**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PPL Electric Utilities Corporation :

For an Evidentiary Hearing on the Energy : P-2012-2320369

Efficiency Benchmarks Established for the Period :

June 1, 2013 through May 31, 2016 :

**PREHEARING CONFERENCE ORDER**

On August 3, 2012, the Commission entered an Implementation Order regarding the *Energy Efficiency and Conservation Program* at Docket Nos. M-2012-2289411 and M-2008-2069887. The Commission established energy efficiency (“EE”) (but not peak demand reduction (“PDR”)) benchmarks for the period June 1, 2013 through May 31, 2016 (“Phase II Period”). The Commission gave the electric distribution companies until August 20, 2012, within which time to accept the Commission’s proposed consumption reduction benchmarks, or to file a petition for an evidentiary hearing, otherwise the energy efficiency benchmarks would be deemed accepted. *Id.*

PECO Energy Company filed a Petition for an Evidentiary Hearing on August 20, 2012. The petition was assigned Docket No. P-2012-2320369. The petition for an evidentiary hearing was assigned to the Office of Administrative Law Judge with a certified record deadline of November 2, 2012. The matter was assigned to Administrative Law Judge Elizabeth H. Barnes.

In accordance with the provisions of 66 Pa. C.S. A. §333 and 52 Pa.Code §§ 5.221 – 5.223, an Initial Prehearing Conference has been scheduled in the above-captioned case.

THEREFORE,

IT IS ORDERED:

1. That an Initial Prehearing Conference shall be held at 1:00 p.m. on Monday, September 10, 2012, in Hearing Room #2, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA.
2. That absent a continuance for good cause, all parties must be prepared to participate in the scheduled prehearing conference. Failure of a party to participate in the conference, after being served with notice of the time thereof, without good case shown, shall constitute a waiver of all objections to the agreements reached and an order or ruling with respect thereto.
3. That all parties shall review the regulations relating to discovery, specifically 52 Pa. Code § 5.331(b), which provides, among other things, that “a party shall initiate discovery as early in the proceedings as reasonably possible,” and 52 Pa. Code § 5.322, which encourages parties to exchange information on an informal basis. All parties are urged to cooperate in discovery. There are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa. Code §§5.361, 5.371 – 5.372.
4. That pursuant to 52 Pa. Code §§1.21 – 1.23, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *pro hac vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *pro hac vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa.Code § 1.24(b).
5. That you must serve me directly with a copy of any document that you file in this proceeding. If you send me any correspondence or document, you must send a copy to all other parties. For your convenience, a copy of the Commission’s current service list of the parties to this proceeding is enclosed with this Order.
6. That the parties shall review the regulation pertaining to prehearing conferences, 52 Pa. Code § 5.222, and in particular, subsection (d) which provides, in part:

(d) Parties and counsel will be expected to attend the conference fully prepared for useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto.

1. That all of the following matters shall be considered at the prehearing conference:
2. Consolidation of the above-referenced docket numbers or coordination of the hearings.
3. Coordination of this case with other petitions for evidentiary hearing filed at Docket Nos. P-2012-2320334 (PECO); (2) P-2012-2320450 (Met-Ed); (3) P-2012-2320480 (Penn Power); (4) P-2012-2320484 (West Penn); and (5) P-2012-2320468 (Penelec).
4. Whether the hearings should be held separately, but back-to-back.
5. The possibility for settlement of the proceeding, subject to the Commission’s approval.

(e) Whether the matter should be decided upon legal briefs, or whether a hearing is necessary.

(f) If a hearing is required, a procedural schedule will be discussed including the amount of hearing time necessary to dispose of the proceeding.

(g) Arrangements for the submission of direct testimony of witnesses in writing in advance of the hearing to the extent practicable, and for the submission in advance of hearing of written requests for information which a party contemplates asking another party to present at hearing.

(h) Other matters that may aid in expediting the orderly conduct and disposition of the proceeding and the furtherance of justice, including, but not limited to the following:

 (i) The exchange and acceptance of exhibits proposed to be offered into evidence.

 (ii) The obtaining of admissions as to, or stipulations of, facts not remaining in dispute, or the authenticity of documents which might properly shorten the hearing.

 (iii) The limitation of the number of witnesses.

 (iv) Discovery rules modifications.

1. That on or before **Friday, September 7, 2012**, the parties shall serve the presiding officer and each other with a Prehearing Conference Memorandum addressing each of the subjects included in Paragraph 7 above.

