**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of PPL Electric Utilities Corporation :

for Approval of Its Smart Meter Technology : M-2014-2430781

Procurement and Installation Plan :

**SCHEDULING ORDER**

**Second prehearing order**

On June 30, 2014, PPL Electric Utilities Corporation (PPL or Company) filed its Petition for approval of its smart meter technology procurement and installation plan. Accompanying the petition is a Smart Meter Technology Procurement and Installation Plan (SMP) and the direct testimony of six witnesses, PPL Electric Statements 1 through 6.

Notice of the filing was published in the *Pennsylvania Bulletin* on July 19, 2014, with an August 11, 2014 deadline set for intervention or protests, and notice of a prehearing conference on August 11, 2014.

On July 8, 2014, I issued a prehearing order which directed those entities wishing to participate to follow Commission regulations regarding protests and interventions, and directed the filing of prehearing memorandum on or before August 11, 2014.

On July 21, 2014, the Office of Consumer Advocate (OCA) filed its Notice of Intervention, Public Statement and Answer.

On August 6, 2014, the Office of Small Business Advocate (OSBA) filed its Notice of Intervention, Public Statement and Notice of Appearance.

On August 7, 2014, the International Brotherhood of Electrical Workers, Local 1600 (IBEW), filed a Petition to Intervene.

On August 8, 2014, the Coalition for Affordable Utility Service and Energy Efficiency in Pennsylvania (CAUSE-PA), and the PP&L Industrial Customer Alliance (PPLICA) each filed a Petition to Intervene, with PPLICA also filing a protest.

PPL Electric, OCA, OSBA, IBEW, CAUSE-PA, and PPLICA each filed a timely prehearing memorandum. The prehearing conference was held as scheduled, with the following attending: on behalf of PPL Electric, Paul E. Russell, Esq., and Anthony Kanagy, Esq.; on behalf of OCA, Christy Appleby, Esq.; on behalf of OSBA, Steven C. Gray, Esq.; on behalf of IBEW, Scott J. Rubin, Esq.; on behalf of CAUSE-PA, Elizabeth Marx, Esq., and on behalf of PPLICA, Adeolu Bakare, Esq.

The interventions will be granted as unopposed. PPLICA indicated that it will proceed as a protestant rather than in intervenor.

A litigation schedule was discussed and substantially agreed upon. The schedule adopted here represents a fair accommodation of the parties' concerns.

Discovery modifications proposed by OCA are adopted by this Order. The Company anticipated that the number of discovery requests might hamper its ability to respond within the modified time limits, and the other parties indicated that they were willing to work with the Company's best efforts.

No party sought a public input hearing, and none is scheduled at this time. Should a perceived need arise, requests for public input hearings must be submitted as soon as possible, but no later than October 1, 2014, to give the Company an opportunity to comply with Commission regulations regarding publication of notice of public input hearings, and to give the parties an opportunity to respond to evidence presented at the public input hearing.

Note that the litigation schedule includes a deadline for a settlement conference. The Company is charged with notifying me after the conference has been held but no later than the deadline listed or the parties will be scheduled for a mandatory settlement conference in an available Commission hearing room at the earliest possible date.

THEREFORE,

IT IS ORDERED:

1. That the Petitions to Intervene of the International Brotherhood of Electrical Workers, Local 1600, and the Coalition for Affordable Utility Service and Energy Efficiency in Pennsylvania are granted as unopposed.

2. No public input hearings are directed in this Order, and requests for public input hearings must be submitted as soon as possible, but no later than October 1, 2014.

3. That the following litigation schedule is adopted:

Testimony of parties

Other than the Company October 10, 2014

Settlement conference deadline October 30, 2014

Rebuttal testimony November 21, 2014

Surrebuttal testimony December 5, 2014

Written rejoinder outline noon on December 12, 2014

Evidentiary hearings December 16-18, 2014

Initial briefs January 12, 2015

Reply briefs February 2, 2015

4. That the Commission’s regulations regarding discovery at 52 Pa. Code

§ 5.342 are modified as follows:

a. Answers to written interrogatories shall be served in-hand within ten (10) calendar days of service.

b. Objections to interrogatories shall be communicated orally within three (3) calendar days of service of the interrogatories; unresolved objections shall be served to the ALJ in writing within five (5) days of service of the interrogatories.

c. Motions to dismiss objections and/or direct the answering of interrogatories shall be filed within three (3) calendar days of service of the written objections.

d. Answers to motions to dismiss objections and/or answering of interrogatories shall be filed within three (3) calendar days of service of such motions.

e. Requests for admissions will be deemed admitted unless answered within ten (10) calendar days or objected to within five (5) calendar days of service.

f. Answers to on-the-record data requests shall be served in-hand within seven (7) calendar days of the requests.

5. That any discovery served after 12 noon on a Friday will be deemed to have been served on the following business day for purposes of tracking due dates.

6. That all discovery due dates be “in-hand” and that electronic or fax service on the due date will satisfy the “in-hand” requirement, where such service is immediately followed by a hard copy sent by first-class mail.

7. That one week prior to the start of the evidentiary hearings, the Company shall provide a completed daily witness listing and cross-examination grid to the presiding officer. Parties shall complete the daily witness listing and cross-examination grid as developed by the Company in a cooperative and timely fashion.

8. Only one copy of each statement and exhibit shall be submitted to the court reporter at the evidentiary hearing.

9. All parties are directed to comply with the provisions of 52 Pa. Code

§ 5.243(e) which prohibits the introduction of evidence during rebuttal or surrebuttal which should have been included in the case-in-chief or which substantially varies from the case-in-chief, unless the evidence is introduced in support of a proposed settlement.

10. Briefs must comply with 52 Pa. Code §§ 5.501 and 5.502, and shall comply with the standard directions attached to this Order as Appendix A. The parties shall work together to develop a common briefing outline which shall be submitted one week prior to the hearing. If the parties cannot agree upon a common outline, the Company shall provide one and the parties shall submit their recommended modifications at the time of the evidentiary hearing.

Dated: August 11, 2014 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Susan D. Colwell

Administrative Law Judge

**M-2014-2430781- Petition of PPL Electric Utilities Corporation for Approval of Its Act 129 Smart Meter Technology Procurement and Installation Plan (*Revised 8/13/14*)**

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