**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Joint Petition of Metropolitan Edison Company :

Pennsylvania Electric Company, Pennsylvania : M-2013-2341990

Power Company, and West Penn Power Company : M-2013-2341991

for Approval of their Smart Meter Deployment : M-2013-2341993

Plan : M-2013-2341994

**SECOND SCHEDULING ORDER**

On March 19, 2014, Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company (the Companies) filed a Revised Smart Meter Deployment Plan that proposed a modification of a deployment schedule approved by the Commission on March 6, 2014 in the above-captioned matter. Supplemental Testimony of George Fitzpatrick and Laura Gifford have been filed.

On March 31, 2014, the Office of Consumer Advocate (OCA) filed Exceptions to the Companies’ filing. The Companies filed a Response to Exceptions on April 7, 2014 and by Secretarial Letter dated April 16, 2014, the Commission referred this matter to the Office of Administrative Law Judge for the development and certification of an evidentiary record by May 15, 2014. The Commission is not requesting a recommended decision from an Administrative Law Judge. I received the assignment of conducting the further evidentiary hearing as I had presided over the initial hearing one year ago.

A prehearing conference was held on April 25, 2014 and the following counsel was present. Daniel G. Asmus, Esq., for the Office of Small Business Advocate (OSBA); Teresa Schmittberger, Esq., for Met-Ed Industrial Users Group (MEIUG), Penelec Industrial Customer Alliance (PICA), West Penn Power Industrial Intervenors (WPPII), and Penn Power Users Group (PPUG), referred to collectively as (the Industrial Users); John F. Povilaitis, Esq. and Kathy J. Kolich, Esquire for the Companies; and Christy M. Appleby, Esq., for the Office of Consumer Advocate (OCA). The following matters were addressed: (1) protective order; (2) procedural schedule; (3) transcript turnaround; and (4) issues. These matters are discussed below.

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| Procedural Schedule  The procedural schedule is as follows:   |  |  | | --- | --- | |  |  | | |  | | --- | | SCHEDULE  Intervenors’ Direct Testimony April 29, 2014 (2:00 p.m.)  Informal Discovery Conference Call May 1, 2014  Discovery Written Responses May 2, 2014 (best effort basis)  Rebuttal Testimony May 5, 2014  Draft Brief Outline Circulated by Companies May 6, 2014  Evidentiary Hearing/ oral rejoinder May 7, 2014 (Harrisburg)  Responses to ALJ-authorized data requests May 12, 2014  Briefs May 14, 2014 | |  | |  | |  | |  |
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Identification of witness order

Counsel for the Companies will coordinate the order of witnesses and estimated time for cross-examination by each party, and will supply a copy of the witness order to me at least two (2) days prior to the hearing.

Service of documents

Service of documents by e-mail (by 4:30 p.m.) on the due date will be considered in-hand service, if a hard copy is sent by the following day via first class mail. Discovery documents served after 12:00 p.m. (noon) on a Friday shall be deemed served on the following business day (i.e. Monday).

Timing of motions or objections with respect to prepared written testimony

Motions or objections with respect to written testimony must be presented in writing and provided to the parties and the presiding officer by noon on May 6, 2014.

Location and start time of hearing

The hearing will begin at 10:00 a.m. on Wednesday, May 7, 2014 in Hearing Room No. 3, at the Commonwealth Keystone Building, in Harrisburg, PA.

Transcript turnaround time

The transcript turnaround time is one (1) day.

Discovery matters

The parties agreed to modify the discovery rules set forth in the Commission’s regulations due to the time constraints applicable to this proceeding. These modifications are reflected in the procedural schedule above.

Protective Order

The Protective Order dated February 27, 2013 remains in full force and effect throughout this proceeding.

Settlement

The parties are reminded that if a settlement is reached, they should file a petition for settlement as well as individual parties’ statements in support of the settlement petition. Additionally, it may be necessary to enter written testimony and other evidence into the record with a settlement petition, in order to provide the Commission with enough evidence to support findings that the proposed settlement is in the public’s interest and in accordance with the Public Utility Code. Evidence may be moved into the record with a written verification, or with the testimony of a live witness attesting to the truthfulness of the testimony offered. Any settlement petitions are to be filed in hard copy as well as in a CD in searchable PDF format. In addition, any settlement petitions are to be delivered to me in hard copy as well as electronically in Word format.

THEREFORE,

IT IS ORDERED:

1. The procedural schedule is as follows:

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| |  | | --- | | SCHEDULE  Intervenors’ Direct Testimony April 29, 2014 (2:00 p.m.)  Informal Discovery Conference Call May 1, 2014  Discovery Written Responses May 2, 2014 (best effort basis)  Rebuttal Testimony May 5, 2014  Draft Brief Outline Circulated by Companies May 6, 2014  Evidentiary Hearing/ oral rejoinder May 7, 2014 (Harrisburg)  Responses to ALJ-authorized data requests May 12, 2014  Briefs May 14, 2014 | |  | |  | | | |  |
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2. That service of documents by e-mail (by 4:30 p.m.) on the due date will be considered in-hand service, if a hard copy is sent by the following day via first class mail. The service list is attached to this Scheduling Order.

3. That directives regarding other matters including: the protective order, identification of witness order, motions, and settlement petitions are adopted as referenced in this Order.

Date: April 25, 2014

Elizabeth H. Barnes

Administrative Law Judge

**M-2013-2341990, M-2013-2341991, M-2013-2341993, and M-2013-2341994**

**Joint Petition of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, and West Penn Power Company for Approval of their Smart Meter Deployment Plan.**

**Revised 2/28/2013**

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