Date: August 29, 2012

 Elizabeth H. Barnes

 Administrative Law Judge

**P-2012-2320334 Petition of PECO Energy Company**

**P-2012-2320369 Petition of PPL Electric Utilities Corporation**

STEVEN NADEL EXECUTIVE DIRECTORAMERICAN COUNCIL FOR AN ENERGY EFFICIENT ECONOMY529 14TH STREET NW SUITE 600WASHINGTON DC 20045SCOTT DEBROFF ESQUIRE

RHOADS & SINON LLPONE SOUTH MARKET SQUAREPO BOX 1146HARRISBURG PA 17101717-237-6716KATHY JO KOLICH ESQUIREFIRSTENERGY76 SOUTH MAIN STREETAKRON OH 44308330-384-4580MICHAEL BODAKENNATIONAL HOUSING TRUST1101 30TH STREET NW SUITE 400WASHINGTON DC 20007202-333-8931DAN DELUREY PRESIDENTASSOCIATION FOR DEMAND RESPONSE AND SMARTGRID

1301 CONNECTICUT AVENUE NW SUITE 350WASHINGTON DC 20036202-296-1686LAIN A CAMPBELLJOHNSON CONTROLS INC. & ENERGYCONNECT507 EAST MICHIGAN STREETMILWAUKEE WI 53201-0423414-524-4500JEFF BEITER MANAGING PARTNEREFINITY DG129 PENNSYLVANIA AVEWAYNE PA 19087610-688-6212BARRY A NAUM ESQUIRESPILMAN THOMAS & BATTLE PLLCSUITE 1011100 BENT CREEK BLVDMECHANICSBURG PA 17050(717) 795-2742THEODORE ROBINSON ESQUIRECITIZEN POWER2121 MURRAY AVENUEPITTSBURGH PA 15217412-421-7029CHERIE EICHHOLZ EXECUTIVE DIRECTORPHILADELPHIA PHYSICIANS FOR SOCIAL RESPONSIBILITY704 NORTH 23RD STREETPHILADELPHIA PA 19130215-765-8703RICHARD SWEETSER SR ANALYSTMIDATLANTIC CLEAN ENERGY APPLICAITON CENTER4747 S BROAD STREETPHILADELPHIA PA 19112215-218-7582JOSHUA CRAFT ESQUIRENORTHEAST ENERGY EFFICIENCY PARTNERSHIPS91 HARTWELL AVENUELEXINGTON MA 02421781-860-9177CHRISTOV CHURCHWARD PROJECT MANAGERACTION HOUSING INC925 SIXTH AVESUITE 950PITTSBURGH PA 15219412-281-2102TISHEKIA WILLIAMS ATTORNEYDUQUESNE LIGHT COMPANY411 SEVENTH AVENUE16TH FLOORPITTSBURGH PA 15219412-393-1541MARK C MARROWPO BOX 858ALLEY FORGE PA 19482SCOTT J SCHWARZ ESQUIRECITY OF PHILADELPHIA1515 ARCH STREET 16TH FLOORPHILADELPHIA PA 19102-1595215-683-5170LIZ ROBINSON PRES BOARD OF DIRECTORSKEYSTONE ENERGY EFFICIENCY ALLIANCE1924 ARCH STREETPHILADELPHIA PA 19131215-609-1033LINDA METROPULOS CONSULTANTACTION-HOUSING INC425 SIXTH AVENUE SUITE 950PITTSBURGH PA 15219412-281-2102 EXT 2032MIRIAM HORN DIRECTORENVIRONMENTAL DEFENSE FUND257 PARK AVENUE SOUTHNEW YORK NY 10010646-641-9316

MATTHEW J AGEN ESQUIREPOST & SCHELL PC607 14TH STREET NWWASHINGTON DC 20005-2006202-661-6952ROCCO PACE PRESIDENTDELAWARE VALLEY CHAPTER AIR CONDITIONING CONTRACTORS OF AMERICA994 OLD EAGLE SCHOOL RAODSUITE 1019WAYNE PA 19087-1866610.971.4850JACKSON MORRIS DIR GOVERNMENT AFFAIRSPACE ENERGY AND CLIMATE CENTER744 BROADWAYALBANY NY 12207914-539-1985STACY RICHARDSSEDA - COUNCIL OF GOVERNMENTS201 FURNACE ROADLEWISBURG PA 17837570-524-4491 EXT 231JOE OSBORNEGROUP AGAINST SMOG AND POLLUTION5135 PENN AVENUEPITTSBURGH PA 15224412-924-0604

