh in the PTC Rider to reasonably compensate the Companies for the obligation and attendant risk of procuring electric power for customers who choose not to shop. The Hourly Pricing (“HP”) Default Service Rider will recover the cost of providing default service to industrial customers, and to commercial customers with smart metering technology that elect, on a voluntary basis, to take default service under the HP Default Service Rider. The PTC and HP Riders will recover the cost of energy, capacity, transmission and ancillary service, excluding Network Integration Transmission Service, Regional Transmission Expansion Plan and any Transmission Expansion charges. The Companies propose to recover these costs from customers

in a competitively-neutral manner through non-bypassable Default Service Support (“DSS”) Riders.

The Companies also propose to recover the costs of procuring SPAECs through a non-bypassable Solar Photovoltaic Requirements Charge Rider (“SPVRC Rider”) applicable to all rate schedules. In addition, Met-Ed, Penelec, and Penn Power propose to assess, effective June 1, 2013, a carrying cost for banked SPAECs and to recover that cost under their SPVRC Rider.

Penn Power and West Penn propose to adopt a new Residential Time-of-Use (“TOU”) Default Service Rider that will authorize those companies to “bid out” TOU service to an EGS. The Rider will be available to residential customers that have been provided a smart meter pursuant to Penn Power’s and West Penn’s approved Smart Meter Plans<sup>2</sup> and that have affirmatively elected TOU service. The TOU service auction process will be overseen by The Brattle Group and the auction results must be approved by the Commission. The cost of the auction and customer information materials will be recovered from residential customers under the Company’s DSS Rider, as a retail market enhancement.

In order to implement these rate design proposals, West Penn is proposing a variety of tariff changes, including new definitions, the addition of new riders, and the movement of charges to new locations in West Penn’s tariff to make West Penn’s default service tariff provisions similar to those of Met-Ed, Penelec and Penn Power. Tariff changes for Met-Ed, Penelec and Penn Power primarily relate to their existing PTC, HP Default Service, DSS and SPVRC Riders.

<sup>2</sup> See Docket No. M-2009-2123950 (Met-Ed, Penn Power and Penelec) (Order entered June 9, 2010); Docket No. M-2009-2123951 (West Penn) (Order entered on May 3, 2011).

### **E. Retail Opt-In Auction**

Each Company proposes to conduct a descending clock auction for a twenty-four month *retail service rate from EGSs beginning June 2013 that is priced as a “percent-off” the price-to-compare for that Company (“opt-in service”)*. Opt-in auctions would occur after the second scheduled default service procurement auctions (in January 2013), but no later than March 2013, to allow potential bidders to make reasonable estimates of the Companies’ average price to compare over the twenty-four month period. The auctions for each Company will occur on the same day and auction winners will be determined by the highest percentage off of the price-to-compare.

The auction process will be overseen by CRA, and the Commission will approve auction results. The cost of the auction, costs incurred to form the aggregation, and the costs associated with the development and distribution of customer information materials will be recovered from residential customers via the Company’s DSS Rider, as a retail market enhancement.

### **F. Customer Referral Program**

Each Company also proposes to implement a Customer Referral Program for non-shopping residential class customers that either: (a) call a Company with a new mover request; (b) call a Company with a high bill complaint; or (c) inquire about customer choice. Interested customers will be transferred to the Customer Referral Plan implementation team, which will explain: (a) customer choice; (b) that numerous offers are available at PaPowerSwitch.com; and (c) that the Company has information about the current lowest prices for a twelve-month fixed-price offering and a twenty-four month fixed-price offering, which are obtained weekly through an open bidding process. A customer that expresses interest in either the twelve-month fixed-price offering or the twenty-four month fixed-price offering will be transferred to the EGS that

made such offer so that the customer may be enrolled by the EGS. The cost of the Customer Referral Plan, including the cost of the Customer Referral Plan implementation team, will be recovered from residential customers via each Company's DSS Rider, as a retail market enhancement.

### **G. Affiliate Relations**

The Companies request that the Commission approve the *pro forma* SMAs and the EGS agreements associated with the opt-in auction, TOU offering, and Customer Referral Program (submitted along with the Companies' direct testimony) as affiliated interest agreements as required under 66 Pa.C.S. §§2102 and 2807(e)(3.1). The Regulations and Policy Statement permit affiliates of default service suppliers to participate in competitive procurements. Because the Companies' affiliate, FirstEnergy Solutions Corp., may participate in the proposed procurements, advance approval of the *pro forma* SMAs and EGS agreements as affiliated interest agreements is appropriate.

### **III. WITNESSES**

On December 20, 2011, the Companies will submit direct testimony to be sponsored by the witnesses identified below. The Companies may present additional witnesses to address the direct testimony of other parties; however, such witnesses cannot be identified until the direct testimony of such parties is reviewed and evaluated.

