



COMMONWEALTH OF PENNSYLVANIA

August 19, 2014

**E-FILED**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

**Re: Commonwealth of Pennsylvania, by Attorney General Kathleen G. Kane, Through the Bureau of Consumer Protection and Tanya J. McCloskey, Acting Consumer Advocate, Complainants v. Respond Power, LLC, Respondent  
Docket No. C-2014-2427659**

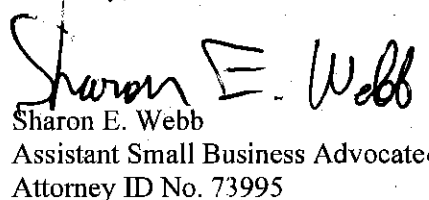
Dear Secretary Chiavetta:

I am delivering for filing today the original of the Prehearing Memorandum, on behalf of the Office of Small Business Advocate, in the above-captioned proceeding.

Two copies have been served today on all known parties in this proceeding. A Certificate of Service to that effect is enclosed.

If you have any questions, please do not hesitate to contact me.

Sincerely,

  
Sharon E. Webb  
Assistant Small Business Advocate  
Attorney ID No. 73995

Enclosures

cc: Parties of Record

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Commonwealth of Pennsylvania, by Attorney</b>	:	
<b>General Kathleen G. Kane, Through the Bureau</b>	:	
<b>Of Consumer Protection</b>	:	
<b>And</b>	:	
<b>Tanya J. McCloskey, Acting Consumer</b>	:	
<b>Advocate</b>	:	<b>Docket No. C-2014-2427659</b>
<b>Complainants</b>	:	
<b>v.</b>	:	
<b>Respond Power, LLC</b>	:	
<b>Respondent</b>	:	

**OFFICE OF SMALL BUSINESS ADVOCATE  
PREHEARING MEMORANDUM**

**I. INTRODUCTION**

The Office of Small Business Advocate (“OSBA”) is authorized to represent the interests of small business customers of utility services before the Pennsylvania Public Utility Commission (“Commission”) pursuant to the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 – 399.50 (“the Act”). In order to discharge this statutory duty, the Small Business Advocate deems it necessary to participate as a party to this proceeding. Representing the OSBA in this matter is Assistant Small Business Advocate Sharon E. Webb. Please address all correspondence in this matter as follows:

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Assistant Small Business Advocate  
Office of Small Business Advocate  
300 North Second Street, Suite 1102  
Harrisburg, PA 17101  
(717) 783-2525  
(717) 783-2831 (fax)  
swebb@pa.gov

## **II. FILING BACKGROUND**

On June 20, 2014, the Office of Consumer Advocate filed a Joint Complaint with the Office of Attorney General through the Bureau of Consumer Protection against Respond Power, LLC (“Respond Power” or the “Company”) alleging multiple violations of Pennsylvania law and Pennsylvania Public Utility Commission (“Commission”) orders and regulations.

In view of the foregoing, the Small Business Advocate intervened in this proceeding in order to protect the interests of the Company’s small business customers.

The OSBA filed a Notice of Intervention on July 10, 2014.

## **III. IDENTIFICATION OF WITNESSES AND TENTATIVE ISSUES**

The OSBA has intervened in this proceeding to assure that the interests of commercial customers are protected. At this point, the OSBA intends to review the testimony and discovery of the other parties. Unless that review identifies a problem unique to commercial customers, the OSBA does not anticipate presenting a witness in this proceeding.

## **IV. SERVICE OF DOCUMENTS**

The OSBA requests that all parties serve a hard copy of any document filed in this case upon the OSBA. In addition to hard copies of pleadings, briefs, and exceptions, the OSBA requests hard copies of responses to discovery propounded by the OSBA or any other party. Service by electronic mail only is not acceptable.

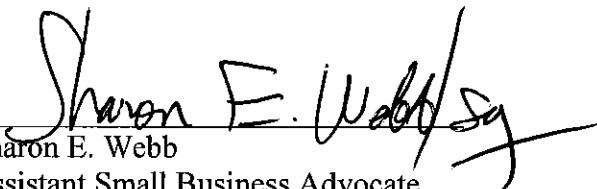
## **V. SETTLEMENT**

The OSBA notes its willingness to enter into settlement discussions at the appropriate phase of this proceeding.

**VI. HEARING AND BRIEFING SCHEDULE**

The OSBA will cooperate with other parties to develop a procedural schedule.

Respectfully submitted,

  
Sharon E. Webb  
Assistant Small Business Advocate  
Attorney ID # 73995

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Dated: August 19, 2014

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>Commonwealth of Pennsylvania, by Attorney</b>	:	
<b>General Kathleen G. Kane, Through the Bureau</b>	:	
<b>of Consumer Protection, and Tanya J.</b>	:	
<b>McCloskey, Acting Consumer Advocate,</b>	:	
<b>Complainants</b>	:	<b>Docket No. C-2014-2427659</b>
<b>v.</b>	:	
<b>Respond Power, LLC,</b>	:	
<b>Respondent</b>	:	

**CERTIFICATE OF SERVICE**

I certify that I am serving two copies of the Prehearing Memorandum, on behalf of the Office of Small Business Advocate, by e-filing, e-mail, and/or first-class mail (unless otherwise noted) upon the persons addressed below:

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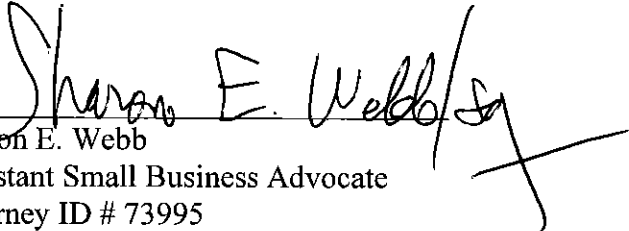
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Dated: August 19, 2014

  
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