ANTHONY GAY ESQUIRE

JACK GARFINKLE ESQUIRE

PECO ENERGY COMPANY

2301 MARKET STREETPHILADELPHIA PA 19103215-841-4635

CHARLES TEPPER COORDINATORMONROE COUNTY WEATHERIZATION PROGRAM145 WASHINGTON STREETEAST STROUDSBURG PA 18301570.424.5062DONNA M J CLARK VP AND GENERAL COUNSELENERGY ASSOCIATION OF PENNSYLVANIA800 NORTH THIRD STREET SUITE 205HARRISBURG PA 17102717-901-0600CRAIG R BURGRAFF ESQUIREHAWKE MCKEON & SNISCAK LLP O BOX 1778100 N TENTH STREETHARRISBURG PA 17105-1778717.236.1300LAWRENCE A SWANSON DEPUTY EXECUTIVE DIRACTION-HOUSING INCSUITE 950 925 SIXTH AVENUEPITTSBURGH PA 15219-1819PAMELA C POLACEK ESQUIRE

TERESA K SCHMITTBERGER ESQUIREMCNEES WALLACE & NURICK100 PINE STREETPO BOX 1166HARRISBURG PA 17108-1166717.237.5368LAWRENCE W PLITCH VPVEOLIA ENERGY2600 CHRISTIAN STREETPHILADELPHIA PA 19146

MARK SCHWARTZREGIONAL HOUSING LEGAL SERVICES2 S EASTON ROADGLENSIDE PA 19038215.572.7300LUIS G MARTINEZ ESQUIRENATURAL RESOURCES DEFENSE COUNCIL40 WEST 20TH STREETNEW YORK NY 10011212-727-4550CRAIG R BURGRAFF ATTORNEYHAWKE MCKEON & SNISCAK LLP100 NORTH TENTH STREETPO BOX 1778HARRISBURG PA 17105717.236.1300ALAN RHODETRI STATE LIGHT AND ENERGY2233 MANOR AVEUPPER DARBY PA 19082610-789-1900THERON COLBERTKVAR ENERGY SAVINGS INC741 ORANGE AVENUEDAYTON BEACH FL 32114386-767-0048

DERRICK PRICE WILLIAMSON ESQUIRESPILMAN THOMAS & BATTLE PLLC1100 BENT CREEK BOULEVARD SUITE 101MECHANICSBURG PA 17050(717) 795-2740ANGUS STEINSON304 WENDY DRIVEFAYETTEVILLE PA 17222

TIMOTHY J SEELAUS PRESIDENTEMC2 DEVELOPMENT COMPANY INC6011 UNIVERSITY BLVD SUITE 400ELLICOTT CITY MD 21043410-531-2480JON THOMSEN EXECUTIVE VPECOVA INC309 SW 6TH AVENUE #1000PORTLAND OR 97204JACK R GARFINKLE ESQUIREPECO ENERGY COMPANY2301 MARKET STREET/S23-1PO BOX 8699PHILADELPHIA PA 19101-8699215.841.4635JOSH MCNEIL EXECUTIVE DIRECTORENERNOCPO BOX 2125PHILADELPHIA PA 19147215-564-3350

ROBERT GRAFFDELAWARE VALLEY REGIONAL PLANNING COMMISSION190 N IDEPENDENCE MALL WEST8TH FLOORPHILADELPHIA PA 19106215-238-2826

JANET MILKMANDELAWARE VALLEY GREEN BUILDING COUNCILONE PENN CENTER1617 JFK BLVD SUITE 999PHILADELPHIA PA 19103215.399.5790

ANDREW S TUBBS ESQUIREPOST & SCHELL12TH FLOOR17 NORTH SECOND STREETHARRISBURG PA 17101-1601717-612-6057GEORGE JUGOVIC ESQUIRECITIZENS FOR PENNSYLVANIA'S FUTURE425 SIXTH AVENUESUITE 2770PITTSBURGH PA 15219412-258-6677DAVID MASUR DIRECTORPENNENVIRONMENT1420 WALNUT STREET SUITE 650PHILADELPHIA PA 19102215-732-5897ZACHARY MAX FABISH ESQUIRETHE SIERRA CLUB50 F STREET8TH FLOORWASHINGTON DC 20001202-675-7917ROGER E CLARK ESQUIRETHE REINVESTMENT FUND1700 MARKET STREET 19TH FLOORPHILADELPHIA PA 19103215-574-5814ALLEN M FREIFELDVIRIDITY ENERGY INC1801 MARKET STREETPHILADELPHIA PA 19103443-878-7155