- **Richard A. D'Angelo** is employed by FirstEnergy Service Company as Manager of Rates and Regulatory Affairs for Pennsylvania. In Met-Ed/Penelec/Penn Power/West Penn Statement No. 1, Mr. D'Angelo summarizes the Programs and discusses the role of PJM, provisions for customer notice, cost recovery and reconciliation, the opt-in auction, the Customer Referral Program, the Company's fulfillment of commitments from the Settlement of the Allegheny/FirstEnergy

merger proceeding at Docket Nos. A-2010-2176520 and A-2010-2176732, and the Commission's investigation of Pennsylvania's Retail Electricity Market at Docket No. I-2011-2237952.

- **Raymond E. Valdes** is employed by Allegheny Energy Service Corporation as Advisor for Rates and Regulatory Affairs for Pennsylvania. In Met-Ed/Penelec/Penn Power/West Penn Statement No. 2, Mr. Valdes provides testimony concerning rate class and design, tariff riders, TOU and real-time rates, reconciliation, and other proposed tariff changes.
- **Richard L. Schreader** is employed by FirstEnergy as a Manager of Regulated Commodity Sourcing. In Met-Ed/Penelec/Penn Power/West Penn Statement No. 3, Mr. Schreader provides testimony concerning the Default Service SMAs and the Solar Photovoltaic Alternative Energy Credit Purchase and Sale Agreement.
- **Dean W. Stathis** is employed by FirstEnergy Service Company as Director of Regulated Commodity Sourcing. In Met-Ed/Penelec/Penn Power/West Penn Statement No. 4, Mr. Stathis provides testimony concerning the Companies' default service product definitions, procurement plan and schedule, compliance with the AEPS Act, and contingency plans.
- **Dr. Bradley A. Miller** is a Vice President at CRA and head of CRA's Auctions & Competitive Bidding consulting practice. In Met-Ed/Penelec/Penn Power/West Penn Statement No. 5, Dr. Miller provides testimony concerning the role of the Independent Evaluator in the proposed default service procurements and retail opt-in auction, bidder interface/communication, bidder qualification, bid submission/evaluation, confidentiality, and the reporting of procurement results to

the Commission.

- **James D. Reitzes** is a Principal of The Brattle Group. In Met-Ed/Penelec/Penn Power/West Penn Statement No. 6, Mr. Reitzes discusses the Companies' proposed procurement of full-requirements service for default service customers and the addition of a MAC to the PTC. Mr. Reitzes also describes the proposed competitive solar procurement process, the outsourcing of retail generation supply for TOU customers, the retail opt-in auction, the Customer Referral Program, and the role of The Brattle Group as Independent Evaluator of the solar procurement and TOU outsourcing.
- **Charles V. Fullem** is employed by FirstEnergy Service Company as Director of Rates and Regulatory Affairs for Pennsylvania. In Met-Ed/Penelec/Penn Power/West Penn Statement No. 7, Mr. Fullem discusses the status of retail competition, the removal of certain non-market based services from the PTC, addition of a MAC to the PTC, TOU rates, the retail opt-in auction, and the Customer Referral Program.

#### **IV. TOPICS IDENTIFIED IN THE PREHEARING CONFERENCE ORDER**

##### **A. Consolidation**

The Companies believe that the four dockets assigned to this matter should be consolidated pursuant to 52 Pa. Code § 5.81 because the proceedings involve common questions of law and fact. The Companies will be filing, concurrent with the Prehearing Conference Memorandum, a Motion to Consolidate these proceedings.

##### **B. Settlement**

The Companies are willing to pursue with the parties the possible stipulation of

individual issues and/or more far-ranging settlement discussions that might lead to a comprehensive resolution of this matter

**C.-F. Hearings, Submission of Testimony, Discovery And Other Scheduling Matters**

The Companies will cooperate with the ALJ and other parties in order to facilitate the orderly conduct and disposition of this proceeding. In their Petition, the Companies proposed a schedule for the proceeding which is reproduced below. As noted, the Companies anticipate that hearings may be required and have suggested dates for the advanced submission of testimony in writing (other than oral rejoinder). The Companies are willing to discuss alterations to their proposed schedule to the extent the alterations allow for a final Commission Order by August 17, 2012. In addition, the Companies propose that the ALJ issue a protective order in the form attached hereto as Appendix A.