WILLIAM KRAMERSIERRA CLUB425 M CRAIG STREET SUITE 202PITTSBURGH PA 15213412-802-6161

JOSEPH OTIS MINOTT EXECUTIVE DIRECTORCLEAN AIR COUNCIL135 S 19TH STREETSUITE 300PHILADELPHIA PA 19103215-567-4004MIKE ANTONELLI PRESIDENTNATIONAL ENERGY SOLUTIONS INC245 LOWER MORRISVILLE RDFALLSINGTON PA 19054215-295-0800HONORABLE CAMILLE GEORGEPENNSYLVANIA HOUSE OF REPRESENTATIVES38 B EAST WINGHARRISBURG PA 17120-2020THOMAS SCHUSTERSIERRA CLUBPO BOX 51WINDBER PA 15963814-467-2614RACHEL FILIPPINI EXECUTIVE DIRECTORGASP5135 PENN AVENUEPITTSBURGH PA 15224412-924-0604PAUL E RUSSELL ESQUIREPPL ELECTRIC UTILITIES CORPORATION2 NORTH NINTH STREETALLENTOWN PA 18101610-774-4254

THOMAS P GADSDEN ESQUIRE

KENNETH KULAK ESQUIRE

ANTHONY DeCAUSATIS ESQUIRE

BROOKE LEASCH ESQUIREMORGAN LEWIS AND BOCKIUS LLP1701 MARKET STREETPHILADELPHIA PA 19103215-963-5234JIM KAPSIS DIR OF REGULATORY AFFAIRSOPOWER1515 N COURTHOUSE RD8TH FLOORARLINGTON VA 22209571-384-1322MARK FENNELLUGI PERFORMANCE SOLUTIONS2975 ADVANCE LANECOLMAR PA 18515HARRY S GELLER EXECUTIVE DIRECTORPATRICK M CICERO ESQUIRE

BRYCE ROBERTSON

PA UTILITY LAW PROJECT118 LOCUST STREETHARRISBURG PA 17101717-232-2719

TANYA MCCLOSKEY ESQUIRE

DAVID EVRARD ESQUIRE

OFFICE OF CONSUMER ADVOCATE555 WALNUT STREET FIFTH FLOOR FORUM PLACEHARRISBURG PA 17101-1923717-783-5048

FRANK LACEYMATTHEW H SMITH

COMVERGE INC

511 SCHOOLHOUSE ROADSUITE 200KENNETT SQUARE PA 19348484-734-2206JAY DUFFY ESQUIRECLEAN AIR COUNCIL135 SOUTH 19TH STREET SUITE 300PHILADELPHIA PA 19103215-567-4004 EXT 109THU B TRAN ESQUIRE

ROBERT BALLENGER

JOSIE PICKENSCOMMUNITY LEGAL SERVICES INC1424 CHESTNUT STREETPHILADELPHIA PA 19102215-981-3777MARK F WAGNER VPJOHNSON CONTROLS INC507 EAST MICHIGAN STREETPO BOX 423MILWAUKEE WI 53202AARON BREIDENBAUGH DIR OF REGULATORY AFFAIRSENERNOC INC101 FEDERAL STREET SUITE 1100BOSTON MA 02110617-224-9918COURTNEY LANECITIZENS FOR PENNSYLVANIA'S FUTURE (PENNFUTURE)1500 WALNUT ST SUITE 502PHILADELPHIA PA 19102215-545-0484ALICIA R DUKE ESQUIRERHOADS & SINON LLPONE SOUTH MARKET SQUAREPO BOX 1146HARRISBURG PA 17108-1146DONALD CULBERTSONPO BOX 2247HARRISBURG PA 17105-2247JENNEDY S JOHNSON ESQUIREOFFICE OF CONSUMER ADVOCATE5TH FLOOR FORUM PLACE555 WALNUT STREETHARRISBURG PA 17101717-783-5048RACHEL BLAKE COORDINATORREGIONAL HOUSING LEGAL SERVICES2 S EASTON ROADGLENSIDE PA 19038215.572.7300MARIE PIENIAZEK CHIEF OPERATING OFFICERENERGY CURTAILMENT SPECIALISTS INC4455 GENESEE STBUFFALO NY 14225877-711-5453