Companies' Direct Testimony	December 20, 2011
Pre-Hearing Conference	December 22, 2011
Other Parties' Direct Testimony	January 27, 2012
Rebuttal Testimony	February 24, 2012
Surrebuttal Testimony	March 16, 2012
Oral Rejoinder and Hearings	March 21-22, 2012
Main Briefs	April 13, 2012
Reply Briefs	April 27, 2012
Recommended Decision	May 29, 2012
Exceptions	June 18, 2012
Reply Exceptions	June 28, 2012
Commission Order	August 17, 2012

## CONCLUSION

**WHEREFORE**, the Companies respectfully submit this Prehearing Conference Memorandum.

Respectfully submitted,



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*Counsel for Metropolitan Edison Company,  
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Power Company and West Penn Power Company*

Dated: December 20, 2011

**APPENDIX A**

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<b>THEIR DEFAULT SERVICE PROGRAMS</b>	<b>:</b>	

**PROTECTIVE ORDER**

IT IS HEREBY ORDERED THAT:

1. This Protective Order is granted with respect to all materials identified in Ordering Paragraph Nos. 2 and 3, below, which are filed with the Commission, produced in *discovery or otherwise presented during this proceeding*. All persons now, and hereafter, granted access to the information identified in Ordering Paragraph Nos. 2 and 3 shall use and disclose such information only in accordance with this Order.

2. The information subject to this Order includes all correspondence, documents, data, studies, methodologies, and all other materials or information that any party or an affiliate of any party (“the producing party”) furnishes in this proceeding pursuant to filing, discovery or evidentiary procedures, or otherwise may provide as a courtesy to other active parties in this proceeding, which are claimed to be of a security-sensitive, proprietary or other confidential nature and which are designated “CONFIDENTIAL INFORMATION” or “HIGHLY CONFIDENTIAL INFORMATION”. Such materials are referred to in this Order as “Proprietary Information.”

3. For purposes of this Protective Order there are two categories of Proprietary Information: “CONFIDENTIAL INFORMATION” and “HIGHLY CONFIDENTIAL INFORMATION.” A producing party may designate as “CONFIDENTIAL INFORMATION” materials concerning electric service facilities, inspection or maintenance practices or policies that may be security-sensitive, proprietary or otherwise confidential, and any other information that is either specified as confidential by its terms or pertains to business practices, operations or financial matters that are commercially sensitive or that is ordinarily considered and treated as confidential by the producing party. A producing party may designate as “HIGHLY CONFIDENTIAL INFORMATION” *those materials that the producing party deems to be of such a commercially sensitive nature, relative to the business interests of itself or other parties to this proceeding, or of such a private or personal nature, that the producing party determined that a heightened level of confidential protection with respect to those materials is appropriate. The parties shall endeavor to limit the information designated as “HIGHLY CONFIDENTIAL INFORMATION.”*

4. Confidential Information shall be disclosed solely to the Commission, its Staff, counsel to the parties in this proceeding, parties’ employees, officers and members (as applicable) who are directly responsible for reviewing, preparing or presenting evidence, cross-examination or argument in this proceeding and outside expert consultants retained by the parties’ counsel for this proceeding. Confidential Information shall be specifically marked “CONFIDENTIAL INFORMATION.”<sup>44</sup>

5. Highly Confidential Information shall be provided solely to other parties’ counsel. Such highly sensitive information may be copied only for the limited purpose of review by a party’s expert or consultant in this case. Such specific prohibition from copying such Highly

Confidential Information shall be clearly designated on the face of the information. In such cases, the producing party shall permit other parties' counsel to take custody of such Highly Confidential Information, provided that it shall not be copied, except as provided for in this Ordering Paragraph, and shall be returned or destroyed as provided for in Ordering Paragraph No. 11, below. The producing party may designate certain Highly Confidential Information that, absent the express agreement of the producing party, may not be viewed by the employees of an inspecting party who are involved in competitive activities or by employees of an outside expert or consultant that provide services to any person or entity involved in such competitive activities. Further, in accordance with the provisions of Sections 5.362 and 5.431(e) of the Commission's Rules of Practice and Procedure (52 Pa. Code §§ 5.362, 5.431(e)) and Sections 2209(f)(3) and 2811(c)(3) of the Public Utility Code (66 Pa.C.S. §§ 2209(f)(3), 2811(c)(3)), any party may, by objection or motion, seek further protection with respect to Highly Confidential Information, including, but not limited to, total prohibition of disclosure or limitation of disclosure only to particular parties. Highly Confidential Information shall be specifically marked "HIGHLY CONFIDENTIAL INFORMATION – DO NOT COPY OR DISTRIBUTE EXCEPT IN ACCORDANCE WITH PROTECTIVE ORDER."

6. Proprietary Information shall be made available to the Commission and its Staff for use in this and any related proceeding and for all internal Commission analyses, studies or investigations related to the same. For purposes of filing, to the extent that Proprietary Information is placed in the Commission's report folders, testimony folders or other document folders, such information shall be separately bound, conspicuously marked, and accompanied by a copy of this Order. The Proprietary Information shall be considered and treated as "confidential proprietary information" as defined in The Pennsylvania Right-to-Know Act, 65

P.S. § 67.101, *et seq.* Public inspection of the Proprietary Information shall be permitted only in accordance with this Protective Order.