SAM WOLFEVIRIDITY ENERGY INC1801 MARKET STREETPHILADELPHIA PA 19103609-785-1005MAGGIE MOLINA SR MANAGERTHE AMERICAN COUNCIL FOR AN ENERGY EFFICIENT ECONOMY529 14TH STREET NW SUITE 600WASHINGTON DC 20045TERESA K SCHMITTBERGER ESQUIREMCNEES WALLACE AND NURICK LLC100 PINE STREETPO BOX 1166HARRISBURG PA 17108717-237-5270

STEVE ETSLERAK STEEL9227 CENTRE POINTE DRIVEWEST CHESTER OH 45069513-425-2723

DAVID B MACGREGOR ESQUIREPOST & SCHELL PCFOUR PENN CENTER1600 JOHN F KENNEDY BOULEVARDPHILADELPHIA PA 19103-2808215-587-1197

TRI-STATE LIGHT & ENERGY

2233 MANOR AVENUE

UPPER DARBY PA 19082

MARK C MORROW ESQUIRE

CHIEF REGULATORY COUNSEL

UGI UTILITIES INC

460 NORTH GULPH ROAD

KING OF PRUSSIA PA 19406

WESTERN PA ACTION UNITED

5907 PENN AVENUE SUITE 300

PITTSBURG PA 15206

RONELL GUY

NORTHSIDE COALITION FOR FAIR HOUSING

PO BOX 100011

PITTSBURGH PA 15233

ALETHEA SIMMS

COALITION OF ORGANIZED RESIDENTS OF EAST LIBERTY

211 NORTH WHITFIELD STREET

SUITE 210

PITTSBURGH PA 15206

LA’TASHA D MAYES

NEW VOICES PENNSYLVANIA

WOMEN OF COLOR FOR REPRODUCTIVE JUSTICE

THE BEATTY BUILDING

5907 PENN AVENUE SUITE 340

PITTSBURGH PA 15206

KRISTIE WEILAND STAGNO

JUST HARVEST

A CENTERFOR ACTION AGAINST HUNGER

16 TERMINAL WAY

PITTSBURGH PA 15219

LINDSAY PATTERSON

PERSIDENT USW LOCAL 404

1505 W ALLEGHENY AVENUE

PHILADELPHIA PA 19140

ANTHONY M HELFER PRESIDENT

UFCW LOCAL 23

345 SOUTHPOINTE BOULEVARD

CANONSBURG PA 15317

KATI SIPP EXECUTIVE VICE PRESIDENT – POLITICS

SEIU HEALTHCARE PENNSYLVANIA

1500 NORTH 2ND STREET

HARRISBURG PA 17102

ABRAHAM AMOROS

LiUNA

4655 LINGLESTOWN ROAD SUITE D

HARRISBURG PA 17112-8544

SWATHMORE COOPERATIVE

341 DARTMOUTH AVENUE

SWATHMORE PA 19081

MARYELLEN DECKARD

ACTION UNITED

846 NORTH BROAD STREET

2ND FLOOR

PHILADELPHIA PA 19130

HOLLY RACHEL SMITH

HOLLY RACHEL SMITH PLLC

3803 RECTORTOWN ROAD

MARSHALL VA 20115

MIKE ANTONELLI

NATIONAL ENERGY SOLUTIONS INC

245 LOWER MORRISVILLE ROAD

FALLINGSTON PA 19054

DAVID EVANS

PENNSYLVANIA HOUSING FINANCE AGENCY

P O BOX 8029

HARRISBURG PA 17105-8029

SHAUN SPARKS ESQUIRE

PA PUBLIC UTILITY COMMISSION

BUREAU OF INVESTIGATION AND ENFORCEMENT

P O BOX 3265

HARRISBURG PA 17105-3265

SHARON WEBB ESQUIRE

OFFICE OF SMALL BUSINESS ADVOCATE

1102 COMMERCE BUILDING

300 NORTH SECOND STREET

HARRISBURG PA 17101

Kriss Brown Esquire

Law Bureau

PA Public Utility Commission

400 North Street, Third Floor

PO Box 3265

Harrisburg, PA 17105-3265

Charles Daniel Shields Esquire

Bi&E - PA Public Utility Commission

400 North Street, Second Floor West

PO Box 3265

Harrisburg, PA 17105-3265