7. Proprietary Information shall be made available only as permitted by this Order and only for purposes of reviewing, preparing or presenting evidence, cross-examination or argument in this proceeding. No counsel, expert, employee, officer or member (as applicable) will be afforded access to Proprietary Information until a signed acknowledgement of this Protective Order in the form attached to this Order, from each such individual, has been returned to the producing party. No other persons may have access to the Proprietary Information, except as specifically authorized by further order of the Commission or the Administrative Law Judge. No person may be entitled to receive, or if afforded access to any Proprietary Information shall possess, use or disclose Proprietary Information for the purpose of business or competition or any purpose other than the preparation for, and conduct of, this proceeding or any administrative or judicial review thereof.

8. The producing parties shall designate data or documents as constituting or containing Confidential Information or Highly Confidential Information by affixing an appropriate stamp or typewritten designation on all such data or documents. Where only part of a compilation or multi-page document constitutes or contains Confidential Information or Highly Confidential Information, the producing party shall designate only the specific data or pages of documents which constitute or contain Confidential Information or Highly Confidential Information. Upon request from another party, the producing party shall produce a redacted (public) version of any such partially confidential compilation or multi-page document within a reasonable period of time.

9. Any public reference to Proprietary Information by the Commission or by counsel or persons afforded access thereto shall be to the title or exhibit reference in sufficient detail to permit persons with access to the Proprietary Information to understand the reference fully and not more. Proprietary Information shall remain a part of the record, to the extent admitted, for all purposes of administrative or judicial review. Part of any record of this proceeding containing Proprietary Information, including but not limited to all exhibits, writings, direct testimony, cross-examination, argument, and responses to discovery, and including reference thereto as mentioned in the above Ordering Paragraphs, shall be sealed for all purposes, including administrative and judicial review, unless such Proprietary Information is released from the restrictions of this Order, either through the agreement of the parties or pursuant to a further order of the Administrative Law Judge or the Commission.

10. The parties affected by the terms of this Order shall retain the right to question or challenge the confidential nature of the Proprietary Information; to question or challenge the admissibility of Proprietary Information; to refuse or object to the production of Proprietary Information on any proper ground, including but not limited to irrelevance, immateriality, or undue burden; and to seek additional measures of protection of Proprietary Information beyond those provided in this Order. If a challenge is made to the designation of a document or information as Proprietary Information, the party claiming that the information is proprietary or otherwise confidential retains the burden of demonstrating that the designation is necessary and appropriate.

11. Upon completion of this proceeding, including any administrative or judicial review, all copies of all documents and other materials, including notes, whether written or oral, which contain any Proprietary Information, shall be immediately returned to the party furnishing

such Proprietary Information or destroyed. This provision, however, shall not apply to the Commission or its Staff, the Office of Consumer Advocate, the Office of Small Business Advocate, or any other party receiving the consent of the producing party; except, however, that Highly Confidential Information provided to any party pursuant to Ordering Paragraph No. 5, above, shall be returned to the producing party or destroyed in all cases. In the event that a party elects to destroy all copies of documents and other materials containing Proprietary Information instead of returning the copies to the producing party, that party shall certify in writing to the producing party that all copies of the documents and other materials containing Proprietary Information have been destroyed.

Date: \_\_\_\_\_

\_\_\_\_\_  
Elizabeth H. Barnes  
Administrative Law Judge

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<b>THEIR DEFAULT SERVICE PROGRAMS</b>	<b>:</b>	

TO WHOM IT MAY CONCERN;

The undersigned is the expert, counsel, employee, member or officer of  
\_\_\_\_\_ (the retaining party).

The undersigned has read and understands the Protective Order issued in the above-captioned proceeding deals with the treatment of Proprietary Information. The undersigned agrees to be bound by, and comply with, the terms and conditions of said Order. The undersigned agrees that any Proprietary Information shall be used or disclosed only for purposes of preparation for, and conduct of the above-captioned proceeding, and any administrative or judicial review thereof, and shall not be disclosed or used for purposes of business or competition.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Address

Date: \_\_\_\_\_

\_\_\_\_\_  
Employer

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CERTIFICATE OF SERVICE

I hereby certify and affirm that I have this day served copies of: (1) Prehearing Memorandum; and (2) Motion for Consolidation of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company on the following persons in the matter specified in accordance with the requirements of 52 Pa. Code § 1.54:

**VIA OVERNIGHT DELIVERY**

Honorable Elizabeth H. Barnes  
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